



Medford City Council Meeting

Agenda

June 20, 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

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

Comments are limited to a total of 30 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All others will be limited to 4 minutes. PLEASE SIGN IN.

40.1 COUNCIL BILL 2019-52 A resolution adopting an eighth Supplemental Budget for the 2017-19 biennium.

40.2 COUNCIL BILL 2019-53 An ordinance vacating both a portion of a public storm drainage easement and a public utility easement (PUE) on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district. (SV-19-044) Land Use, Quasi-Judicial

40.3 COUNCIL BILL 2019-54 An ordinance amending the Planning Department fee schedule. (GF-19-004) Legislative

50. Approval or Correction of the Minutes of the June 6, 2019 Regular Meeting

60. Consent Calendar

60.1 COUNCIL BILL 2019-55 A resolution initiating annexation to the City of Medford of portions of Lozier Lane right-of-way from Stewart Avenue to West Main Street. (A-19-002)

60.2 COUNCIL BILL 2019-56 An ordinance granting to Hunter Communications, Inc., dba Core Digital Services, the non-exclusive privilege to use the public way to construct and maintain communication facilities within the City of Medford.

60.3 COUNCIL BILL 2019-57 An ordinance authorizing execution of an Agreement between the City of Medford and Teamsters Local 223 Construction and Maintenance Employees concerning wages, hours, fringe benefits, and other working conditions from July 1, 2019 through June 30, 2023.

- 60.4 COUNCIL BILL 2019-58 An ordinance adding section 8.185 to the Medford Municipal Code to allow the use of goats for vegetation control within City limits.
- 60.5 COUNCIL BILL 2019-59 An ordinance amending sections 8.800 – 8.815, 8.818, and 8.820 of the Medford Code pertaining to transient lodging tax.
- 60.6 COUNCIL BILL 2019-60 An ordinance authorizing execution of a Quitclaim Deed of an existing easement in conjunction with the Larson Creek Greenway Segment II project.
- 60.7 COUNCIL BILL 2019-61 An ordinance authorizing the purchase of seven (7) new police patrol vehicles in the total amount of \$262,798.00 from Northside Ford Truck Sales Incorporated of Portland, Oregon.

70. Items Removed from Consent Calendar

80. Ordinances and Resolutions

- 80.1 COUNCIL BILL 2019-62 An ordinance authorizing the establishment of a 20 mph designated speed for Valley View Drive, between Hillcrest Road and Capital Avenue.
- 80.2 COUNCIL BILL 2019-63 A resolution adopting 2019-21 Biennial Goals for the City of Medford.

90. Council Business

- 90.1 Proclamations issued: None
- 90.2 Committee Reports and Communications

100. City Manager and Staff Reports

- 100.1 HB 2509 – Single Use Plastic Bags
- 100.2 Further reports from City Manager

110. Adjournment



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.1

www.cityofmedford.org

DEPARTMENT: Finance
PHONE: (541) 774-2030
STAFF CONTACT: Ryan Martin, CFO/Assistant City Manager

AGENDA SECTION: Public Hearings
MEETING DATE: June 20, 2019

COUNCIL BILL 2019-52

A resolution adopting an eighth Supplemental Budget for the 2017-19 biennium.

SUMMARY AND BACKGROUND

Council is requested to consider an eighth Supplemental Budget for the 2017-2019 biennium which will affect five departments and seven funds.

The total impact is a \$548,095 increase in appropriations for the 2017-2019 biennium. ORS 294.471 provides for a Supplemental Budget process. This supplemental budget is being presented in a public hearing due to the Street Improvement Fund increasing appropriations by more than 10%. When this occurs, a public hearing is required.

PREVIOUS COUNCIL ACTIONS

June 15, 2017 – Council approved Resolution 2017-57 adopting the 2017-2019 biennial budget.

October 19, 2017 – Council approved Resolution 2017-122 adopting first Supplemental Budget for the 2017-2019 biennium.

December 7, 2017 – Council approved Resolution 2017-138 adopting a second Supplemental Budget for the 2017-19 biennium.

June 7, 2018 – Council approved Resolution 2018-51 adopting a third Supplemental Budget for the 2017-2019 biennium.

September 20, 2018 – Council approved Resolution 2018-112 adopting a fourth Supplemental Budget for the 2017-2019 biennium.

December 20, 2018 – Council approved Resolution 2018-138 adopting a fifth Supplemental Budget for the 2017-2019 biennium.

February 7, 2018 – Council approved Resolution 2019-08 adopting a sixth Supplemental Budget for the 2017-2019 biennium.

March 21, 2019 – Council approved Resolution 2019-19 adopting a seventh Supplemental Budget for the 2017-2019 biennium

ANALYSIS

Municipal Court

Municipal Court is requesting a supplemental budget to recognize \$150,000 of additional unanticipated revenue related to the Photo Enforcement citation program. Increased volume is causing additional expenses in vendor and collection fees.

Financial Impact to budget:

Revenue: \$150,000 increase to Red Light Camera Fines line item



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.1

www.cityofmedford.org

Expense: \$150,000 increase to Contracted Services line item

Fire Department

The Fire Department (FD) is requesting a supplemental budget to recognize unanticipated revenue of \$57,400 from the Oregon State Fire Marshal's Office and includes:

- \$44,100 for the reimbursement of equipment and personnel to respond to the 2018 Klondike West conflagration
- \$2,700 for the reimbursement of personnel time and equipment to respond to the Linde Corporation hazmat incident in White City
- \$10,600 for the reimbursement for regularly scheduled hazmat training

Financial Impact to Budget:

Revenue: \$57,400 increase to hazmat and conflagration revenues

Expense: \$57,400 increase to Fire Operations Overtime line item

Police Department

Supplemental Budget

The Police Department is requesting a supplemental budget to appropriate unanticipated revenue from the Medford School District 549C. The school district has agreed to reimburse the Police Department for School Resource Officer Arturo Vega's attendance at the 2019 National Association of School Resource Officers (NASRO) Annual Conference to be held 6/23 – 6/28/19 in Pigeon Forge, TN.

The Police Department is also requesting a supplemental budget to appropriate unanticipated Federal CDBG Grant monies of \$2,375.

Financial Impact to Budget:

Revenue:

- \$2,400 increase to Medford School District 549C revenue
- \$2,375 increase to Federal CDBG Grant revenue

Expense:

- \$2,400 increase to Administration Travel & Training line item
- \$2,375 increase to Overtime

Appropriation Transfer

The Police Department is requesting an appropriation transfer of \$45,000 from Professional Services to Motive Equipment in the Federal Forfeitures Fund for the purchase of a MADGE vehicle.

Financial Impact to Budget:

Expense:

- \$45,000 reduction to Professional Services
- \$45,000 increase to Motive Equipment



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.1

www.cityofmedford.org

Public Works

Supplemental Budget

Public Works is requesting a supplemental budget to recognize \$250,000 in additional revenues that have been received over budget in order to offset expense accounts relating to fleet maintenance. The revenue has been received in Fund 540 and the expenses are within the same fund.

Financial Impact to Budget:

Revenue:

- \$10,000 increase to Garage Services - Fixed
- \$5,000 increase to Garage Services - MWC
- \$120,000 increase to Garage Services - Outside Agent
- \$115,000 increase to Inventory Mark Up

Expense:

- \$10,000 increase to Operating Tools & Materials
- \$20,000 increase to City of Talent
- \$30,000 increase to City of Jacksonville
- \$50,000 increase to Medford 549C
- \$55,000 increase to MWC Purchases
- \$85,000 increase to Fleet Inventory Clearing

Public Works Department is also requesting a supplemental budget to recognize an appropriation transfer for two projects associated with the 17-Project List. The funds were initially collected in Fund 500 (Street Utility) and should have been collected in Fund 550 (Street Improvement). The two projects are Project 1) STA 1095; Columbus Extension/W McAndrews to Hwy 238 - \$1,000,000 and Project 2) STA 2004; Delta Waters Fill Ins - \$300,000. An additional supplemental budget will be required in the next biennium to full fund the two projects. Since the Street Improvement Fund (550) is increasing its appropriations by more than 10% the supplemental budget with public hearing is required.

Financial Impact to Budget:

Expense:

- \$1,300,000 increase to Contingency (Fund 550)
- \$1,300,000 decrease to Contingency (Fund 500)

Appropriation Transfer

Public Works is requesting an appropriation transfer to pay the FY19 portion of the City of Medford and Northwest Environmental Advocates lawsuit settlement agreement. There are two payments due by July 1st: \$152,000 for litigation costs and \$75,000 for April 2019 – April 2020 attorney & expert fees. The payment will be made from Fund 503 and transferred from Contingency. Other payment requirements fall into next fiscal year and an additional supplemental budget request will be submitted at that time.

Financial Impact to Budget:

\$227,000 increase to M&S Contractual Services (Fund 503)
\$227,000 decrease to Contingency (Fund 503)



CITY OF MEDFORD AGENDA ITEM COMMENTARY

www.cityofmedford.org

Item No: 40.1

Planning Department

The Planning Department is requesting a supplemental budget to recognize unanticipated program income revenue that increases the Community Development Block Grant (CDBG) Program's 2019 fiscal year budget.

The City received \$48,045 in unanticipated revenue from the payoff of project liens through ACCESS' Down-Payment Assistance Program, and \$37,875 more revenue than anticipated from the payoff of homeowner repair liens through the Housing Authority of Jackson County.

Financial Impact to Budget:

Revenue: \$85,920 increase to Federal CDBG Grant

Expense:

- \$31,210 increase to Housing Authority of Jackson County
- \$800 increase to St. Vincent de Paul
- \$53,910 to CDBG Program Administration

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The proposed resolution will increase appropriations as follows:

Fund	Existing Appropriations	New Appropriations
100	\$ -	\$ 212,175
201	\$45,000	\$ -
500	\$ (1,300,000)	\$ -
503	\$ 227,000	\$ -
540	\$ -	\$250,000
550	\$1,300,000	\$ -
731	\$ -	\$85,920
TOTAL	\$ 272,000	\$ 548,095

TIMING ISSUES

None

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Deny the resolution as presented and provide staff with direction.

STAFF RECOMMENDATION

Staff recommends approval of the resolution



CITY OF MEDFORD
AGENDA ITEM COMMENTARY
www.cityofmedford.org

Item No: 40.1

SUGGESTED MOTION

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

EXHIBITS

Resolution

Supplemental Budget Request

RESOLUTION NO. 2019-52

A RESOLUTION adopting an eighth Supplemental Budget for the 2017-19 biennium.

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

WHEREAS, a public hearing was held by the City on June 20, 2019, after proper notice thereof was given to the public; now, therefore,

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

SECTION 1. The City Council hereby adopts an eighth Supplemental Budget for the 2017-19 biennium.

SECTION 2. The City Council hereby makes the new appropriations and transfers of appropriations for the 2017-19 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 June, 2019.

ATTEST: _____
City Recorder

Mayor

CITY OF MEDFORD

SUPPLEMENTAL BUDGET REQUEST PER ORS 294.471

Requesting Department: Finance

Biennium **BN2017-19**

Date of Proposed Council Action: June 20, 2019

Date **June 20, 2019**

Explanation of Requested Transfer: See AIC

Account Number	Description	Project Number	Debit	Credit
Municipal Court	Unanticipated Revenue			
100 0000 - 451 1603	Red Light Camera Fines			150,000.00
100 1610 - 630 2101	Contracted Services		150,000.00	
Fire Department	Unanticipated Revenue			
100 0000 - 431 0207	Revenue - Conflagration			44,100
100 0000 - 431 0207	Revenue - Hazmat			700
100 0000 - 431 0207	Revenue - Hazmat			2,700
100 0000 - 431 0207	Revenue - Hazmat			9,900
100 2220 - 610 1001	Ops. Wages - Overtime		44,100	
100 2220 - 610 1001	Ops. Wages - Overtime		700	
100 2220 - 610 1001	Ops. Wages - Overtime		2,700	
100 2220 - 610 1001	Ops. Wages - Overtime		9,900	
Police Department	Unanticipated Revenue			
100 0000 - 441 2117	Medford School District 549C			2,400
100 0000 - 441 1001	Federal CDBG Grant			2,375
100 2110 - 630 2302	Travel and Training		2,400	
100 2123 - 610 1002	Overtime		2,375	
Police Department	MADGE Vehicle			
201 2122 - 640 4100	Motive Equipment	PFM0071201-4004	45,000	
201 2122 - 630 2214	Professional Services	PFM0071201-2101		45,000
Public Works	Litigation Costs			
503 3210 - 630 2101	Contractual Services		227,000	
503 3210 - 690 9099	Contingency			227,000

Account Number	Description	Project Number	Debit	Credit
Fleet Maintenance	Unanticipated Revenue			
5400000 4413022	Garage Services Fixed			10,000
5400000 4413024	Garage Services MWC			5,000
5400000 4413025	Garage Outside Agent			120,000
5400000 4413030	Inventory Mark Up			115,000
5403124 6302430	Operating Tools & Materials		10,000	
5403124 6302625	City of Talent		20,000	
5403124 6302621	City of Jacksonville		30,000	
5403124 6302601	Medford 549C		50,000	
5403124 6302490	MWC Purchases		55,000	
5403124 6909003	Fleet Inventory Clearing		85,000	
Public Works	Transfers			
550 0000 - 471 6500	Transfers In	STA1095, STA2004		1,300,000
550 1590 - 690 9099	Contingency		1,300,000	
500 1590 - 690 9099	Contingency	STA1095, STA2004		1,300,000
500 1500 - 670 7550	Transfers Out		1,300,000	
Planning Department	CDBG Program Income			
731 0000 - 431 0108	CDBG/Program Income			85,920
731 6110 - 630 2214	Housing Authority	GSS1020731-2704	31,210	
731 6110 - 630 2214	St. Vincent De Paul	GSS1026731-2704	800	
731 6110 - 630 2214	CDBG Program Administration	GSS1001731-2704	53,910	
TOTALS			3,420,095	3,420,095

Approved by

Chief Financial Officer

City Manager



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.2

www.ci.medford.or.us

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

AGENDA SECTION: Public Hearings
MEETING DATE: June 20, 2019

COUNCIL BILL 2019-53

An ordinance vacating both a portion of a public storm drainage easement and a public utility easement (PUE) on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district. (SV-19-044) Land Use, Quasi-Judicial

SUMMARY AND BACKGROUND

Council is requested to consider a request to vacate both a portion of a public storm drainage easement and a public utility easement. The easements are on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane. They are in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601, 372W13AB TL 235 & 372W13AB TL 211). (SV-19-044)

On January 10, 2019, the Planning Commission approved the tentative plat for the McKenzie Village subdivision (LDS-18-149), a proposed 25-lot residential subdivision, which encompasses the subject public easements. As part of the tentative plat review for the McKenzie Village Subdivision, the applicant submitted survey maps which identified two separate public easements located on the site: a 10-foot public storm drainage easement running through lots 10-12 and 13, and a 20-foot public utility easement at the site's southeast corner. The approved plans for the McKenzie Village Subdivision demonstrated that all necessary utilities will be extended into and through the development without the need for either of the two subject public easements.

The approval of McKenzie Village included a condition of approval requiring the applicant to obtain approval for the vacation of the public easements identified on the submitted survey maps prior to final plat approval.

At the Planning Commission hearing on May 23, 2019, the Commission forwarded a favorable recommendation to the City Council for the proposed vacations.

PREVIOUS COUNCIL ACTIONS

On May 2, 2019, Council approved Council Bill 2019-32 establishing a public hearing date of June 20, 2019, for consideration of the matter.

ANALYSIS

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

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

None.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.2

www.ci.medford.or.us

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the vacation.

SUGGESTED MOTION

I move to adopt the ordinance authorizing the vacation of a portion of the existing Public Utility Easement (PUE) and the portions of the existing storm drain easement, as recommended by the Planning Commission.

EXHIBITS

Ordinance

City Council Report, including Exhibits A-K

Draft Minutes Excerpt from Planning Commission hearing on May 23, 2019

Vicinity Map

ORDINANCE NO. 2019-53

AN ORDINANCE vacating both a portion of a public storm drainage easement and a Public Utility Easement (PUE) on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (SV-19-044).

WHEREAS, the City Council of the City of Medford, Oregon, by Resolution No. 2019-32 accepted the petition initiating the vacation; and

WHEREAS, the City Council fixed 6:00 p.m. on June 20, 2019, in the Medford City Council Chambers, 411 W. 8th St., Medford, Oregon, as the time and place for hearing any objections to the proposed vacation of said area; and

WHEREAS, the City Recorder has given notice of the time and place for said hearing as required by law; and

WHEREAS, at the time and place set for hearing the City Council heard all objections to the proposed vacation; and

WHEREAS, on the basis of the facts and conclusions stated in the Staff Report dated June 6, 2019 on file in the Planning Department, the City Council has deemed it to be in the public interest that said area be vacated; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a portion of a public storm drainage easement and a Public Utility Easement (PUE) on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (SV-19-044), described in Exhibit "A" and "B" attached hereto and incorporated herein, is hereby vacated, and the ownership of the said area hereby vacated shall become vested as provided by law.

Section 2. The Council finds and determines that written objections were not received from the owners of a majority of the area affected by the vacation.

Section 3. The Council finds and determines that the vacation of said area in the City of Medford is in the public interest and does not damage or cause a deterioration of the market value of any real property of non-consenting owners (if any) abutting the same or any portion thereof and that no damage on account thereof shall be allowed.

Section 4. The City Recorder is hereby directed to cause a certified copy of this ordinance, together with any map, plat, or other record showing the area, to be filed with the County Recorder of Jackson County, Oregon.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor

State of Oregon)
County of Jackson)

On this ____ day of June, 2019, Gary H. Wheeler, as Mayor for the City of Medford, personally appeared before me and is known to me to be the person whose name is signed to this document, and acknowledges that he signed the document.

Notary Public for Oregon
My Commission expires:

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



EXHIBIT "A-1"
L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

LEGAL DESCRIPTION

The certain Public Storm Drainage Easement being the Easterly 10 feet of Lot 30 AND the Southerly 10 feet of Lot 24 of CUMMINGS PLACE SUBDIVISION, according to the official plat thereof, now of record, in Jackson County, Oregon.

PUBLIC STORM DRAINAGE EASEMENT

TO BE VACATED

372W13AB TL'S 211 & 235

Tom Malot

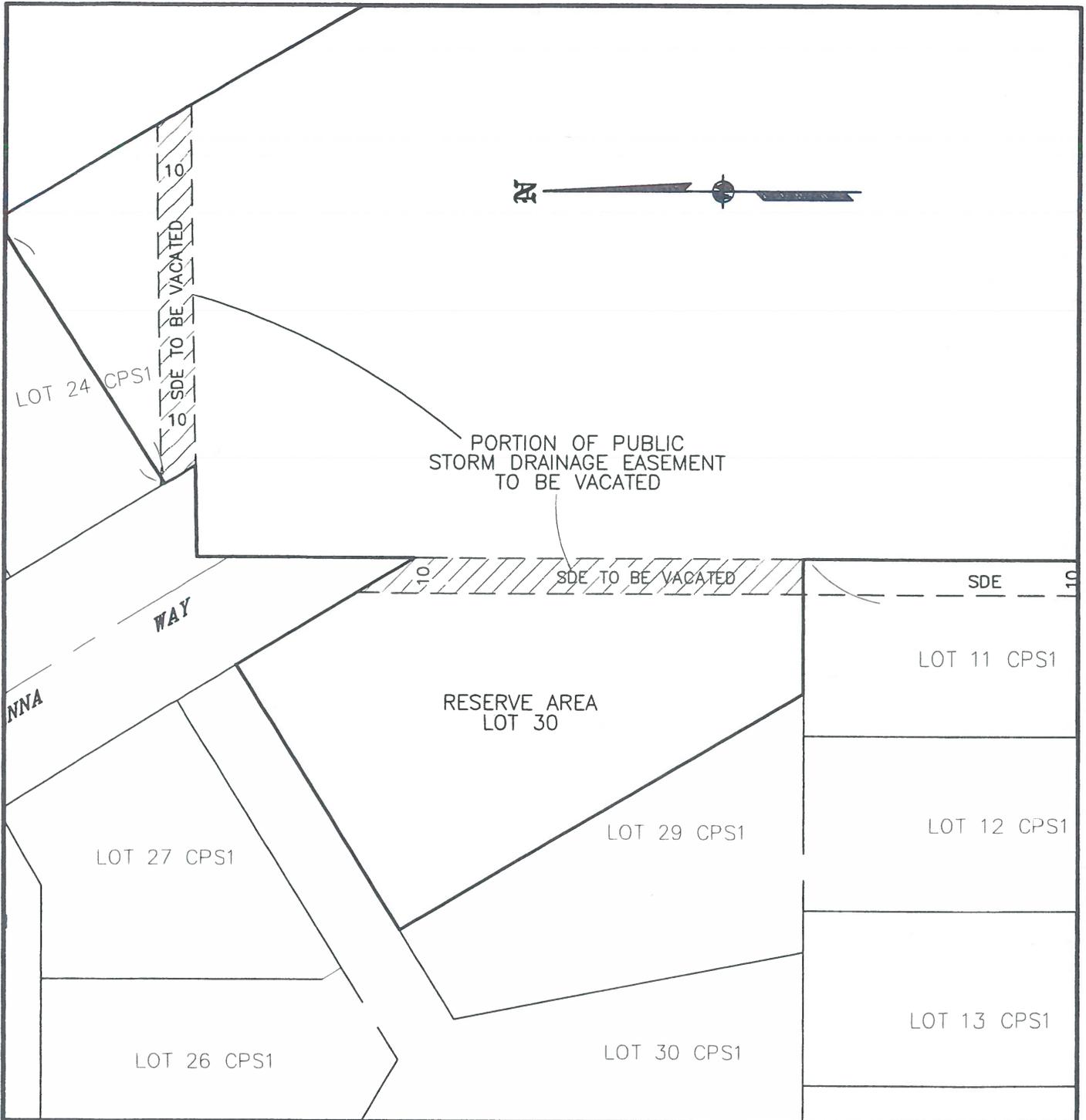
18-175

May 23, 2019



CITY OF MEDFORD
EXHIBIT # A (1 of 4)
FILE # SV-19-044

EXHIBIT "A-2"



REGISTERED
PROFESSIONAL
LAND SURVEYOR

James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE 6-30-19

TITLE: PUBLIC STORM DRAINAGE EASEMENT VACATION

ASSESSOR'S MAP #: 372W13AB TL'S 211 & 235

FOR: TOM MALOT CONSTRUCTION CO. INC.
PO BOX 5384
CENTRAL POINT, OR 97502

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS

PO BOX 1947, PHOENIX, OR 97535
(541) 772-2782
ljfriarandassociates@charter.net

DATE: 3 MAY 2019

SCALE: 1 inch : 40 feet

DRAWN BY: JEH
CHK BY:

ORIGIN:

ROTATION: 270°
JOB#: 18175FM

Sheet 1 of 1.

EXHIBIT "B-1"

L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



LEGAL DESCRIPTION

The certain public utility easement being the Northerly 20 feet of the vacated portion of Midway Road set forth in Medford Ordinance No. 2005-273 and recorded as Document No. 2005-077295, Official Records of Jackson County, Oregon.

PUBLIC UTILITY EASEMENT

TO BE VACATED

372W13AA TL601

Tom Malot

18-175

May 23, 2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

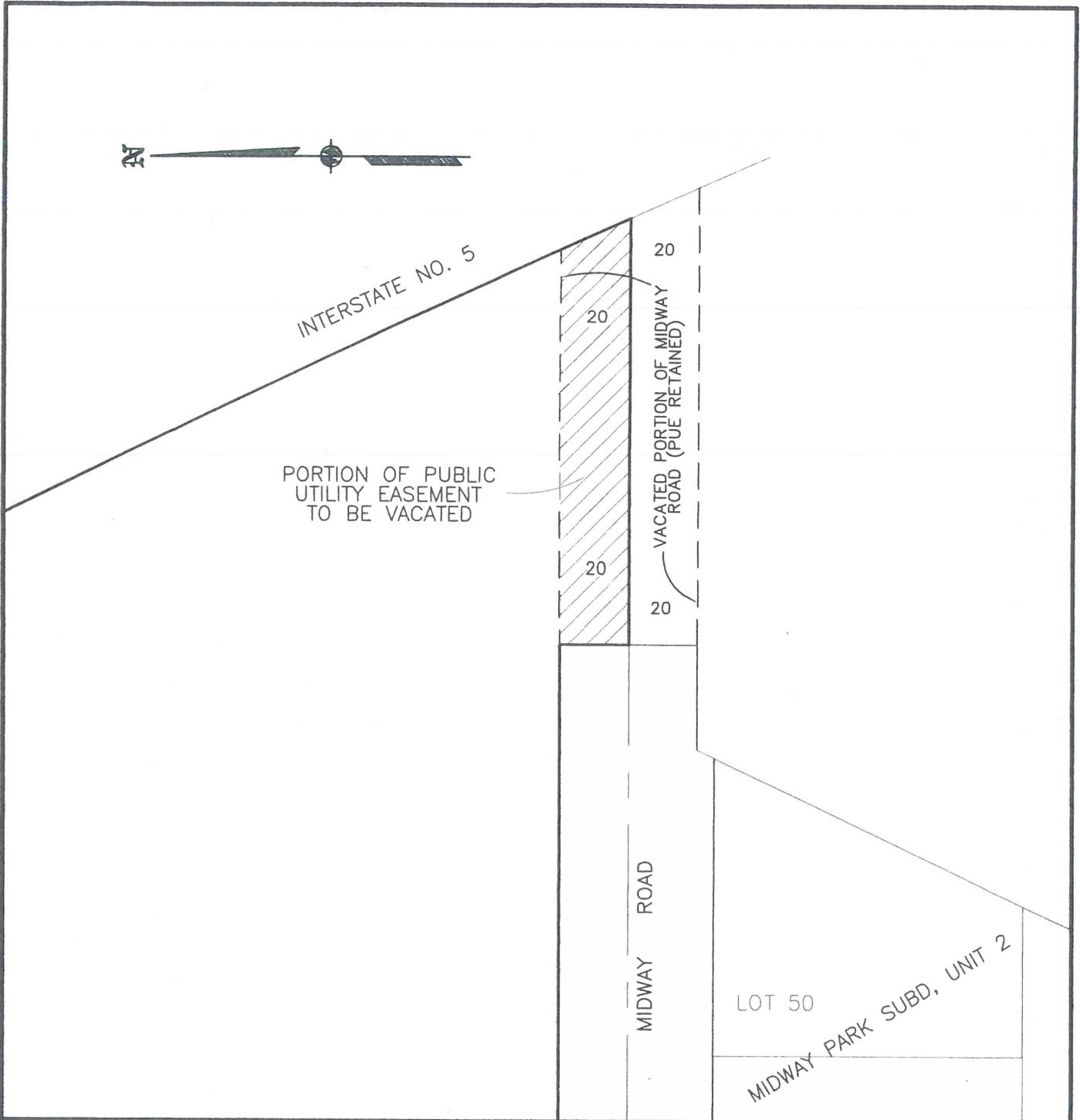
James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE : 6-30-19

CITY OF MEDFORD
EXHIBIT # A (3 of 4)
FILE # SV-19-044

EXHIBIT "B-2"



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE 6-30-19</p>	<p>TITLE: PUBLIC UTILITY EASEMENT VACATION</p>	<p>DATE: 5 DEC 2018</p>
	<p>ASSESSOR'S MAP #: 372W13AA TL601</p>	<p>SCALE: 1 inch : 40 feet</p>
	<p>FOR: TOM MALOT CONSTRUCTION CO. INC. PO BOX 5384 CENTRAL POINT, OR 97502</p>	<p>DRAWN BY: JEH CHK BY:</p>
	<p> L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS PO BOX 1947, PHOENIX, OR 97535 (541) 772-2782 ljfriar@charter.net</p>	<p>ORIGIN:</p> <p>ROTATION: 270° JOB#: 18175FM</p>
		<p>Sheet 1 of 1.</p>



Project Name:

**McKenzie Village
Easement Vacation**

Map/Taxlot:

**372W13AA TL 601
372W13AB TL 211 & 235**



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

05/29/2019

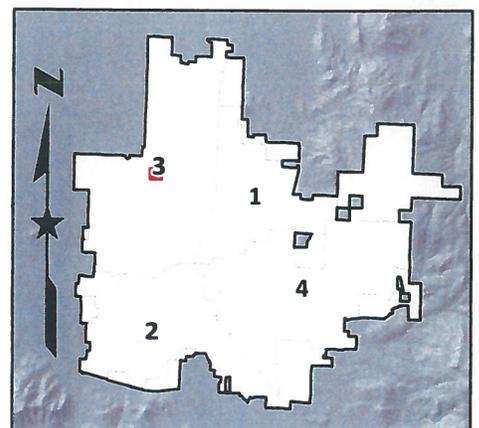


Exhibit D



CITY COUNCIL REPORT

for a Type-IV quasi-judicial decision: Vacation

Project Malot Vacation
Applicant: Tom Malot Construction, Inc.
Agent: Richard Stevens & Associates

File no. SV-19-044

To Planning Commission

for June 20, 2019 hearing

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

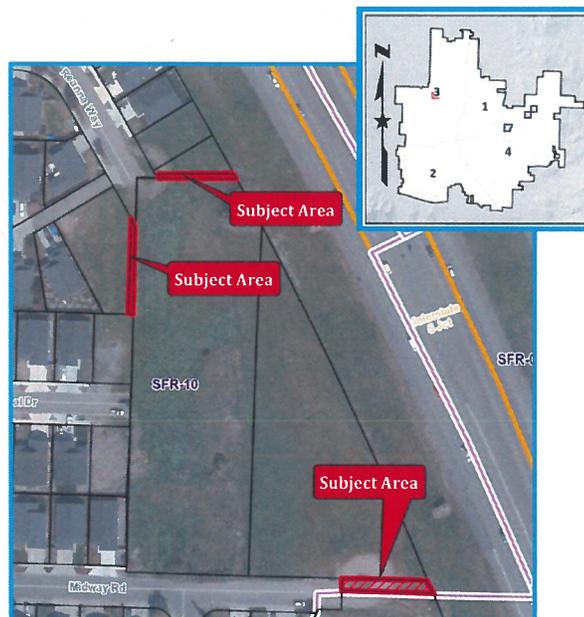
Date June 6, 2019

BACKGROUND

Proposal

Consideration of a request for the vacation of both a portion of a public storm drainage easement and a public utility easement on three non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601, 372W13AB TL 235 & 372W13AB TL 211).

Vicinity Map



Related Projects

LDS-18-149 McKenzie Village Subdivision

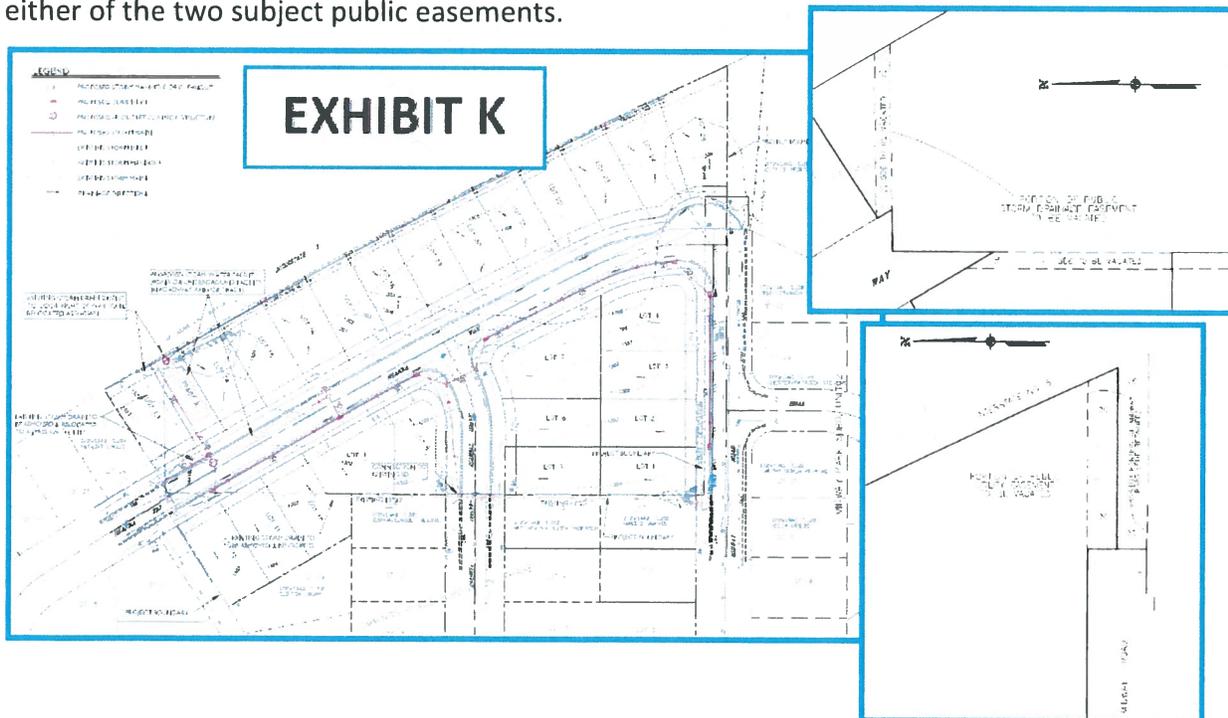
Authority

This proposal is a Type-IV application for vacation of public easements. The Planning Commission is authorized to act as the advisory agency to the City Council for vacations, providing a recommendation to the City Council, and with the City Council serving as the approving authority.

ISSUES AND ANALYSIS

Background

The applicant received tentative plat approval from the Planning Commission on January 10, 2019, for the McKenzie Village Subdivision (LDS-18-149), a proposed 25-lot residential subdivision, which encompasses the subject public easements. As part of the tentative plat review for the McKenzie Village Subdivision, the applicant submitted survey maps which identified two separate public easements located on the site: a 10-foot public storm drainage easement running through lots 10-12 and 13, and a 20-foot public utility easement at the site's southeast corner. The approved plans for the McKenzie Village Subdivision demonstrated that all necessary utilities will be extended into and through the development without the need for either of the two subject public easements.



The approval of McKenzie Village included a condition of approval requiring the applicant to obtain approval for the vacation of the public easements identified on the submitted survey maps prior to final plat approval.

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

With the subject application, the applicant is requesting to vacate the two unneeded public easements, as required per the tentative plat approval of the McKenzie Village Subdivision. The applicant has requested that Council initiate the vacation process of the two public easements, and City Council approved the resolution of the vacation, setting the public hearing date of June 20, 2019.

Public Improvements

Per the staff report submitted by Public Works (Exhibit G), the Public Improvement Plan for the McKenzie Village Subdivision will be required to be completed and the improvements accepted by the City or a temporary easement is in place prior to the vacation of the storm drain easement. In response to this requirement, the applicant has stipulated to record a temporary storm drain easement (Exhibit J), which will terminate upon the recording of the final plat of McKenzie Village.

Agency Comments

Per the agency comments submitted to staff (Exhibits G-I), it can be found that public facilities will not be impacted by the proposed vacation.

Other Agency Comments

None

Committee Comments

No comments were received from committees such as BPAC.

FINDINGS AND CONCLUSIONS

The criteria that apply to vacations are in Medford Municipal Code Section 10.228(D)

Vacation Criteria. A request to vacate shall be approved by the approving authority (City Council) when the following criteria have been met:

Criterion (1): Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

Findings

A review of the goals and policies in the Comprehensive Plan that relate to public facilities, transportation and the Transportation System Plan (TSP) do not apply to public easements.

Conclusion

This criterion is not applicable to the project.

Criterion (2): If initiated by petition under ORS 271.080, the findings required by ORS 271.120.

Findings

The applicant has chosen to initiate the vacation by Council as allowed per ORS 271.130; therefore, initiation by petition is not requested.

Conclusion

This criterion is not applicable to the project.

Criterion (3): If initiated by the Council, the applicable criteria found in ORS 271.130.

Findings

The application was initiated by Council per the requirements in ORS 271.130.

Conclusion

The submitted application contains the requisite material conforming to the standards of ORS 271.130, including typed mailing labels to all abutting and affected property owners. At the time of this writing, staff has received no objections in writing from owners within the affected area of the proposed vacations. This criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, the Planning Commission forwarded a favorable recommendation to the City Council for approval of the vacation per the staff report dated May 16, 2019, including Exhibits A through K.

EXHIBITS

- A Legal descriptions and Exhibit Maps of vacation areas (4 of 4), received March 4 and May 6, 2019.
- B Letter to City Council requesting to initiate vacation process, received March 4, 2019.
- C Applicant's Findings of Fact and Conclusions of Law, received March 4, 2019.
- D Applicant's Areas to be Vacated map, received March 4, 2019.
- E Applicant's Vicinity Map, received March 4, 2019.
- F Applicant's Abutting and Affected areas map, received March 4, 2019.
- G Medford Public Works Department Staff Report, received May 15, 2019.
- H Medford Fire Department Report, received May 1, 2019.
- I Medford Water Commission Memo and Facility Map, received May 1, 2019.
- J Temporary Storm Drain Easement, receive May 6, 2019.

K McKenzie Village Subdivision utility plan, received November 9, 2018.

CITY COUNCIL AGENDA

JUNE 20, 2019

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



EXHIBIT "A-1"
L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

LEGAL DESCRIPTION

The certain Public Storm Drainage Easement being the Easterly 10 feet of Lot 30 AND the Southerly 10 feet of Lot 24 of CUMMINGS PLACE SUBDIVISION, according to the official plat thereof, now of record, in Jackson County, Oregon.

PUBLIC STORM DRAINAGE EASEMENT
TO BE VACATED

372W13AB TL'S 211 & 235

Tom Malot

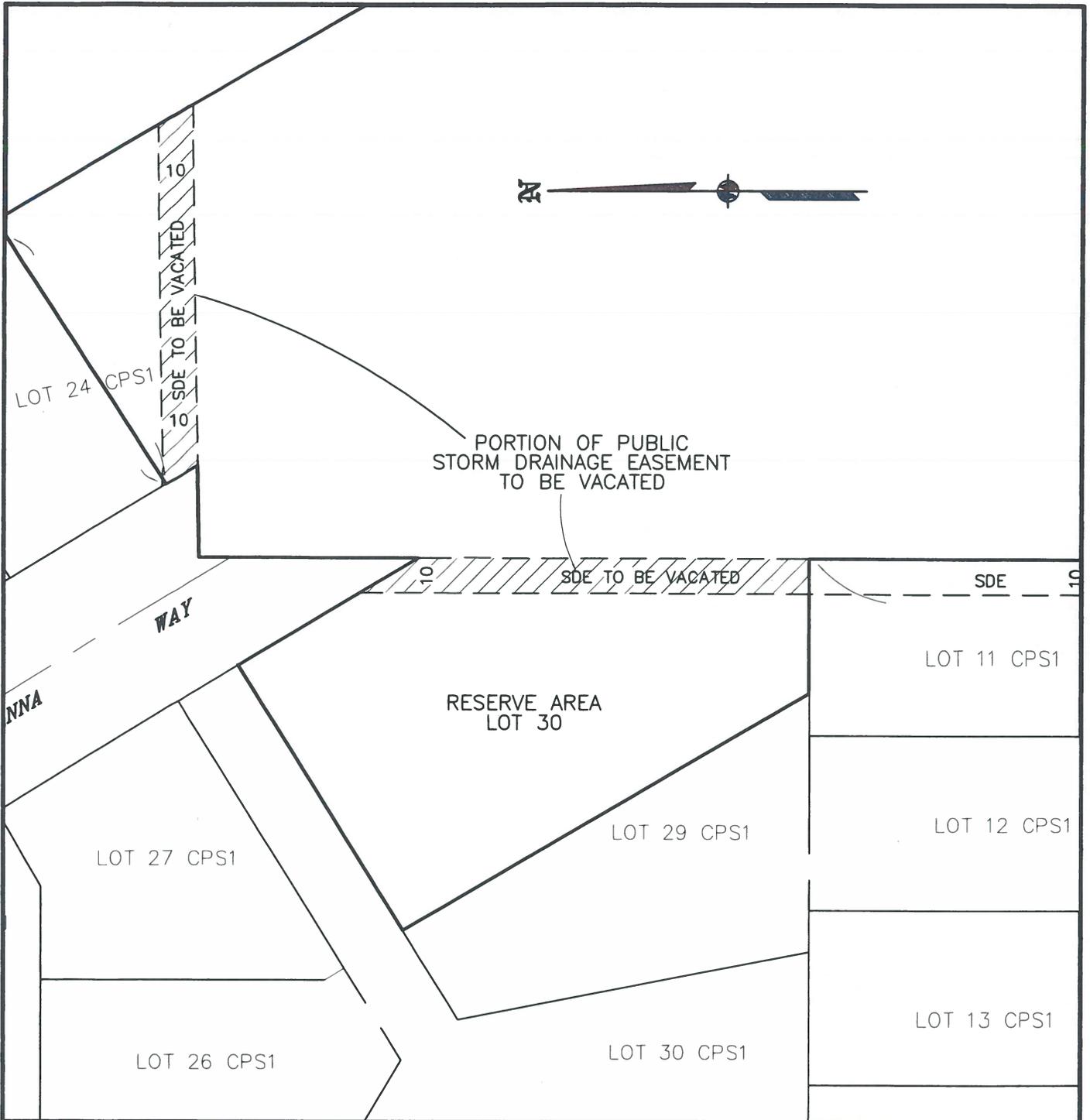
18-175

May 23, 2019



CITY OF MEDFORD
EXHIBIT # A(1 of 4)
FILE # SV-19-044

EXHIBIT "A-2"



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234</p> <p>RENEWAL DATE 6-30-19</p>	<p>TITLE: PUBLIC STORM DRAINAGE EASEMENT VACATION</p>	<p>DATE: 3 MAY 2019</p>
	<p>ASSESSOR'S MAP #: 372W13AB TL'S 211 & 235</p>	<p>SCALE: 1 inch : 40 feet</p>
	<p>FOR: TOM MALOT CONSTRUCTION CO. INC. PO BOX 5384 CENTRAL POINT, OR 97502</p>	<p>DRAWN BY: JEH CHK BY:</p>
	<p> L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS PO BOX 1947, PHOENIX, OR 97535 (541) 772-2782 ljfriarandassociates@charter.net</p>	<p>ORIGIN:</p> <p>ROTATION: 270° JOB#: 18175FM</p>
		<p>Sheet 1 of 1.</p>

EXHIBIT "B-1"

L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



LEGAL DESCRIPTION

The certain public utility easement being the Northerly 20 feet of the vacated portion of Midway Road set forth in Medford Ordinance No. 2005-273 and recorded as Document No. 2005-077295, Official Records of Jackson County, Oregon.

PUBLIC UTILITY EASEMENT

TO BE VACATED

372W13AA TL601

Tom Malot

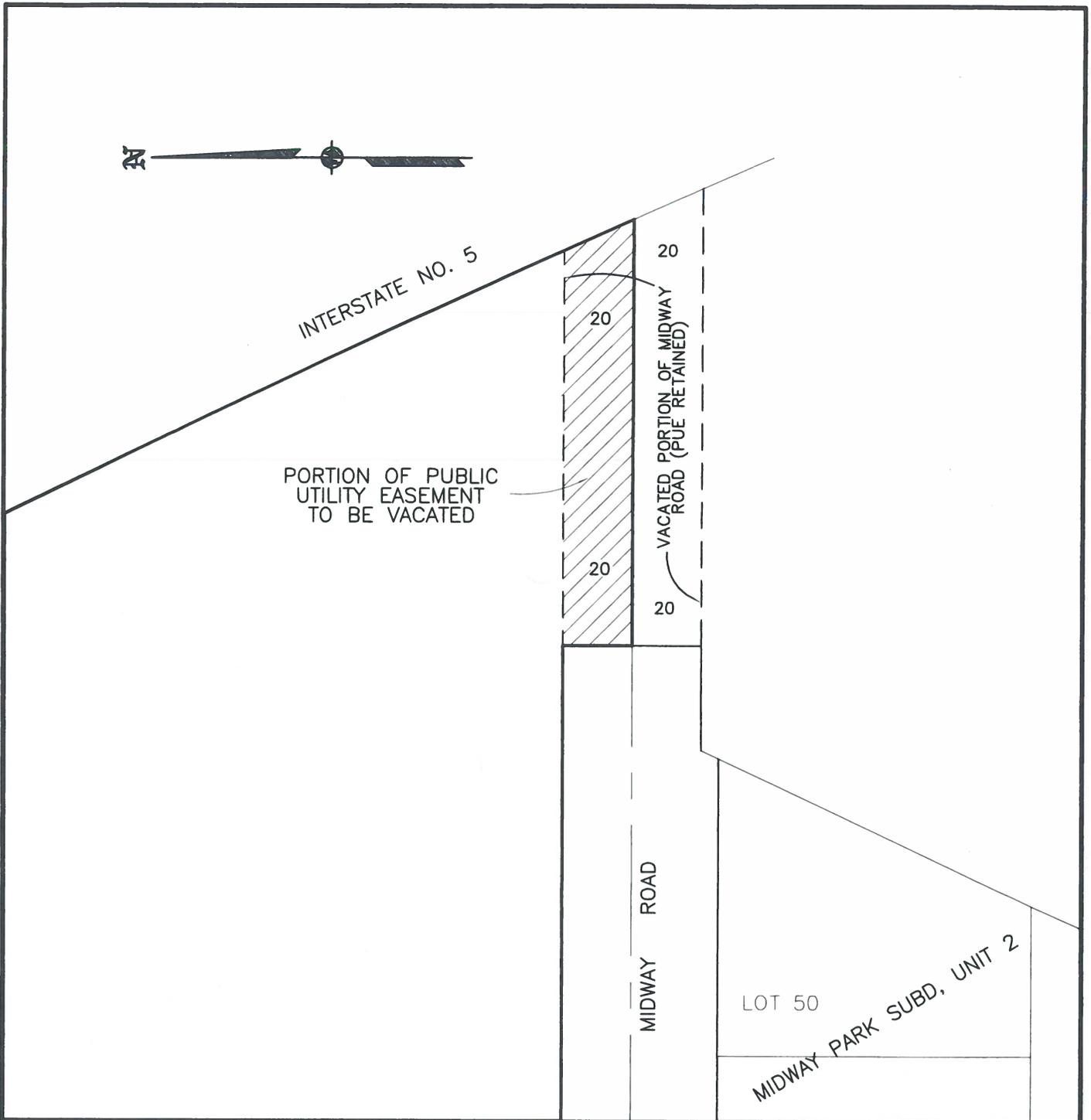
18-175

May 23, 2019



CITY OF MEDFORD
EXHIBIT # A (3 of 4)
FILE # SV-19-044

EXHIBIT "B-2"



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234</p> <p>RENEWAL DATE 6-30-19</p>	<p>TITLE: PUBLIC UTILITY EASEMENT VACATION</p>	<p>DATE: 5 DEC 2018</p>
	<p>ASSESSOR'S MAP #: 372W13AA TL601</p>	<p>SCALE: 1 inch : 40 feet</p>
	<p>FOR: TOM MALOT CONSTRUCTION CO. INC. PO BOX 5384 CENTRAL POINT, OR 97502</p>	<p>DRAWN BY: JEH CHK BY:</p>
	<p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS</p>	<p>ORIGIN:</p>
<p>PO BOX 1947, PHOENIX, OR 97535 (541) 772-2782 ljfriar@charter.net</p>	<p>ROTATION: 270° JOB#: 18175FM</p>	<p>Sheet 1 of 1.</p>

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MAR 04 2019
PLANNING DEPT.

February 15, 2019

City Council
C/O Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

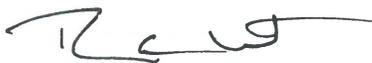
RE: Request City Council initiate vacation process for two unneeded public utility easements

Dear City Council,

The City of Medford Planning Commission recently approved a land division (LDS-18-149) and associated exception (E-18-150) for McKenzie Village, a 25-lot residential subdivision located north of Midway Road, west of Interstate 5 and east of Cummings Lane (Tentative Subdivision Plan - Exhibit A, Vicinity Map - Exhibit B). The approved residential subdivision will provide infill residential development on this 3.51-acre property located between existing residential development to the west and Interstate 5 to the east. As a condition of approval, Tom Malot Construction Company, Inc. has been required to vacate portions of two unneeded public easements. The first is a 10-foot wide public storm drainage easement connecting to the south end of Reanna Way (Exhibit C). The second is a 20-foot wide section of a public utility easement that extends from the east end of Midway Road to the west boundary of Interstate 5 (Exhibit D). The plans for McKenzie Village demonstrate that services will be maintained to existing development in the vicinity and that all necessary utilities will be extended into and through this development without the need for either of these existing utility easements.

As these two easements have been shown to be unnecessary, we request that the Council initiate the vacation process for these public rights-of-way (easements) as provided for in Medford Land Development Code (MLDC) Section 10.228(C) and Oregon Revised Statute (ORS) 271.130.

Sincerely,



Tom Malot

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PLANNING DEPT.

BEFORE THE CITY COUNCIL FOR THE CITY OF
MEDFORD, JACKSON COUNTY, OREGON:

IN THE MATTER OF AN APPLICATION FOR)
THE VACATION OF BOTH A PORTION OF A)
PUBLIC STORM DRAINAGE EASEMENT AT)
THE SOUTH TERMINUS OF REANNA WAY)
AND A PUBLIC UTILITY EASEMENT EAST)
OF MIDWAY ROAD AND WEST OF)
INTERSTATE 5; TOM MALOT)
CONSTRUCTION COMPANY, INC.,)
APPLICANT; RICHARD STEVENS &)
ASSOCIATES, INC., AGENTS)

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICANT: Tom Malot Construction Company, Inc.
PO Box 5384
Central Point, OR 97502

AGENTS: Richard Stevens & Associates, Inc.
P.O. Box 4368
Medford, OR 97501
(541) 773-2646

PURPOSE OF APPLICATION:

The City of Medford Planning Commission recently approved a land division (LDS-18-149) and associated exception (E-18-150) for McKenzie Village, a 25-lot residential subdivision located north of Midway Road, west of Interstate 5 and east of Cummings Lane. The approved residential subdivision will provide infill residential development on this 3.51-acre property, described as T-37 R-2W SEC-13AA, Tax Lots 601 & 700, located between existing residential development to the west and Interstate 5 to the east. As a condition of approval, Tom Malot Construction Company, Inc. was required to vacate portions of two unneeded public easements. The first is a portion of a 10-

foot wide public storm drainage easement connecting to the south end of Reanna Way. The second is a 20-foot wide section of a public utility easement that extends from the east end of Midway Road to the west boundary of Interstate 5. The plans for McKenzie Village demonstrate that services will be maintained to existing development in the vicinity and that all necessary utilities will be extended into and through this development without the need for either of these existing utility easements.

As these two easements have been shown to be unnecessary, the applicant has submitted this application to vacate these two public easements as provided for in Medford Land Development Code (MLDC) Section 10.228(C) and Oregon Revised Statute (ORS) 271.130.

Attachments:

- Exhibit 1: Vicinity Map to scale (1' = 1000') per MLDC Section 10.228 and a vicinity map at a scale of 1' = 300' showing greater detail of the area in question;
- Exhibit 2: Legal Description of area to be vacated along with detailed maps showing the areas to be vacated;
- Exhibit 3: Assessor's Maps and a GIS map of the areas to be vacated showing abutting and affected properties;
- Exhibit 4: A map identifying the required notification area along with typed mailing labels for each of the property owners within the notification area; and
- Exhibit 5: A letter to City Council, with exhibits, requesting initiation of the vacation.

II. APPLICABLE CRITERIA:

In order to approve a Vacation of a Public Right-of-Way, the applicant must submit findings addressing Section 10.228 of the Land Development Code. A review of Section 10.228(E) indicates that an application for a Vacation must contain the following:

- (1) A vicinity map drawn to scale of 1"=1000' identifying the proposed area of vacation.*
- (2) A legal description of the area(s) proposed to be vacated in electronic form per the instructions of the City of Medford Planning Department.*
- (3) A letter requesting City Council initiation, or, if initiated by petition rather than by Council, consent to vacate forms completed and signed by owners of all abutting property and not less than two-thirds in area of the real property affected as defined in ORS 271.080.*
- (4) Assessor's maps of the proposed vacation area identifying abutting*

and affected properties.

(5) Names and addresses of property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated, including map and tax lot numbers typed on mailing labels.

(6) Findings that address the approval criteria in Section 10.228(D), Vacation Criteria.

FINDING:

This application for the vacation of a portion of a 10-foot wide public storm drainage easement connecting to the south end of Reanna Way and the vacation of a 20-foot wide section of a public utility easement that extends from the east end of Midway Road to the west boundary of Interstate 5, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal descriptions of the areas to be vacated, a letter requesting the City Council initiate the vacation, the names and addresses of all affected properties typed on mailing labels, and findings consistent with the requirements of Section 10.228(D).

III. FINDINGS IN COMPLIANCE WITH SECTION 10.228(D) OF THE MEDFORD LAND DEVELOPMENT CODE:

Section 10.228(D) provides that the approving authority (City Council) shall only approve a request for a vacation if it finds that the vacation complies with subsections (1) and (2) or (3) below:

(1) *Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.*

(2) *If initiated by petition under ORS 271.080, the findings required by ORS 271.120.*

(3) *If initiated by the Council, the applicable criteria found in ORS 271.130.*

10.228(D)(1) COMPLIANCE WITH THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN, INCLUDING THE TRANSPORTATION SYSTEM PLAN:

The City of Medford Planning Commission recently approved a land division (LDS-18-149) and associated exception (E-18-150) for McKenzie Village, a 25-lot residential

subdivision located north of Midway Road, west of Interstate 5 and east of Cummings Lane. As a condition of approval, Tom Malot Construction Company, Inc. was required to vacate portions of two unneeded public easements as shown on the subdivision plans. The plans for McKenzie Village, with the associated conditions of approval, demonstrate that all necessary utilities will be extended into and through this development without the need for either of these existing utility easements. The plans also demonstrate that utility services will continue for existing development in the vicinity without the use of either of these easements.

As neither of the public easements under consideration for vacation are public street or alley rights-of-way, the proposed vacations will have no affect on the Transportation System Plan.

FINDING:

The plans for the recently approved McKenzie Village subdivision, with associated conditions, demonstrate that services will be maintained to existing development in the vicinity and that all necessary utilities will be extended into and through this development without the need for either of these existing utility easements. As neither of these easements is a public street or alley right-of-way, the proposed vacations will have no affect on the Transportation System Plan.

10.228(D)(2) IF INITIATED BY PETITION UNDER ORS 271.080, THE FINDINGS REQUIRED BY ORS 271.120:

Not applicable.

FINDING:

The proposed vacation was initiated by City Council action and not by petition.

10.228(D)(3) IF INITIATED BY THE COUNCIL, THE APPLICABLE CRITERIA FOUND IN ORS 271.130:

Along with this application for public right-of-way vacation, the applicant submitted a letter to City Council, with exhibits, requesting initiation of the vacation per (MLDC) Section 10.228(C) and ORS 271.130. The application must therefore demonstrate compliance with the applicable criteria found in ORS 271.130, as follows:

- 1) *Notice has been provided per ORS 271.110.*

- 2) *The owners of a majority of the area affected have not objected in writing.*
 - 3) *For street vacations, the consent of the owners of all abutting properties must be obtained if the vacation will substantially affect the market value of such property.*
- 1) Along with this vacation application, the applicant has provided a map indicating the required notification area along with the names and addresses of property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated, including map and tax lot numbers typed on mailing labels, as required on the City application form and MLDC Section 10.228(E)(5). With this information, and by following its own rules for noticing of hearings, the City has met the noticing requirements of ORS 271.110.
 - 2) The noticing required by ORS 271.110 provides an opportunity for affected property owners to participate in the public hearing process for the proposed vacation and to submit letters in opposition to the proposed vacation should they so choose. As of the date of these findings the applicant is unaware of any opposition to the proposed vacations.
 - 3) As the proposed vacations are for two public utility easements and not street rights-of-way it is unclear whether this criterion applies to this application. However, the proposed vacation of these two public easements is not expected to in any way affect the market value of abutting properties.

FINDING:

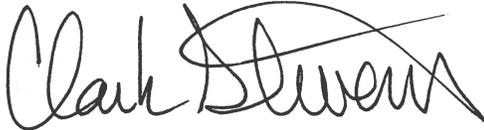
Based upon the information contained herein, the City of Medford can find that the application has met the applicable criteria contained in ORS 271.130 as notice required by ORS 271.110 has been provided; the owners of a majority of the area affected have not objected in writing; and the vacation will not substantially affect the market value of abutting properties.

IV. SUMMARY AND CONCLUSIONS:

In order to approve a request for public right-of-way vacation, the City Council must find that the applicant has made the requisite findings for a vacation. A review of the application and the above Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan; and since the vacation has been initiated by the Council, the application also complies with the applicable criteria found in ORS 271.130.

With this in mind, the applicant respectfully requests that the City of Medford vacate a portion of a 10-foot wide public storm drainage easement connecting to the south end of Reanna Way and a 20-foot wide section of a public utility easement that extends from the east end of Midway Road to the west boundary of Interstate 5 as shown in the attached exhibits.

Respectfully Submitted,

A handwritten signature in black ink that reads "Clark Stevens". The signature is written in a cursive style with a large, sweeping flourish over the name.

Richard Stevens & Associates, Inc.

Areas to be Vacated

McKenzie Village

Legend

-  Public Storm Drain Easement
-  Public Utility Easement



1 inch = 100 feet

PLANNING DEPT.

MAR 04 2019

RECEIVED

1-27-2019



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.



5

Vicinity Map

McKenzie Village

Legend

 Subject area



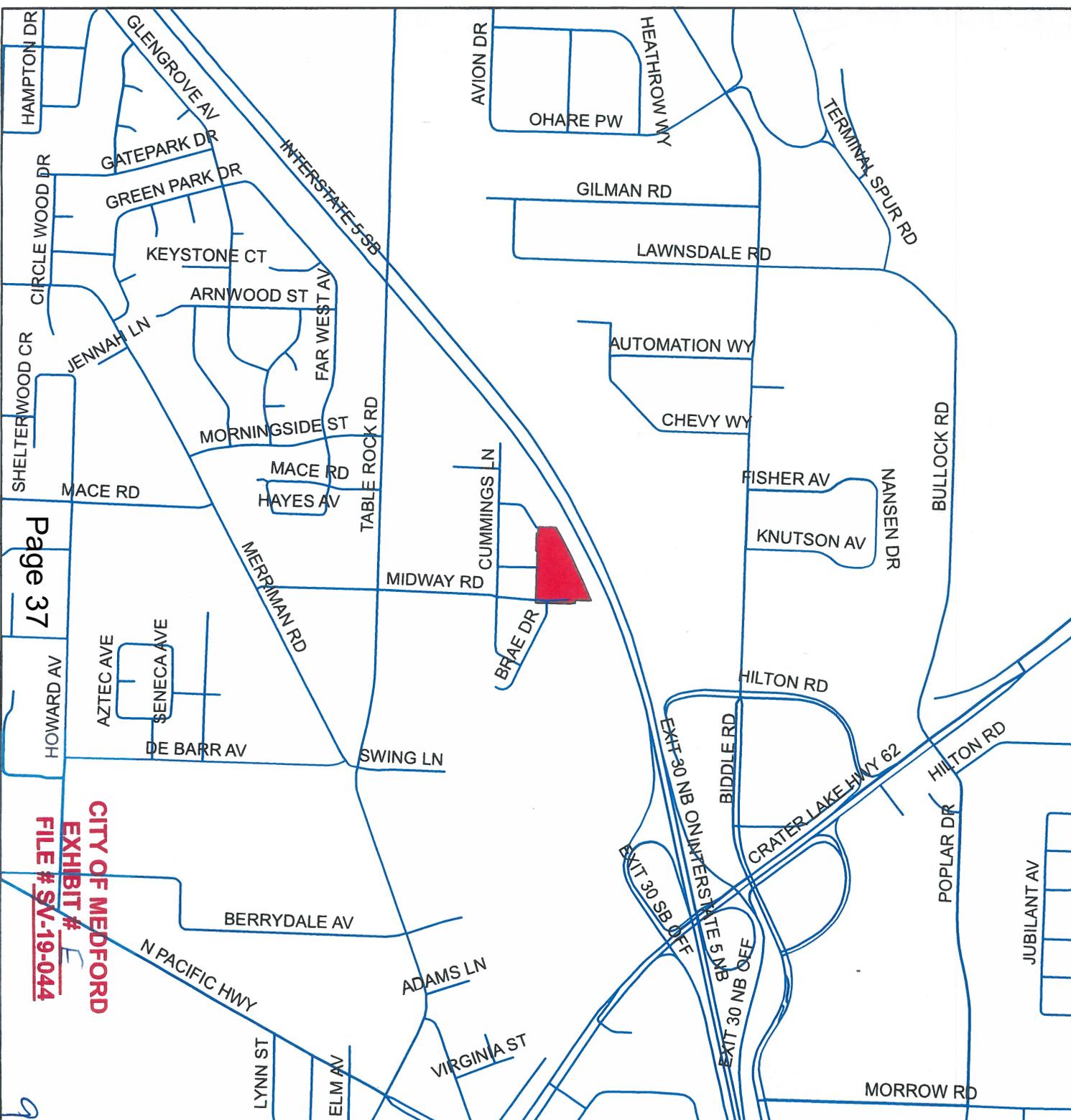
RECEIVED
MAR 04 2019
PLANNING DEPT.

1 inch = 1000 feet

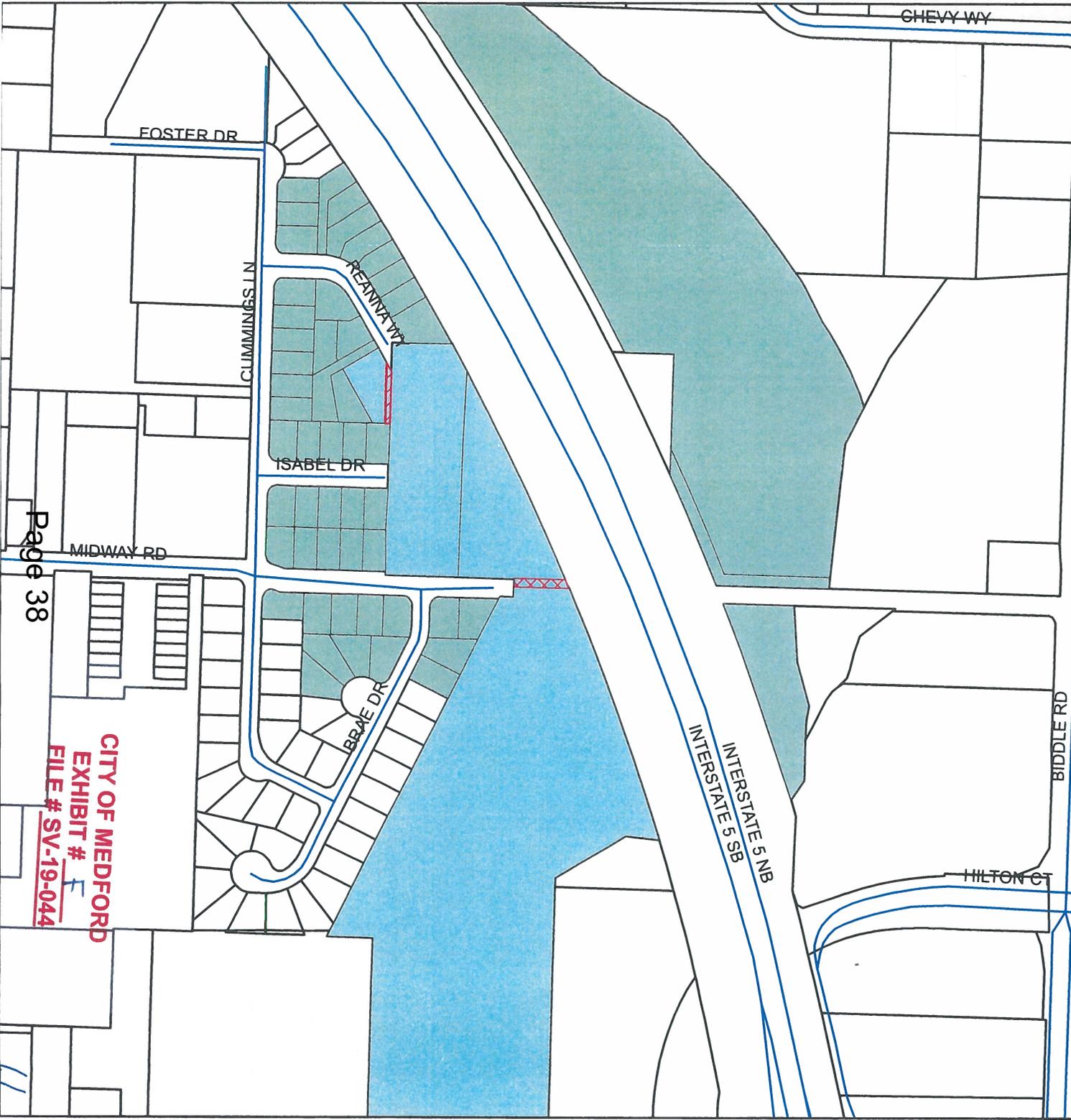
1-27-2019



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Abutting & Affected McKenzie Village



Legend

-  Public Storm Drain Easement
-  Public Utility Easement
-  Abutting Properties
-  Affected Properties



1 inch = 300 feet

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MAR 04 2019
PLANNING DEPT.

1-27-2019



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 5/1/2019

Revised Date: 5/15/2019

File Number: SV-19-044

PUBLIC WORKS DEPARTMENT STAFF REPORT McKenzie Village Storm Drain Easement & PUE Vacations Tom Malot Construction Company

- Project:** Consideration of a request for the vacation of both a portion of a public storm drainage easement and a public utility easement on two non-contiguous parcels.
- Location:** Parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601 & 372W13AB TL 211).
- Applicant:** Tom Malot Construction Company, Inc., Applicant; Richard Stevens & Associates, Agent; Dustin Severs, Planner.

Public Works concurs with the request to vacate the subject existing stormdrain easement, with the condition that Public Improvement Plan review for the McKenzie Village Subdivision be completed and the improvements are accepted by the City of Medford or a temporary easement is in place prior to vacation of the storm drain easement.

Public Works concurs with the request to vacate the subject existing right-of-way, with the condition that sign-offs shall be obtained from all applicable utility companies to confirm they have relocated their facilities out of the area to be vacated.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 4/24/2019

Meeting Date: 5/1/2019

LD File #: SV19044

Planner: Dustin Severs

Applicant: Tom Malot; Agent: Richard Stevens and Associates - Clark Stevens

Project Location: Two non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane

ProjectDescription: Consideration of a request for the vacation of both a portion of a public storm drainage easement and a public utility easement on two non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601 & 372W13AB TL 211)

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: SV-19-044

PARCEL ID: 372W13AA TL 601 & 372W13AB TL 211

PROJECT: Consideration of a request for the vacation of both a portion of a public storm drainage easement and a public utility easement on two non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601 & 372W13AB TL 211); Tom Malot Construction Company, Inc., Applicant; Richard Stevens & Associates, Agent; Dustin Severs, Planner.

DATE: May 1, 2019

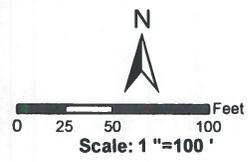
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. No conditions.

COMMENTS

1. No Comments



Water Facility Map
City of Medford
Planning Application:
SV-19-044
(372W13AA601
372W13AB211)
April 17, 2019

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- Control Station
- Pump Station
- Reservoir



This map is based on a digital database compiled by Medford Water Commission from a number of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or published accuracy. There are no warranties, expressed or implied.

TEMPORARY STORM DRAIN EASEMENT

Tom Malot Construction Co., Inc., Grantor, does hereby grant unto the City of Medford, Oregon, a municipal corporation, a temporary easement over the following described property:

SEE ATTACHED EXHIBITS "A-1" & "A-2"

For the purpose of constructing and maintaining, therein, a storm drain as part of the storm drainage system of the said City, including a right to go upon the premises hereinabove described with such personnel and equipment as may be necessary to accomplish the purposes hereof, reserving to the Grantor herein the right to possess and make such use of the premises above described as shall not conflict with the said City in the exercise of this easement; and the City by these presents covenants that it shall promptly fill to grade of adjoining property, and to restore the surface over, any excavation it may make pursuant hereto.

This easement will automatically terminate upon the recording of the final plat of McKenzie Village in the plat records of Jackson County, Oregon.

SIGNED this _____ day of _____, 20____.

STATE OF OREGON)
) ss:
COUNTY OF JACKSON)

THOMAS ERIC MALOT, President
Tom Malot Construction Co., Inc.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,
by Thomas Eric Malot, President of Tom Malot Construction Co., Inc.

Notary Public for Oregon
My Commission Expires: _____

The City of Medford, a municipal corporation of the State of Oregon, hereby accepts such grant of temporary easement with the express understanding that in so doing, the City of Medford does not agree to improve or maintain said property except as stated herein.

CITY OF MEDFORD:

By: _____
Title: _____
Date: _____

STATE OF OREGON)
) ss:
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,
by _____.

Notary Public for Oregon
My Commission Expires: _____

CITY OF MEDFORD
EXHIBIT # 5
FILE # SV-19-044

EXHIBIT "A-1"

The certain Public Storm Drainage Easement being the Easterly 10 feet of Lot 30 **AND** the Southerly 10 feet of Lot 24 of CUMMINGS PLACE SUBDIVISION, PHASE 1, according to the official plat thereof, now of record, in Jackson County, Oregon.

TEMPORARY PUBLIC STORM
DRAINAGE EASEMENT
372W13AB TL211
Tom Malot
18-175
May 3, 2019

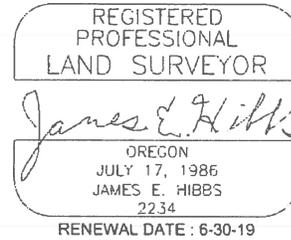
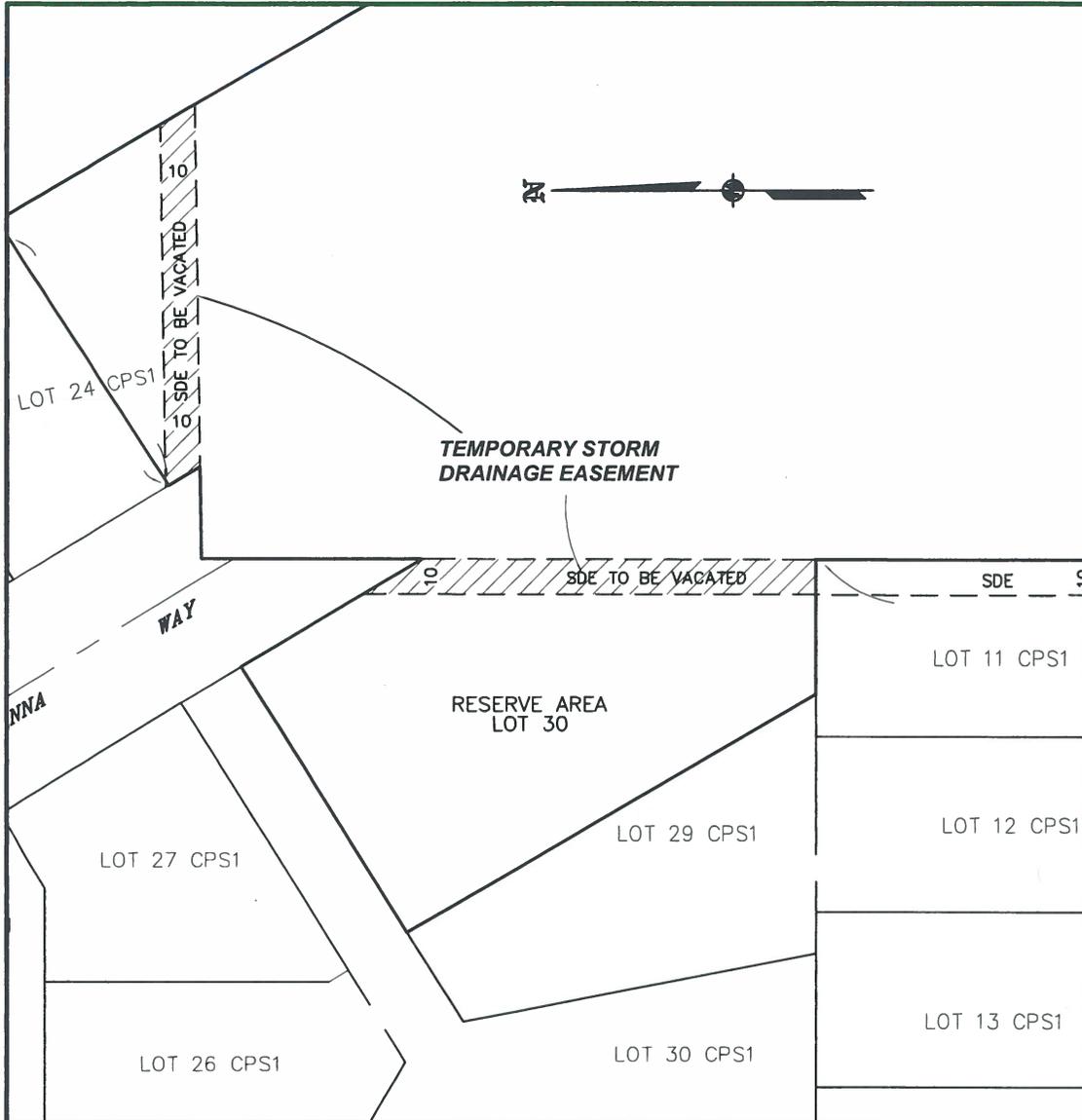


EXHIBIT "A-2"



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234</p> <p>RENEWAL DATE 6-30-19</p>	<p>TITLE: TEMPORARY STORM DRAINAGE EASEMENT</p>	<p>DATE: 2 MAY 2019</p>
	<p>ASSESSOR'S MAP #: 372W13AB TL211</p>	<p>SCALE: 1 inch : 40 feet</p>
	<p>FOR: TOM MALOT CONSTRUCTION CO. INC. PO BOX 5384 CENTRAL POINT, OR 97502</p>	<p>DRAWN BY: JEH CHK BY:</p>
	<p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS</p> <p>PO BOX 1947, PHOENIX, OR 97535 (541) 772-2782 ljfriarandassociates@charter.net</p>	<p>ORIGIN:</p> <p>ROTATION: 270° JOB#: 18175FM</p> <p>Sheet 1 of 1.</p>

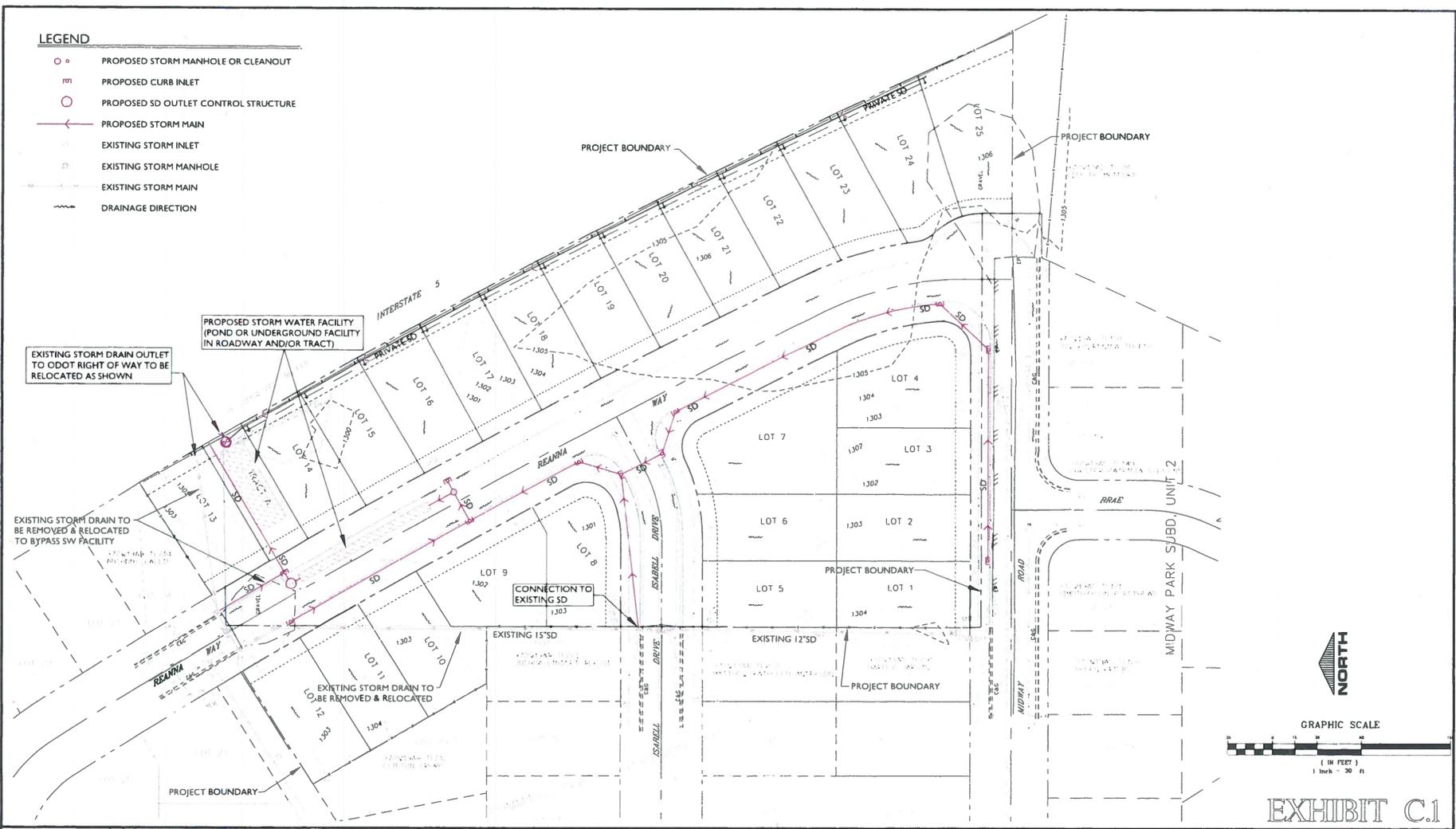


EXHIBIT C.1

		DRAWN BY: MHW DATE: 09/18	NO. REVISION DATE BY
		CHECKED BY: AMB/MHW DATE: 09/18	
P.O. BOX 1254 MEDFORD, OREGON 97501 PH. (531) 274-3288		DATE: _____	DATE: _____
		CONSTRUCTION ENGINEERING CONSULTANTS, INC. MCKENZIE VILLAGE CONCEPTUAL GRADING & DRAINAGE PLAN	
		PROJECT NO.	DRAWING NO.

Motion: The Planning Commission adopted the consent calendar as submitted.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 5-0-0.

30. Minutes

30.1 The minutes for May 9, 2019, were approved as submitted.

40. Oral and Written Requests and Communications. None.

Eric Mitton, Deputy City Attorney read the Quasi-Judicial statement.

50. Public Hearings – Continuance Request

50.1 ZC-18-189 Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, June 13, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the June 13th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on June 13th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued ZC-18-189, per the applicant's request, to Thursday, June 13, 2019, Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 5-0-0.

New Business

50.2 SV-19-044 Consideration of a request for the vacation of both a portion of a public storm drainage easement and a public utility easement on two non-contiguous parcels located north of Midway Road, west of Interstate 5, and east of Cummings Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W13AA TL 601 & 372W13AB TL 211). Applicant: Tom Malot Construction Company, Inc.; Agent: Richard Stevens & Associates, Planner: Dustin Severs.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. None were disclosed.

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

Dustin Severs, Planner III reported that the Street Vacation approval criteria can be found in the Medford Land Development Code Section 10.228(D). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Stevens reported that the public sewer easement will go away and be realigned within the public right of way for storm drainage. The Midway extension towards I-5 is a reduction in the public utility easement. There is currently a 44 foot easement that will be reduced 20 feet on the applicant's property and there will still be a 20 foot public utility easement on the property to the south.

Commissioner McFadden asked, is there a storm drain in the easement area? Mr. Stevens replied the one with the extension of Midway as it terminates towards I-5 is strictly a public utility easement. The one that traverses west then back north is strictly a storm drain easement. All storm drains will be relocated within the public right of way when the applicant develops the subdivision.

Mr. Stevens reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission based on the findings and conclusions that all of the approval criteria are met or not applicable, forwards a favorable recommendation to the City Council for approval of SV-19-044 per the staff report dated May 16, 2019, including Exhibits A through K.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 5-0-0.

50.3 ZC-19-001 Consideration of a request for a zone change of a 0.93 acre parcel located on the south side of Cherry Lane approximately 200 feet east of the intersection of Mary Bee Lane and Cherry Lane from SFR-00 (Single Family Residential, one dwelling unit per



Project Name:

**McKenzie Village
Easement Vacation**

Map/Taxlot:

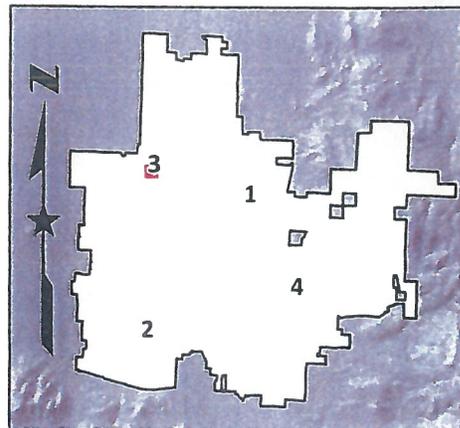
**372W13AA TL 601
372W13AB TL 211 & 235**



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

05/29/2019





CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.3

www.ci.medford.or.us

DEPARTMENT: Planning **AGENDA SECTION:** Public Hearings
PHONE: (541) 774-2380 **MEETING DATE:** June 20, 2019
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director

COUNCIL BILL 2019-54

An ordinance amending the Planning Department fee schedule. (GF-19-004) Legislative

SUMMARY AND BACKGROUND

Council is requested to consider an ordinance establishing application fees and increases to existing fees for Land Use permits.

Fees charged for Land Use permits are adjusted periodically; however, nearly all of the fees currently charged have not been adjusted since the fee schedule was last updated en masse in 2006.

Historically, planning permit fees have enabled the Department to recover approximately 7% of its General Fund expenses. At a July 26, 2018, Budget Committee meeting, higher cost recovery was discussed. At a subsequent meeting on November 8, 2018, members of the Budget Committee voted to direct the Department to review its current fees and prepare a new schedule of fees that could recover 20 percent of the Department's General Fund operational costs (a portion of the Department's budget is funded through Community Block Development Grants).

On March 18, 2019, staff presented a preliminary draft of rate increases and new fees to the Budget Committee. After discussion, the Budget Committee voted to recommend adoption of the proposed fee schedule in order to achieve this cost recovery goal. The cost recovery goal of 20 percent was included in the FY 2019-2021 budget adopted by City Council on June 6, 2019. (GF-19-004)

PREVIOUS COUNCIL ACTIONS

On May, 19, 2016, Council adopted Council Bill 2016-62, increasing application fees for annexations, right-of-way vacations, publication and recording costs for annexations and right-of-way vacations, expedited land divisions and portable storage containers.

On June 6, 2019, Council adopted Council Bill 2019-45. The adopted budget assumes that \$400,000 will be generated through planning permits each year of the biennium, and another \$50,000 per year will be generated through the building permit surcharge.

ANALYSIS

Cost Recovery

Cost recovery varies greatly from community to community. The City of Corvallis maintains a 70% cost recovery according to its published schedule of fees, while the City of Bend has, until the upcoming biennium, maintained an 80% cost recovery for its development review program. In FY2019-2021, it will become 100% cost recovery. But cost recovery means different things in different communities: some communities may seek to recover costs associated only with the activity that generates the cost ("development review" or "current planning" in this case), while others may attempt to recover costs for an entire department. In the case of Bend, land use permit fees do not recover costs of long range comprehensive planning, which is located in a different department and primarily funded by the City's general fund. Although Bend is budgeting recovery of 100% of costs incurred through development review services, this does not include comprehensive planning.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 40.3

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According to conversations with staff from other jurisdictions, cost recovery in larger jurisdictions within the Rogue Valley ranges from 12% at Grants Pass to 50% at the City of Central Point. Not surprisingly, Central Point charges much higher fees than does Grants Pass where fees will increase by 10% across the board this July and then escalate 5% per year for a 5-year period thereafter. The City of Ashland, which assesses a 1.5% Community Development Fee on building permit valuations, estimates its current cost recovery at approximately 35% for both its current and long range planning divisions within its Planning Department. Recovery is achieved through land use permit fees and the community development fee. The Community Development Fee generates significant revenue: a residential renovation project with a valuation of \$100,000 would generate \$1,500 in fees.

The Medford Planning Department's current fee schedule yields 6-7% cost recovery, depending on overall volume and prevalence of permit type. Both of these factors vary from year to year. It is important to understand the current cost recovery rate accounts for all department expenses that are a part of the General Fund, and does not include costs incurred by the Housing and Community Development division in the administration of Community Development Block Grant (CDBG). The proposed fee schedule has been designed to recover 20% of all General Fund costs for the department. It accounts for the total costs of staff time, not just wages. It covers all budgeted fringe benefits as well as department overhead that is related to the processing of land use permits. It also takes into account work performed on the behalf of the City by the Long Range Division to maintain and update the Land Development Code and other implementing regulations that are relied on by the Current Planning Division in the effective execution of its responsibilities.

A review of past fee schedule amendments reveals that cost recovery has not been applied in such a holistic and thorough manner in the past. During the last fee schedule amendment that occurred in 2016, an hourly rate for staff time that excluded "vacation, sick, etc." was used to calculate fees for Expedited Land Division, Annexation, etc. This approach was consistent with the policy of maintaining a 6-7% cost recovery, but greatly underestimates actual costs to provide services. Costs that are not captured are paid through the General Fund. Higher cost recovery would have the effect of shifting the true cost of services toward those that benefit from those services directly – the development community.

Fee Cost Comparison

There are two primary considerations when considering cost recovery. The first is understanding the goal of cost recovery and establishing a rate of recovery that can achieve that goal. This is addressed below in the "Cost Basis Methodology" section. The second consideration is understanding the factors that may affect or constrain the cost of a particular fee. The two considerations may conflict with one another. If, for example, a goal of 100% cost recovery results in a fee schedule that is so much more costly than fees in surrounding communities, that fee schedule could put that particular community at a relative disadvantage to surrounding communities with lower fees and lower cost of development. Comparing fees across jurisdictions ensures that this does not occur, or at least provides a reference for decision making should a community accept a relative disadvantage in order to achieve higher cost recovery.

Compared to other cities in the region as well as other cities of similar size across the state, Medford's fees are significantly lower, and, like Grants Pass, Medford's land use permit fees have been very low for a long period of time. With the exception of several fees that were updated or added in 2016, Medford has not adjusted its land use permit fees since 2006. They have not been adjusted for inflation, let alone actual increases in the cost of providing development review and community planning services. In addition, the Planning Department has added new responsibilities to its workload with the completion of its Urban Growth Boundary Amendment. No fees have been established for these activities, most notably Urbanization Plan review.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 40.3

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Among its peers, the eight most populace cities in Oregon, Medford’s fees are categorically the lowest in every comparable instance, often by an order of magnitude. The proposed fee schedule would bring Medford’s fees into alignment with cities like Beaverton, Hillsboro, and Salem, but Medford’s fees would remain the lower in almost all instances, and far below the fees charged by the cities like Bend or Gresham.

Within the Rogue Valley, the proposed fee schedule is very comparable with fees currently charged by the City of Central Point, Eagle Point, and Ashland, but would be significantly higher than fees charged by Grants Pass. For example, although the proposed fee increase for Property Line Adjustments is very substantial, it is consistent with the fee charged by Central Point and, furthermore, it accurately reflects costs identified in the cost estimating model discussed in the next section.

Cost Basis Methodology

At the Budget Committee meeting in March where a draft of the fee schedule was presented, some members of the budget committee asked for more information concerning the cost basis for the fees that were presented. At the same time, staff had developed the fee schedule primarily based on the Committee’s cost recovery goal of 20% and the need for fees to remain more or less consistent with other communities in the region and its peers statewide. In preparing for the adoption of the fee schedule, staff developed a cost estimating model with the goal of accurately assessing the real cost to deliver planning services while recovering 20% of department costs. Staff developed the following methodology for this purpose:

- (Average loaded per hour staff costs X Average staff hours to complete permit review tasks)
- + (Per hour department operational overhead X Average staff hours to complete)
- + (Long Range Division per hour cost X Average staff hours to complete)
- + Other costs unique to particular permits

- = Proposed Fee

Departmental overhead costs include budgeted Materials and Services items necessary for the daily operation of the department. The Long Range Division per hour cost factor was included to account for the work performed by that division to maintain and develop land use regulations that are then implemented through development review. The Long Range Division also provides GIS services and consultation related to the Comprehensive Plan, statewide planning goals, and other planning-related policy. For the purposes of deriving this factor, it was assumed that based on division workloads over the past two years that 40% of Long Range staff time is committed to work that is related to and in support of land use permit review. Finally, costs that are unique to certain permits, like floodplain program administration, were accounted for as well.

For example, the calculation for the proposed fee for Conditional Use Permits is as follows:

2 hours of Executive Staff Time	\$79.21/hour	\$158.42
38 hours of Planner Staff Time	\$51.77/hour	\$1,967.26
1 hour of Administrative Staff Time	\$41.61/hour	
Department Overhead		\$131.07
Long Range Cost Recovery		\$977.85
	TOTAL:	\$3,276.13
	Rounded:	\$3,300.00



CITY OF MEDFORD AGENDA ITEM COMMENTARY

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Hourly rates used in the calculation are blended averages derived from total compensation as budgeted in the recently adopted FY2019-2021 Biennial Budget. The number of hours are based on average observed hours devoted to processing permit applications. Observed hours account for tasks like application intake and administration, review, staff report production, presentation preparation, meeting attendance, and noticing.

The challenge in achieving 20% department-wide cost recovery lies in the fact that many expenses are difficult to recover. Customer service is a good example. The Planning Department dedicates, at minimum, 1.20 FTEs to provide in-person customer support at the development services counter, 9 hours a day, 5 days a week. Additional staff time is consumed answering calls and emails.

New Fee Categories

New application fees include added categories of Floodplain Development Review permits, Land Use Compatibility Statements, Riparian Corridor Reduction, Urbanization Plans, and Wireless Communication Facilities in the Right-of-Way.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The proposed new and added fees are projected to generate approximately \$400,000 in revenue during each year of the 2019-2021 fiscal biennium. The proposed increased building permit surcharge is projected to generate another \$50,000 a year. Proposed fees will achieve the 20% cost recovery goal.

TIMING ISSUES

If adopted, the proposed fees will be effective July 1, 2019.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance amending the fee schedule of the Planning Department.

EXHIBITS

Ordinance
Proposed Fee Schedule
Current and Proposed Fee Comparison

ORDINANCE NO. 2019-54

AN ORDINANCE amending the Planning Department fee schedule.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the Planning Department fee schedule is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

APPLICATION AND PERMIT FEES July 1, 2019

APPLICATION TYPE	FEE
Annexation (includes Publication and Recording)	\$4,890.00
Appeal	One-half of original application fee (\$100 minimum - \$600 maximum)
Code Amendment	\$2,500.00
Comprehensive Plan Amendment	\$4,500.00
Concurrent/Simultaneous Review Fee	100% of the greatest application fee plus 50% of the fee of each additional application concurrently reviewed by the same approving authority
Conditional Use Permit	\$3,300.00
Conditional Use Permit - Type II	\$1,650.00
Exception	\$3,500.00
Exception - Type II	\$1,750.00
Expedited Land Divisions	\$4,900.00
Floodplain Development Permit Review - Commercial Development	\$800.00
Floodplain Development Permit Review - Residential Development	\$700.00
Floodplain Development Review - Residential Single Parcel	\$200.00
Historic Review - Major (New buildings that increase motor vehicle trip generation by more than 10 average daily trips, and building additions greater than a 20% or 2,500 sq. ft. increase in gross floor area, per MLDC 10.031)	\$3,300.00
Historic Review - Minor (Changes in type of roofing materials, exterior colors, or sign face design for an existing sign conducted by staff according to adopted approval criteria)	\$50.00
Historic Review - Standard (All other exterior changes, except those that are Major or Minor)	\$500.00

Land Use Compatibility Statement	\$75.00
LOMA, LOMR, CLOMR	\$75.00
LUBA Remand Fee	\$600.00
Parks Development Review	\$2,900.00
Partition	\$3,100.00
Planned Unit Development	\$4,200.00
Planned Unit Development - De Minimis Revision	\$750.00
Planning Commission Amendment to Previously Approved Action	If an amendment does not constitute a total revision, then an abbreviated review is in order. For these circumstances, the Planning Director is given the authority to reduce the fee up to one-half of the original fee
Portable Storage Containers	\$500.00
Pre-Application Conference To be credited to the application fee if submitted within 6 months of the pre-application conference	\$400.00
Property Line Adjustment	\$1,200.00
Publication and Recording - fee cannot be reduced (Annexations and Right-of-Way Vacations)	\$990.00
Riparian Corridor Reduction	\$400.00
Sign Permit	\$50.00
Sign Permit - Temporary Sign	\$25.00
Single Family Building Permit Surcharge	\$200.00
Site Plan Amendment to Previously Approved Action The purpose of the fee is to cover the cost of employee conversations with the applicant, review of materials, drafting the report to the Commission, and meeting time. If the Commission determines that a full hearing is necessary, this fee will be applied to the new application fee.	\$1,550.00
Site Plan and Architectural Review	\$3,100.00
Street Name Change	\$900.00
Subdivision	\$4,700.00
Transportation Facility	\$1,500.00
Urbanization - with Annexation (includes Publication and Recording)	\$8,440.00

Urbanization - without Annexation	\$5,500.00
Vacation - Right-of-Way (includes Publication and Recording)	\$5,490.00
Vacation - Subdivision Plat (includes Publication and Recording)	\$1,990.00
Wireless Communication Facilities in ROW	\$550.00
Zone Change	\$2,800.00

PROPOSED PLANNING FEES -JULY 1, 2019

APPLICATION TYPE	CURRENT FEE	PROPOSED FEE	DIFFERENCE	% INCREASE
Annexation (includes Publication and Recording)	1,365	4,890	3,525	358%
Appeal			-	
Code Amendment	1,175	2,500	1,325	213%
Comprehensive Plan Amendment	2,940	4,500	1,560	153%
Comprehensive Plan Amendment - Plus per each acre	50	-	(50)	0%
Concurrent/Simultaneous Review Fee			-	
Conditional Use Permit	950	3,300	2,350	347%
Conditional Use Permit - Type II		1,650	1,650	
Exception	700	3,500	2,800	500%
Exception - Type II		1,750	1,750	
Expedited Land Divisions	4,772	4,900	128	103%
Expedited Land Divisions - plus per each lot over 15 lots	15	(15)	(30)	-100%
Floodplain Development Permit Review - Commercial Development	75	800	725	1067%
Floodplain Development Permit Review - Residential Development	150	700	550	467%
Floodplain Development Review - Residential Single Parcel	-	200	200	
Historic Review - Major	1,100	3,300	2,200	300%
Historic Review - Major plus (non-residential) per ea 1,000 sq ft of structures over 10,000 sq ft	15	(15)	(30)	-100%
Historic Review - Major plus (residential) per ea dwelling unit over 10 units	15	(15)	(30)	-100%
Historic Review - Minor * new signs, new/rplcmnt awnings, res fencing/roofing, minor modifications	25	50	25	200%
Historic Review - Standard *ext modifications	430	500	70	116%
Land Use Compatibility Statement	50	75	25	150%
LOMA, LOMR, CLOMR		75	75	
LUBA Remand Fee		600	600	
Parks Development Review		2,900	2,900	
Partition	1,110	3,100	1,990	279%
Planned Unit Development	2,280	4,200	1,920	184%
Planned Unit Development De Minimis Revision	200	750	550	375%
Planning Commission Amendment to Previously Approved Action			-	
Portable Storage Containers	500	500	-	100%
Pre-Application Conference	300	400	100	133%
Property Line Adjustment	75	1,200	1,125	1600%

APPLICATION TYPE	CURRENT FEE	PROPOSED FEE	DIFFERENCE	% INCREASE
Publication and Recording (fee cannot be reduced)	990	990	-	100%
Riparian Corridor Reduction		400		
Sign Permit	25	50	25	200%
Sign Permit - Temporary Sign	-	25	25	
Single Family Building Permit Surcharge	115	200	85	174%
Site Plan Amendment to Previously Approved Action	500	1,550	1,050	310%
Site Plan and Architectural Review	1,110	3,100	1,990	279%
Site Plan and Architectural Review - plus (non-residential) per each 1,000 sq ft of structures over 10,000 sq ft	15	-	(15)	0%
Site Plan and Architectural Review - plus (residential) per each dwelling unit over 10 units	15	-	(15)	0%
Street Name Change	720	900	180	125%
Subdivision	1,400	4,700	3,300	336%
Subdivision - plus per each lot over 15 lots	15	-	(15)	0%
Transportation Facility	760	1,500	740	197%
Urbanization - with Annexation (includes Publication and Recording)		8,440	8,440	
Urbanization - without Annexation		5,500	5,500	
Vacation - Right-of-Way (includes Publication and Recording)	3,413	5,490	2,077	161%
Vacation - Subdivision Plat (includes Publication and Recording)	970	1,990	1,020	205%
Wireless Comm Facilities in ROW		550	550	
Zone Change	710	2,800	2,090	394%
zzTOTAL	29,050	84,480	55,030	291%



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.1

www.ci.medford.or.us

DEPARTMENT: Planning **AGENDA SECTION:** Consent Calendar
PHONE: (541) 774-2380 **MEETING DATE:** June 20, 2019
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director

COUNCIL BILL 2019-55

A resolution initiating annexation to the City of Medford of portions of Lozier Lane right-of-way from Stewart Avenue to West Main Street. (A-19-002)

SUMMARY AND BACKGROUND

Council is requested to consider a request to initiate the annexation to the City of Medford portions of the Lozier Lane right-of-way from Stewart Avenue to West Main Street. (A-19-002)

The City of Medford and Jackson County entered into an intergovernmental agreement for the improvement of Lozier Lane from Stewart Avenue to West Main Street in conformance with City of Medford standards, with the intent of transferring jurisdiction from County to City for those portions of Lozier Lane outside of the City Limits of the City of Medford upon the completion of the road improvement project. The Lozier Lane road improvement project has been completed.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The applicant, City of Medford, submitted the request for annexation and consented in writing. The subject rights-of-way are located within the City's Urban Growth Boundary and are contiguous with city limits along all proposed annexation areas.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Annexation of this portion of Lozier Lane has been anticipated since September 2012, when the City entered into an Intergovernmental Agreement (IGA) with Jackson County. As a result, Public Works has budgeted for the increased maintenance for this section of roadway.

TIMING ISSUES

The final hearing for this matter is tentatively scheduled before the City Council on Thursday, July 18, 2019.

COUNCIL OPTIONS

- Approve the resolution as presented.
- Modify the resolution as presented.
- Decline to approve the resolution and direct staff regarding further action.

STAFF RECOMMENDATION

Staff recommends approval of the resolution to initiate the annexation of Lozier Lane right-of-way between Stewart Avenue and W. Main Street.

SUGGESTED MOTION

I move to approve the resolution to initiate the annexation and set a public hearing date of July 18, 2019.

EXHIBITS

Resolution
Legal description and exhibit maps
Vicinity map

RESOLUTION NO. 2019-55

A RESOLUTION initiating annexation to the City of Medford of portions of Lozier Lane right-of-way from Stewart Avenue to West Main Street. (A-19-002).

WHEREAS, the area situated in Jackson County, Oregon, described in Exhibit A attached hereto and incorporated herein, is contiguous to the City of Medford; now, therefore,

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

SECTION 1. The City Council elects to dispense with submitting the question of the proposed annexation to the electors of the City.

SECTION 2. A public hearing on the annexation shall be held at the hour of 6:00 p.m. on the 18th day of July, 2019, before the City Council of the City of Medford, Oregon, in City Hall Council Chambers, 411 W. 8th Street, of said city. Following the hearing, the council will consider a proposed ordinance annexing portions of Lozier Lane right-of-way from Stewart Avenue to West Main Street.

SECTION 3. The City Recorder is directed to give notice of the time, place and purpose of the public hearing provided for in Section 2 hereof by publishing notice thereof once each week for two consecutive weeks prior to the date of said hearing in a newspaper of general circulation in the City of Medford and by causing notices thereof to be posted in four (4) public places in the city for the said period of time.

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

ATTEST: _____
City Recorder

Mayor

EXHIBIT A
RW#7587

Tracts of land lying in the Southeast 1/4 of Section 26 and the Northeast 1/4 Section 35, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said tract being more particularly described as follows:

Tract 1

Commencing at Southeast corner of Donation Land Claim Number 77 in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County Oregon; thence North 01°24'46" East a distance of 30.00 feet, more or less, to the Northerly line of Stewart Avenue; thence North 88°29'09" West a distance of 254.10 feet, more or less, to the Southeast corner of that area annexed into the City of Medford through Ordinance Number 2008-30; thence along the South line of said annexed area North 88°29'09" West a distance of 265.24 feet, more or less; thence North 64°59'51" East a distance of 55.60 feet, more or less; thence North 01°36'54" East a distance of 330.87 feet, more or less, to the **Point of Beginning** at the Northwest corner of that area annexed into the City of Medford through Ordinance Number 2008-30, also being the on the Westerly line of Lozier Lane prior to City of Medford road improvement project P-1806; thence along said West line and annexed area South 01°36'54" West, 198.82 feet, more or less, to the Northeast corner of Tract described in Document Number 2014-004189, Official Records of Jackson County, Oregon; thence leaving said West line along the Northerly line of that area annexed into the City of Medford through Ordinance Number 2006-261, North 88°21'45" West, 3.43 feet, more or less, to the West line of Document Number 2016-000166 of said Official Records; thence along the west line of Document Numbers 2016-000166, 2016-008558, 2016-006742, 2016-009713, 2016-000990, 2016-008557, 2016-008559, 2016-000628, 2016-001818, 2016-006744, 2016-000632, 2016-008561, 2016-000168, 2016-000989, 2016-000633, 2016-000170, 2016-008553, 2016-015789 and 2016-008552 of said Official Records the following 12 courses: thence North 02°56'29" East a distance of 147.00 feet, more or less; thence North 01°33'40" East a distance of 172.04 feet, more or less; thence North 01°33'40" East a distance of 50.00 feet, more or less; thence North 01°33'40" East a distance of 56.21 feet, more or less; thence along the arc of a 770.00 foot radius curve to the left (the chord to which bears North 00°11'37" West 47.15 feet) a distance of 47.16 feet, more or less; thence along the arc of a 830.00 foot radius curve to the right (the chord to which bears North 00°11'37" West 50.83 feet) a distance of 50.83 feet, more or less; thence North 01°33'40" East a distance of 727.96 feet, more or less; thence along the arc of a 830.00 foot radius curve to the right (the chord to which bears North 03°18'56" East 50.83 feet) a distance of 50.83 feet, more or less; thence along the arc of a 770.00 foot radius curve to the left (the chord to which bears North 03°18'56" East 47.15 feet) a distance of 47.16 feet, more or less; thence North 01°33'40" East a distance of 65.92 feet, more or less; thence North 01°36'38" East a distance of 77.97 feet, more or less; thence North 01°40'08" East a distance of 522.35 feet, more or less to a point on the South line of that area annexed into the City of Medford through Ordinance Number 2006-183; thence along said South line South 88°29'15" East a distance of 51.74 feet, more or less to the Southeast corner of said annexed area, also being on the East line of Lozier Lane prior to City of Medford road improvement project P-1806; thence along the East line of said annexed area and the east line of Lozier Lane North 01°36'54" East a distance of 81.01 feet, more or less to the Southwest corner of that area annexed into the City of Medford through Ordinance Number 2009-40 and now known as **Point "A"**; thence along the south line of that area annexed into the City of Medford through Ordinance Number 2009-40 South 88°22'40" East a distance of 23.81 feet, more or less to the East line of Document Number 2016-029101 of said Official Records; thence along the East line of Document Numbers 2016-029101, 2016-014102, 2016-001820, 2016-001823, 2016-001821, 2016-003172, 2016-006728, 2016-006727, 2016-006729, 2017-038995, 2016-011140, 2016-000629, 2016-033055, 2016-006739, 2016-000165, 2016-006738, 2016-006726, 2016-006725, 2016-000991, 2016-020959, and that area annexed into the City of Medford through Ordinance Number 2004-240 the following 9 courses: thence South 46°38'46" West a distance of 21.89 feet, more or less; thence South 01°40'08" West a distance of 623.68 feet, more or less; thence South 01°33'40" West a distance of 108.13 feet, more or less; thence along the arc of a 830.00 foot radius curve to the right (the chord to which bears South 03°18'56" West 50.83 feet) a distance of 50.83 feet, more or less; thence along the arc of a 770.00 foot radius curve to the left (the chord to which bears South 03°18'56" West 47.15 feet) a distance of 47.16 feet, more or less; thence South 01°33'40" West a distance of 727.96 feet, more or less; thence along the arc of a 770.00 foot radius curve to the left (the chord to which bears South 00°11'37" East 47.15 feet) a distance of 47.16 feet, more or less; thence along the arc of a 830.00 foot radius curve to the right (the chord to which bears South 00°11'37" East 50.83 feet) a

CITY OF MEDFORD

EXHIBIT # Page 1 of 2

File # A-19-002

2

distance of 50.83 feet, more or less; thence South $01^{\circ}33'40''$ West a distance of 225.71 feet, more or less to the North Line of that area annexed into the City of Medford through Ordinance Number 2008-30; thence along said North line North $89^{\circ}05'46''$ West a distance of 59.93 feet, more or less to the **Point of Beginning**.

Together with Tract 2:

Commencing at aforementioned **Point "A"**; thence along the West line of the area annexed into the City of Medford through Ordinance Number 2009-40, North $01^{\circ}36'54''$ East a distance of 60.00 feet, more or less to the Northeast corner of Lozier Lane and Prune Street prior to City of Medford road improvement project P-1806 and also the Southwest corner of Document Number 2017-013346 of said Official Records and the **Point of Beginning**; thence along the East line of old Lozier Lane and the East line of that area annexed into the City of Medford through Ordinance Number 2004-48, North $01^{\circ}36'54''$ East a distance of 105.23 feet, more or less to the Northwest corner of said Document Number 2017-013346 and also a point on the South line of that area annexed into the City of Medford through Ordinance Number 2001-223 and being the Northeast corner of that area annexed into the City of Medford through Ordinance Number 2004-48 and also now known as **Point "B"**; thence along the South line of said annexed area South $88^{\circ}19'52''$ East a distance of 8.50 feet, more or less to the East line of said Document Number 2017-013346; thence along said East line South $01^{\circ}40'08''$ West a distance of 89.73 feet, more or less; thence South $43^{\circ}20'58''$ East a distance of 21.91 feet, more or less to the North line of Prune Street and South line of said Document Number 2017-013346; thence along said South line North $88^{\circ}22'40''$ West a distance of 23.89 feet, more or less, to the **Point of Beginning**.

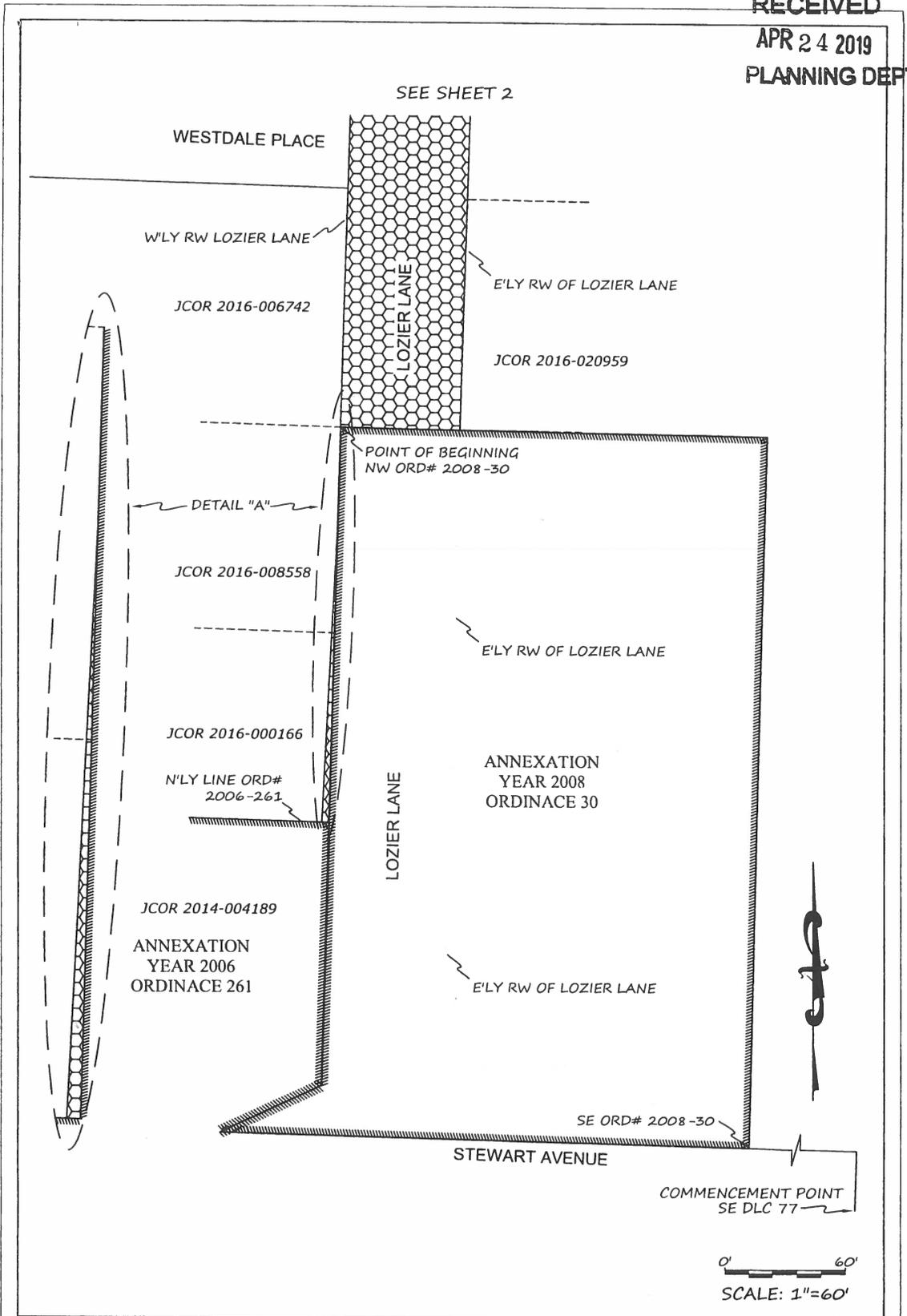
Together with Tract 3:

Commencing at aforementioned **Point "B"**, said point being on the Easterly line of Lozier Lane prior to City of Medford road improvement project P-1806; thence along the North line of that area annexed into the City of Medford through Ordinance Number 2004-48 North $88^{\circ}19'52''$ West a distance of 40.00 feet, more or less, to the Westerly line of Lozier Lane prior to City of Medford road improvement project P-1806 and the Southwest corner of that that area annexed into the City of Medford through Ordinance Number 2001-223 and the **Point of Beginning**; thence North $88^{\circ}19'52''$ West a distance of 18.50 feet, more or less to the West line of Document Number 2016-014101; thence along the West line of Document Numbers 2016-014101, 2016-006746, 2016-006737, 2016-000631, 2016-037653, 2016-037652, 2016-000627, 2016-020960 and 2016-036488 the following 9 courses: thence North $01^{\circ}40'08''$ East a distance of 261.26 feet, more or less; thence North $22^{\circ}49'42''$ East a distance of 19.39 feet, more or less; thence North $01^{\circ}40'08''$ East a distance of 106.41 feet, more or less; thence North $12^{\circ}45'08''$ West a distance of 10.04 feet, more or less; thence North $01^{\circ}40'08''$ East a distance of 40.14 feet, more or less; thence North $20^{\circ}46'45''$ East a distance of 7.64 feet, more or less; thence North $01^{\circ}40'08''$ East a distance of 162.80 feet, more or less; thence along the arc of a 770.00 foot radius curve to the left (the chord to which bears North $00^{\circ}48'46''$ West 66.68 feet) a distance of 66.70 feet, more or less; thence along the arc of a 830.00 foot radius curve to the right (the chord to which bears North $02^{\circ}46'20''$ West 15.14 feet) a distance of 15.14 feet, more or less, to the South line of that area annexed into the City of Medford through Ordinance Number 2005-144; thence along said South line, South $88^{\circ}21'43''$ East a distance of 15.75 feet, more or less to the West line of Lozier Lane prior to City of Medford road improvement project P-1806 and the West line of that area annexed into the City of Medford through Ordinance Number 2002-192; thence along the West line of Lozier Lane prior to City of Medford road improvement project P-1806 and the West line of that area annexed into the City of Medford through Ordinance Number 2002-192 and Ordinance Number 2001-223 South $01^{\circ}41'05''$ West a distance of 687.35 feet, more or less to the **Point of Beginning**.

These tracts of land to which this description applies contains 2.78 acres, more or less

Bearings based on Oregon State Plane System, South Zone, North American Datum (NAD) 83(2011) epoch 2010.

The graphic depiction of the above description is shown on Exhibit "B" attached hereto.



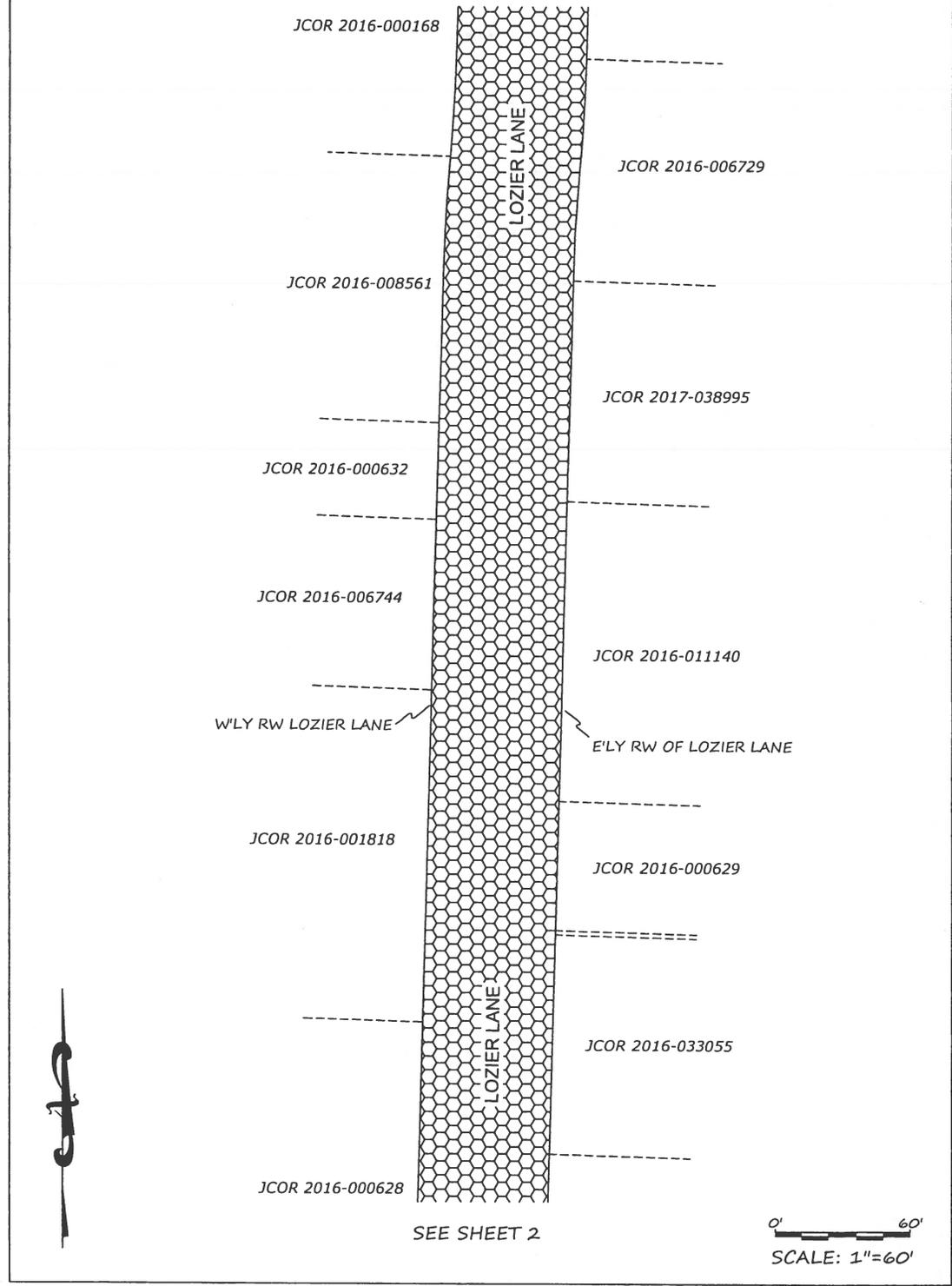
LEGEND

-  AREA TO BE ANNEXED
-  EXISTING ANNEXATION LINE

372W35A

CITY OF MEDFORD - SURVEYING DEPARTMENT			
EXHIBIT "B"			
ANNEXATION OF LOZIER LANE PER IMPROVEMENT PROJECT P-1806			
WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A"			
DRAWN BY	SPM	DATE	4-1-19
CHECKED BY	JMP	DATE	4-1-19
NOTE		DATE	
CITY OF MEDFORD			SHEET NO.
EXHIBIT #			1 OF 6

SEE SHEET 4



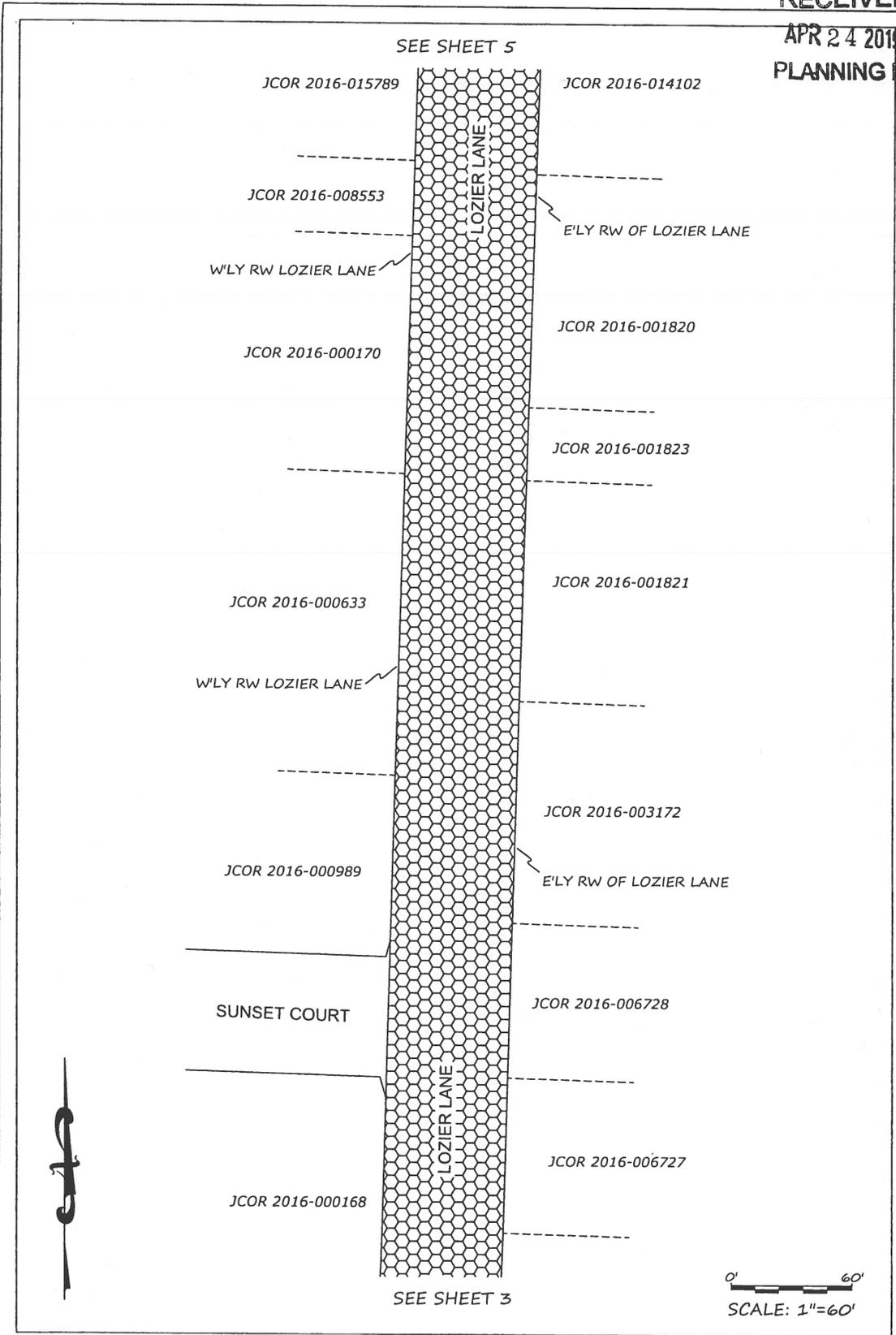
SEE SHEET 2

LEGEND

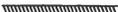
-  AREA TO BE ANNEXED
-  EXISTING ANNEXATION LINE

372W35A

CITY OF MEDFORD - SURVEYING DEPARTMENT		
EXHIBIT "B"		
ANNEXATION OF LOZIER LANE PER IMPROVEMENT PROJECT P-1806		
WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A"		
DRAWN BY	SPM	DATE: 4-1-19
CHECKED BY	JMP	DATE: 4-1-19
NOTE		DATE:
CITY OF MEDFORD		PROJECT NO.
EXHIBIT #		P-1806
DATE		SHEET NO.
File # A-9-002		3 OF 6

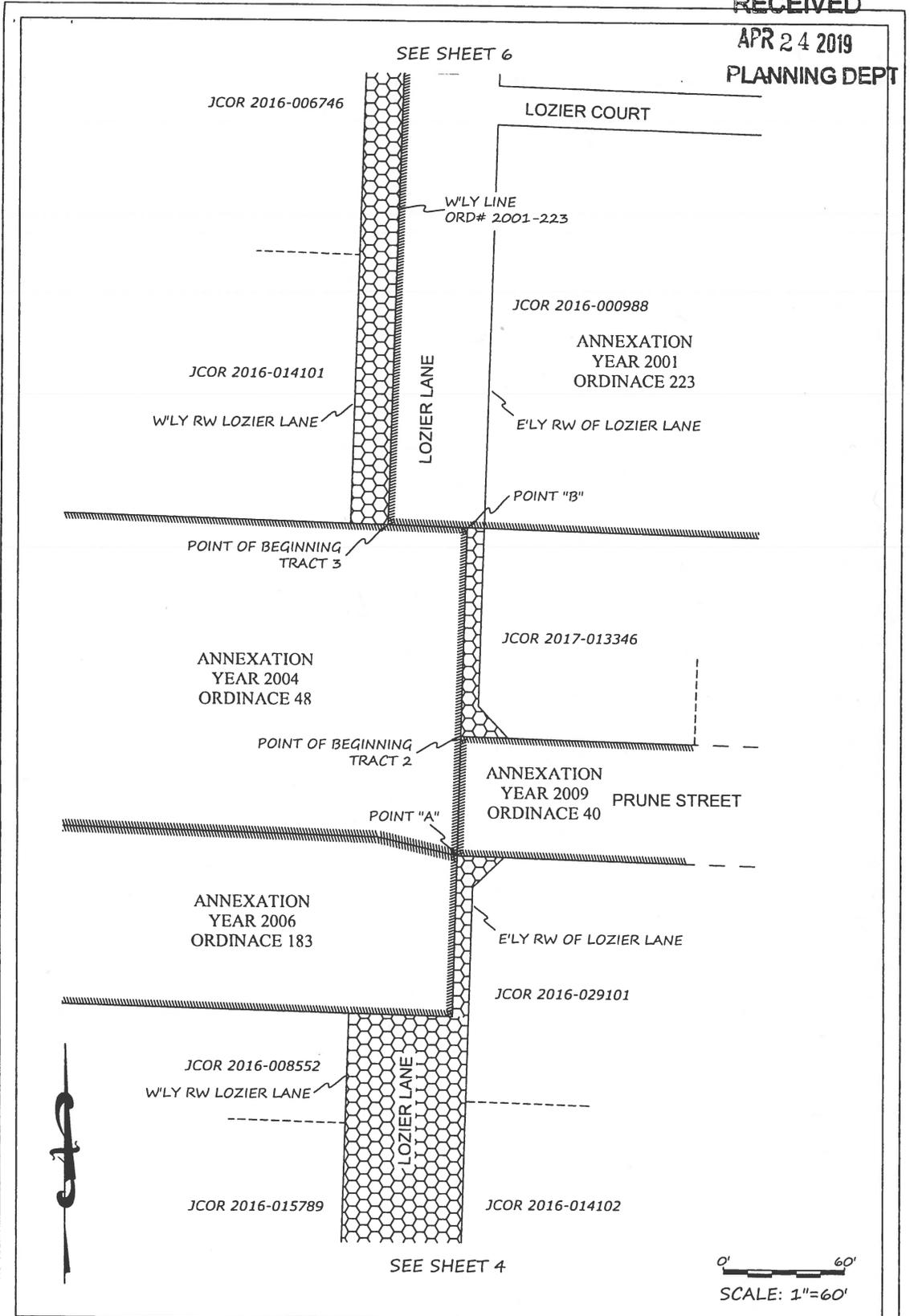


LEGEND

-  AREA TO BE ANNEXED
-  EXISTING ANNEXATION LINE

372W35A AND 372W26D

CITY OF MEDFORD - SURVEYING DEPARTMENT			
EXHIBIT "B"			
ANNEXATION OF LOZIER LANE PER IMPROVEMENT PROJECT P-1806			
WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A"			
DRAWN BY	SPM	DATE	4-1-19
CHECKED BY	JMP	DATE	4-1-19
NOTE		DATE	
CITY OF MEDFORD			PROJECT NO.
EXHIBIT #			P-1806
File #			SHEET NO.
A-19-003			4 OF 6



LEGEND



AREA TO BE ANNEXED



EXISTING ANNEXATION LINE

372W26D

CITY OF MEDFORD - SURVEYING DEPARTMENT

EXHIBIT "B"

ANNEXATION OF LOZIER LANE
PER IMPROVEMENT PROJECT P-1806

WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A"

DRAWN BY	SPM	DATE	4-1-19	PROJECT NO.	
CHECKED BY	JMP	DATE	4-1-19		P-1806
NOTE		DATE			
NOTE		DATE			
NOTE		DATE			
NOTE		DATE			

CITY OF MEDFORD

EXHIBIT #

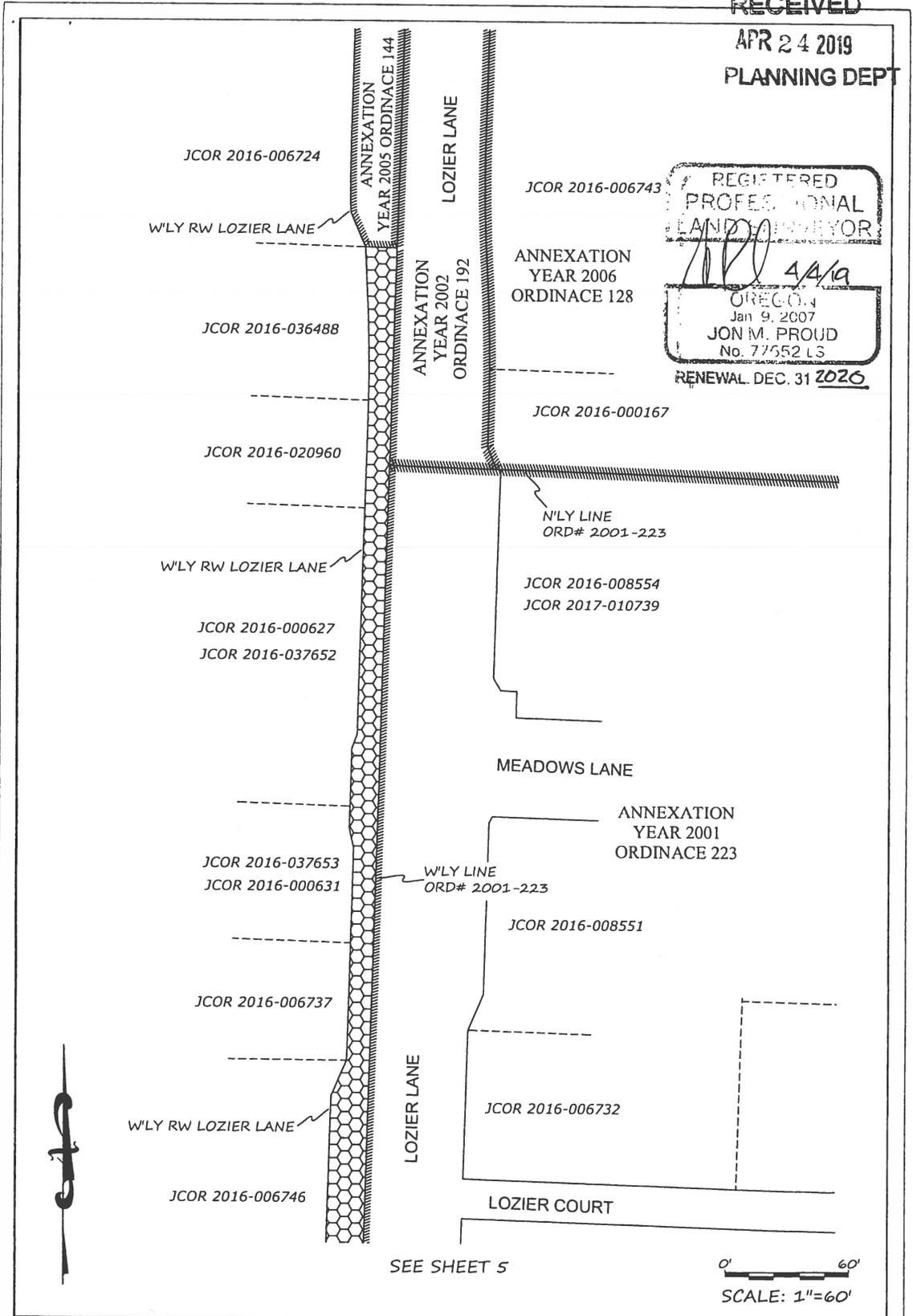
5 OF 6

File # A-19-002

RECEIVED

APR 24 2019

PLANNING DEPT



REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature] 4/4/19

OREGON
Jan 9, 2007
JON M. PROUD
No. 77552 LS

RENEWAL DEC. 31 2020

LEGEND



AREA TO BE ANNEXED



EXISTING ANNEXATION LINE

372W26D

CITY OF MEDFORD - SURVEYING DEPARTMENT			
EXHIBIT "B"			
ANNEXATION OF LOZIER LANE PER IMPROVEMENT PROJECT P-1806			
WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A"			
DRAWN BY	SPM	DATE	4-1-19
CHECKED BY	JMP	DATE	4-1-19
NOTE		DATE	
EXHIBIT #			PROJECT NO.
CITY OF MEDFORD			P-1806
EXHIBIT #			SHEET NO.
19.002			6 OF 6
File #			



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.2

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DEPARTMENT:	Finance	AGENDA SECTION:	Consent Calendar
PHONE:	541 774-2030	MEETING DATE:	June 20, 2019
STAFF CONTACT:	Ryan Martin, CFO/Assistant City Manager		

COUNCIL BILL 2019-56

An ordinance granting to Hunter Communications, Inc., dba Core Digital Services, the non-exclusive privilege to use the public way to construct and maintain communication facilities within the City of Medford.

SUMMARY AND BACKGROUND

The Council is requested to approve a franchise agreement with Hunter Communications, Inc. (Hunter) for a term of five years and grant the non-exclusive privilege to use the public way to construct and maintain communication facilities within the City of Medford.

On August 16, 2017, the franchise agreement between Hunter and the City of Medford expired. The City and Hunter have continued to operate based on the 2012-2017 Franchise Agreement

PREVIOUS COUNCIL ACTIONS

On August 16, 2012, the City of Medford entered into a franchise agreement with Hunter Communications, Inc. for a term of five years.

ANALYSIS

Hunter provides fiber internet services across Oregon to local businesses, local governments, hospitals, and special districts.

The proposed franchise agreement with Hunter remains mostly unchanged. Two minor changes include:

- The change of the dates when franchise fee payments are due in Section 12 to be on a calendar basis.
- Removal of section 20 that acknowledges a former good faith dispute that is no longer applicable.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The annual revenue generated from this franchise agreement is approximately \$80,000. Revenue collected from Hunter has remained fairly stagnant due to Hunter not materially expanding services and customers in Medford.

TIMING ISSUES

None

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing a franchise agreement with Hunter Communications, Inc.

EXHIBITS

Ordinance

Agreement is on file in the City Recorder's Office

ORDINANCE NO. 2019- 56

AN ORDINANCE granting to Hunter Communication, Inc., dba Core Digital Services, the non-exclusive privilege to use the public way to construct and maintain communication facilities within the City of Medford.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. As used in this Ordinance, the following words and phrases shall mean:

City: The City of Medford, Oregon.

City Manager: The City Manager of the City or his or her designee.

Communication Facilities: All wires, cables, conduits, poles, equipment, appliances, and associated structures used by Grantee in conducting its communications business.

Grantee: (Hunter Communication, Inc., dba Core Digital Services), its successors and assigns.

Gross Revenues: Subject to the exclusions and reporting requirements under Section 12 below, Revenue of the Grantee or any affiliate of the Grantee in whatever form accrued from all sources in connection with operation of the communication facilities throughout the entire franchise area, and includes any amount even if separately identified or accounted for by the Grantee as franchise or other license fees, including but not limited to, revenues from subscribers and customers; installation fees, equipment fees, and other fees related to the communications service; advertising revenue; access and attachment charges paid to the Grantee by other communications services or carriers; and revenue from the sale or lease of any wire, cable, facility, pole, duct, conduit or similar transmission equipment.

Public way: Any highway, street, road, alley, right-of-way, pedestrian or bicycle easement, park area, public utility easement for public use or other public property within the city.

Section 2. Subject to the provisions and restrictions of this ordinance and the Charter and the Code of Medford, the City grants to grantee the non-exclusive privilege to use the public way to construct and maintain communication facilities within the corporate limits of the City.

Section 3. Grantee's communication facilities shall be installed underground unless Grantee contracts with another City of Medford franchisee to employ that franchisee's above-ground facilities in place at the time this franchise is granted. It shall be lawful for Grantee to make all necessary excavations in any public way for the purpose of constructing and

maintaining its communication facilities. Provided, however, that Grantee's use of the public way shall be subject to the City Manager's authority to prescribe which public way will be used and the location within the public way, which authority is hereby expressly reserved by the City and delegated to the City Manager.

Grantee's use of the public way and all construction by Grantee shall be subject to and shall comply with the standard specifications and special provisions of the City, the Charter and ordinances of the City, and all other applicable federal, state, and local laws and regulations. No work affecting the public way shall be done by the Grantee without first obtaining the permits required by the City, which may include plan submittal, approval and the payment of fees before work begins.

Section 4. Where Grantee installs its communication facilities under or adjacent to any existing paved bicycle path, the path shall be overlaid with a new asphalt surface after construction. Where Grantee installs its communication facilities along the route of a planned bicycle path, City may require Grantee to construct the bicycle path as a condition of plan approval. All such bicycle path repair and construction shall be at Grantee's expense.

Section 5. Upon completion of construction of any new facilities, Grantee shall promptly furnish City with 2 sets of "as built" plans showing the exact location and construction details of all of Grantee's facilities. New plans will be furnished promptly for any additions or modifications.

Section 6. Nothing in this ordinance shall be construed in any way to prevent the City from constructing and maintaining any public improvement in any public way. In its construction and maintenance of public improvements, the City shall endeavor not to obstruct or prevent the free use by Grantee of its communication facilities.

Section 7. The City shall have the right to require Grantee to change the location of any communication facility within the public way when the public convenience requires such change; and the expense thereof shall be paid by Grantee. Should Grantee fail to remove or relocate any such facilities by the date established by the City, the City may effect such removal or relocation, and the expense thereof shall be paid by Grantee, including all costs and expenses incurred by the City due to Grantee's delay. If the City requires Grantee to relocate its facilities located within the City, the City will make a reasonable effort to provide Grantee with an alternate location for its facilities within the public way. City shall give Grantee written notice to relocate its facilities at least six months prior to the date established by the City as the deadline for relocation.

Section 8. Should it ever become necessary to temporarily rearrange or temporarily remove Grantee's communications facilities at the request of a private person or business, Grantee shall perform such rearrangement or removal as expeditiously as possible upon receipt of reasonable written notice from the business or person desiring the temporary change of the communication facilities. The notice shall:

- (a) be approved by the City Manager,
- (b) detail the route of movement,
- (c) provide that the costs incurred by Grantee in making the temporary change be borne by the person or business giving said notice.
- (d) provide that the person or business giving the notice shall indemnify and hold harmless the Grantee of and from any and all damages or claims of whatsoever kind or nature caused directly or indirectly from such temporary change of the Grantee's communication facilities, and
- (e) if required by Grantee, be accompanied by a cash deposit or a good and sufficient bond to pay any and all of the Grantee's estimated costs as estimated by Grantee.

Section 9. Grantee shall at all times maintain all of its communication facilities in a good state of repair. Motorized vehicles shall not be allowed on any public bicycle paths and landscaped areas, except when necessary to install, remove or repair Grantee's facilities. Except in an emergency, permission shall be obtained from the City Parks and Recreation Department before using motorized vehicles on any public bicycle paths and landscaped areas. Any damage to any public way caused by Grantee shall be repaired by Grantee at no cost to the city. Grantee shall have a local representative available at all times through the Rogue Basin Utilities Coordinating Council to locate Grantee's facilities for persons who need to excavate in the public way.

Section 10. Grantee shall indemnify and hold City harmless from any and all damages of any kind or character growing out of or arising by reason of the installation and maintenance of the Grantee's communication facilities in the City, except when resulting from negligence or willful misconduct of the City's officers, employees, or agents. Grantee also hereby agrees to indemnify and hold City harmless from any damages, claims, additional costs or expenses assessed against or payable by the City arising out of or resulting, directly or indirectly, from Grantee's failure to remove, adjust or relocate any of its facilities within a six (6) month period following written notice from the City to relocate, unless Grantee's failure arises directly from the negligence or willful misconduct of the City's officers, employees, or agents or from causes beyond Grantee's reasonable control.

Section 11. In any situation in which the City is found legally liable to Grantee for damage to Grantee's facilities, City's liability shall be limited to the cost of repair or replacement of the damaged facilities, whichever is less. City shall not be liable to Grantee for lost revenue, lost profits, incidental or consequential damages or claims of third parties arising from damage to Grantee's facilities. Grantee covenants that it will not assert any claim against the city for any liability, loss, or damage excluded under this Section 11.

Section 12. In consideration of the rights, privileges and franchise hereby granted,

Grantee shall pay to City from and after the effective date of the acceptance of this franchise, annually, six percent (6%) of its gross revenues derived from its communication facilities within the corporate limits of the City, less net uncollectibles.

Grantee shall make quarterly payments to the City on or before October 15th, January 15th, April 15th and July 15th for the quarter immediately preceding. Grantee shall pay a pro rata fee for the last quarterly payment to the date of termination in addition to any other sums due the City and shall make such payment within 30 days of termination.

As used in this section, "use" includes, but is not limited to, street openings, construction and maintenance of fixtures or facilities by Grantee. To the extent that any permit fees are imposed by the City on Grantee for street openings, construction, inspection or maintenance of fixtures or facilities, such permit fees may be deducted from the franchise fee payments required by this section. However, Grantee shall not deduct charges and penalties imposed by the City for noncompliance with charter provisions, ordinances, resolutions or permit conditions from the franchise fee payments required by this section.

The city may assume that all of grantee's services herein are for communications services subject to charges herein. Grantee is authorized to pass-through the franchise fee assessed herein to its customers, to the extent that franchise fee exceeds 4% of the gross revenues herein and must separately itemize such charge on any bill.

Section 13. The payment of the franchise fee shall be in addition to, not in lieu of, any local business license tax, or other taxes and permit fees not within the scope of this franchise agreement.

Section 14. The privileges and franchise herein granted shall commence when authorized by City, and be in force for a period of five (5) years from and after that date. This franchise may be terminated by the City at any time upon 30 days written notice for failure to comply with the other provisions of this agreement or the Code of Medford, unless such failure is remedied within the 30-day period. Otherwise, this agreement shall remain in effect.

Section 15. The City shall have the right to audit the books and records of the Grantee to verify compliance with the terms and conditions of this franchise. At the City's request, the Grantee shall provide the City's auditors access to the Grantee's books and records, as necessary, to conduct a thorough audit.

Section 16. With each franchise fee payment, the Grantee shall furnish a sworn statement setting forth the amount and calculation of the payment. The statement shall detail the revenues received by the Grantee from its operations within the City, and shall specify the nature and amount of all exclusions and deductions from such revenues claimed by the Grantee in calculating the franchise fee.

Section 17. City's consent shall be required for assignment, transfer, merger, lease or mortgage.

(a) Neither this franchise nor any property owned and operated by Grantee by authority hereof shall be sold, leased, mortgaged, assigned or otherwise transferred without the prior consent of the City as expressed by ordinance, except to entities that control, are controlled by, or are under common control with the Grantee. Grantee shall notify the City of any transfers to such entities within ten (10) days of such transfers. The City's granting of consent in one instance shall not render unnecessary any subsequent consent in any other instance. Nothing contained herein shall be deemed to prohibit the mortgage, pledge, or assignment of fiber optic cable system tangible assets for the purpose of financing the acquisition of equipment for or the construction and operation of the system without the City's consent, but any such mortgage, pledge or assignment shall be subject to the City's other rights contained in this franchise.

(b) Grantee shall not lease or sublease any of its pipes, wires, conduits, or other facilities, or the public right-of-way in which such are contained, without the City's consent as expressed by ordinance. However, Grantee may dedicate or lease its fiber optic cable system or any portion thereof, or otherwise make its fiber optic cable system available in the ordinary conduct of its business as a telecommunications company, so long as Grantee remains solely responsible for locating, servicing, repairing, relocating or removing its fiber optic cable system, and so long as City's bandwidth or access speed are not diminished.

Section 18. The City Manager is authorized to act for the City in all matters pertaining to this franchise. Grantee may appeal any action of the City Manager to the City Council by giving written notice thereof within twenty-one days after Grantee was notified of such action. The City Council will hear the appeal and render a final decision within 30 days after the notice of appeal is given.

Section 19. Whenever any notice is given pursuant to this ordinance, it shall be effective on the date it is sent in writing by registered or certified mail, addressed as follows:

To the City: City Manager
Medford City Hall
411 West 8th St.
Medford, OR 97501

To Grantee: Richard W. Ryan, Principal
Hunter Communication, Inc.
dba Core Digital Services

801 Enterprise Drive, Ste 101
Central Point, OR 97502

Notice of change of address may be given in the same manner as any other notice.

Section 20. Grantee shall, within thirty (30) days of the passage of this ordinance, file with the City Recorder its written acceptance of all the terms and conditions of this ordinance.

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

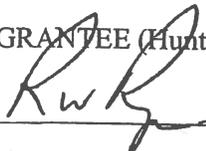
ATTEST: _____
City Recorder

Mayor

APPROVED: _____, 2019.

Mayor

FOR GRANTEE (Hunter Communications, Inc.)

By: 

Title: President / CEO



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.3

www.ci.medford.or.us

DEPARTMENT: Human Resources
PHONE: 541-774-2010
STAFF CONTACT: Bonnie Barasch, Director

AGENDA SECTION: Consent Calendar
MEETING DATE: June 20, 2019

COUNCIL BILL 2019-57

An ordinance authorizing execution of an Agreement between the City of Medford and Teamsters Local 223 Construction and Maintenance Employees concerning wages, hours, fringe benefits, and other working conditions from July 1, 2019 through June 30, 2023.

SUMMARY AND BACKGROUND

Council is requested to consider a four year agreement with Teamsters Construction & Maintenance Employees. The previous agreement, representing employees within the Public Works Department, expires June 30, 2019. The proposed four year agreement July 1, 2019 - June 30, 2023 provides consistency with Council direction regarding wages, hours, fringe benefits and other working conditions.

PREVIOUS COUNCIL ACTIONS

On January 5, 2017 – Council Bill 2017-04 was approved authorizing an agreement with Teamsters Construction & Maintenance Employees.

ANALYSIS

The proposed agreement covers forty-two (42) Public Works employees and provides for:

1. Salary increases: 2.00% effective 7/1/19, 2.75% effective 7/1/2020, 2.75% effective 7/1/2021 and 2.75% effective 07/01/22.
2. Health insurance: Beginning July 1, 2019 and for the term of this contract the City would pay 100% of the insurance premium for the lowest cost insurance plan. An employee would be responsible to pay any difference between the lowest cost plan and any higher cost plan they have selected. Currently that cost is approximately \$1626 per employee for the lowest cost plan.
3. Additional amendments were tentatively agreed to. These amendments have minimal financial impact and provide for clarity within the agreement.
4. The contract was ratified by the bargaining unit on June 5, 2019.

FINANCIAL AND/OR RESOURCE

The total increased compensation cost of the proposed action has been estimated by the Finance Department to be approximately \$79,981 for the first year of the agreement, approximately \$154,090 for the second year of the agreement, approximately \$171,598 for the third year of the agreement and approximately \$152,020 for the fourth year of the agreement. Funds for the contract increases are available in the proposed 2019-2021 biennial budget.

TIMING ISSUES

If the Council chooses not to approve this proposed agreement, negotiations with the bargaining unit will need to be re-opened.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Deny the ordinance as presented and direct staff regarding further action.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.3

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STAFF RECOMMENDATION

Staff recommends approval of the ordinance authorizing the agreement with Teamsters Construction and Maintenance Employees.

SUGGESTED MOTION

I move to approve the ordinance authorizing the agreement with Teamsters Construction & Maintenance Employees.

EXHIBITS

Ordinance
Agreement on file in City Recorder's office.

ORDINANCE NO. 2019-57

AN ORDINANCE authorizing execution of an Agreement between the City of Medford and Teamsters Local 223 / Construction and Maintenance Employees concerning wages, hours, fringe benefits, and other working conditions from July 1, 2019 through June 30, 2023.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of an Agreement between the City of Medford and Teamsters Local 223 / Construction and Maintenance Employees concerning wages, hours, fringe benefits, and other working conditions from July 1, 2019, through June 30, 2023, which is on file in the City Recorder's office, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.4

www.ci.medford.or.us

DEPARTMENT: Legal
PHONE: 541-774-2020 or 541-774-2000
STAFF CONTACT: Lori Cooper, City Attorney

AGENDA SECTION: Consent Calendar
MEETING DATE: June 6, 2019

COUNCIL BILL 2019-58

An ordinance adding section 8.185 to the Medford Municipal Code to allow the use of goats for vegetation control within City limits.

SUMMARY AND BACKGROUND

Council is requested to consider an amendment to the Medford Municipal Code (MMC) allowing goat grazing within City limits. The MMC prohibits livestock within City limits, other than in the Exclusive Agriculture overlay district. However, questions periodically arise about whether the City allows the use of goat grazing for the purposes of vegetation management, weed abatement, and fire safety. The Council has approved exceptions to the prohibition on livestock and has allowed goats to be used for vegetation management in several instances in the recent past. The Council requested that staff present information and code amendment language that would allow the use of goats for vegetation management within the City limits.

PREVIOUS COUNCIL ACTIONS

On July 5, 2012, the Council passed Ordinance 2012-96 authorizing an exception to the Medford Code to allow Coyote Trails School of Nature to use goats for vegetation control at the Jefferson Nature Center.

On June 6, 2013, the Council passed Ordinance 2013-79 authorizing an exception to the Medford Code to allow Hungry Goats 4 Hire to use goats for vegetation control in Medford.

On October 10, 2013, the Council passed Ordinance 2013-141, authorizing an exception to the Medford Code to allow Hungry Goats 4 Hire to use goats for vegetation control along the Bear Creek Greenway

On August 2, 2018, the Council passed Ordinance 2018-96 authorizing an exception to the Medford Municipal Code to allow the use of goats for vegetation control at the Bear Creek Golf Course located at 2355 S Pacific Highway.

On March 14, 2019, the Council held a study session on goat grazing and requested that staff bring forth a code amendment regulating goats for vegetation management.

ANALYSIS

In the past several years, communities across the nation have turned to using goats for managing overgrown vegetation, invasive weeds (including blackberries), and dense underbrush in fire-prone areas. Goats are relatively fast workers, clearing large swaths of land in a matter of days; goats are also more nimble than people and machines, and are able to navigate steep and rugged terrain.

At the March 14, 2019 Council study session, staff presented Council with information regarding the use of goats for controlling vegetation and requested Council direction on a code amendment. The Council had no objections to the idea of goats being used for vegetation management within City limits, but wanted goat grazing regulations to be located in Chapter 8 and treated similar to a business license. Council members stated that they did not want "backyard" goats to be permitted, and that the code amendment should require that the goats be kept under control so as to not cause any property damage.

The proposed code amendment would allow goat owners to rent out their goats to property owners for the purpose of vegetation management. Goats would not be able to live within City limits, as they are still



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.4

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considered livestock. Goat owners would be required to apply for a basic business license (current cost of \$100.00), renewable on an annual basis, to rent out goats in the City.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None

TIMING ISSUES

None

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff makes no recommendation.

SUGGESTED MOTION

I move to approve the ordinance amending the Medford Municipal Code to authorize goat grazing within City limits.

EXHIBITS

Ordinance

ORDINANCE NO. 2019-58

AN ORDINANCE adding section 8.185, to the Medford Municipal Code to allow the use of goats for vegetation control within City limits.

SECTION 1. Section 8.185 of the Medford Code is added to read as follows:

8.185 Goat Grazing for Vegetation Management

The City Council of the City of Medford finds and declares that the purpose of this ordinance is to promote the safety and welfare of the general public by allowing and regulating the use of goats for the purpose of grazing for targeted vegetation removal on parcels of land within the City of Medford.

- (A) **Definitions. Words and phrases used in this ordinance shall have the following meanings ascribed to them:**
- (1) **“Client” means any individual within the City who contracts with a contractor to hire/rent one or more goats for the purpose of vegetation management.**
 - (2) **“Contractor” means a person who owns one or more goats, and holds the goats out for rental or hire.**
 - (3) **“Goat handler” means any person employed by or under contract with a Contractor for the purpose of handling, transporting, and overseeing goats used for targeted vegetation management.**
 - (4) **“Grazing” means targeted vegetation management.**
 - (5) **“Herd” means the animals available to rent for the purpose of targeted grazing.**
- (B) **Business license required; regulatory license fees.**
- (1) **No Contractor shall conduct business in the City without obtaining a business license as described in Chapter 8.005 to 8.080 of this Code.**
 - (2) **The City may issue a business license to a Contractor in accordance with the business licensing process outlined in Chapter 8.030 of this Code.**
 - (3) **The City may include conditions, restrictions, or special provisions in the business license, including but not limited to conditions related to times of operation, fencing and containment, lighting, or other conditions, if, in the sole discretion of the City, the applicant’s materials or the nature of the property on which the goats are to manage, warrant conditions, restrictions, or special provisions.**
 - (4) **A license issued under this chapter is valid for one year, and may be renewed as described in Chapter 8.055 of this Code.**
 - (5) **The application fee for a business license under this section shall be \$100.00, as required for a “basic fee” per Chapter 8.060 of this Code.**

- (6) The application fee shall be paid to the City at the time of submitting a permit application or renewal.**
- (7) No Contractor or Goat Handler shall conduct business in the City without a valid business license.**

(C) Contractor/Goat Handler requirements.

- (1) Contractors and/or goat handlers who transport the goats within city limits must possess a valid driver license, proof of motor vehicle registration, and proof of current automobile liability insurance that meets the requirements of this chapter and state law.**
- (2) Every Contractor shall maintain accurate, current records for all employees and goat handlers employed by, contracting with, or otherwise affiliated with the company.**
- (3) Contractors shall maintain accurate, current records for every animal in their possession that may be rented out for use under this subsection.**
- (4) Contractors shall comply with all disease control requirements prescribed in Chapter 596 of the Oregon Revised Statutes.**

(D) Operational Requirements.

- (1) Contractors shall maintain records of all jobs performed by their herd, including which members of the herd participated in each job. The data shall include, at minimum, the location of the job; the number of animals on the job; the duration of the job in hours and/or working days; the goat handler(s) in charge of managing the herd; and the rental rate per hour, per animal.**
- (2) Contractor(s) and/or goat handler(s) shall ensure that the animal(s) are properly confined and only graze in areas designated by the property owner. The Contractor shall be liable for damage caused to property if the animals graze outside of the designated vegetation management area.**
- (3) Contractors shall be responsible for keeping goats within limits of area of vegetation to be managed.**

(E) Revocation, Suspension.

Violation of one or more of the requirements in this section constitutes a violation. Each day in which the violation(s) occurs constitutes a separate violation. In addition to the

penalties provided in Section 8.900, violations of this section may be enforced by means of a civil action in the Circuit Court for Jackson County, wherein the City may seek an injunction and other appropriate relief.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.5

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DEPARTMENT:	Finance and Legal	AGENDA SECTION:	Consent Calendar
PHONE:	541-774-2020 or 541-774-2033	MEETING DATE:	June 20, 2019
STAFF CONTACT:	Ryan Martin, Chief Financial Officer, and Lori Cooper, City Attorney		

COUNCIL BILL 2019-59

An ordinance amending sections 8.800 – 8.815, 8.818, and 8.820 of the Medford Code pertaining to transient lodging tax.

SUMMARY AND BACKGROUND

Council is requested to consider an ordinance amending Sections 8.800 – 8.820 of the Medford Municipal Code (MMC), which imposes the transient lodging tax and describes the application, administration, and collection of taxes on transient lodgings in order to begin collection of said taxes from internet-based short-term rental companies.

The proposed amendments seek to update the Code and reflect changes in state law since the last time this Section was updated in 2015. Internet-based short-term rental companies, such as “Airbnb” or “VRBO,” have not been collecting or remitting payment as required by state law and by the City’s TLT code. Since the last TLT Code update, the Oregon State Legislature has updated statutory language governing internet-based vacation rental and home-share facilitators. Specifically, the Legislature imposed new definitions for “transient lodging intermediary” (including companies such as Airbnb) and “transient lodging tax collector”.

PREVIOUS COUNCIL ACTIONS

On November 4, 2004, the Council passed Ord. No. 2004-215, eliminating the “Transient Lodging Tax Review Committee” and authorizing the Finance Director to oversee TLT collections and appeals.

On November 19, 2015, the Council passed Ordinance No. 2015-117, updating definitions and exemptions to the TLT code.

ANALYSIS

The proposed revisions and amendments update MMC Sections 8.800-8.820 to comport with state transient lodging tax regulations, including recent statutory updates from the 2018 Legislative Session. As presently written, definitions and TLT remittance requirements in Sections 8.800-8.820 do not exactly mirror the state definitions, which may be why some internet-based short-term rental companies do not collect and remit local TLT. By using the exact statutory language in MMC Sections 8.800-8.820, the City may be able to more effectively collect TLT revenue from internet-based vacation rental companies, such as Airbnb. Strict adherence to statutory definitions has led other cities to successfully collect TLT from internet-based short-term rental companies. For example, the City of Corvallis implemented code changes similar to these proposed changes to the Code; since making these changes, Corvallis has been consistently collecting TLT revenue from internet-based vacation rental companies.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Due to the lack of data from non-traditional lodging providers, such as Airbnb, it is difficult to estimate what the additional resources will be. The City of Corvallis currently collects a transient lodging tax from Airbnb and has estimated that 8% of total transient lodging tax revenues are from Airbnb. If that same percentage is used for the City of Medford, it would equal approximately \$350,000 in additional revenue per year.

TIMING ISSUES

None



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.5

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COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance as presented.

SUGGESTED MOTION

I move to approve the ordinance authorizing the proposed updates and changes to the code language.

EXHIBITS

Ordinance

ORDINANCE NO. 2019-59

AN ORDINANCE amending sections 8.800 – 8.815, 8.818, and 8.820 of the Medford Code pertaining to transient lodging tax.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. 8.801 Definitions.

~~(4) "Operator" means a person that furnishes transient lodging in any capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this ordinance and shall have the same duties and liabilities as his principal. Compliance with the provisions of this ordinance by either the principal or managing agent shall be considered to be compliance by both. Operator herein shall also include a Transient Lodging Tax Collector as defined by state laws and transient lodging intermediary.~~

(54) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(65) "Cash accounting" means the ~~operator~~ **lodging tax collector** does not enter the rent due from a transient on his records until rent is paid.

(76) "Accrual accounting" means the ~~operator~~ **lodging tax collector** enters the rent due from a transient on his records when the rent is earned whether or not it is paid.

(87) "Rent" means the total retail price, including all charges other than taxes, rendered for the sale, service or furnishing of transient lodging whether or not received by the ~~operator~~ **lodging tax collector**, for the occupancy of transient lodging valued in money, goods, labor, credits, property, or other consideration valued in money, without any deduction.

(98) "Rent package plan" means the consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of transient room tax under this ordinance shall be the same charge made for rent when consideration is not a part of a package plan. This concept is intended to follow state law regarding services included in the fee for purposes of determining the total retail price.

~~(109) "Tax" means either the tax payable by the transient, or the aggregate amount of taxes due from an operator~~ **lodging tax collector** during the period for which he is required to report his collections.

Ordinance 2019-59

(110) ~~Finance Director~~**Chief Financial Officer**” means the ~~Finance Director~~**Chief Financial Officer** of the City of Medford, Oregon.

(1211) "Transient" means any individual who exercises occupancy or is entitled to occupancy in transient lodging for a period of twenty-seven consecutive calendar days or less, counting portions of paid calendar days as full days. The day a transient checks out of the transient lodging shall not be included in determining the 27-day period if the transient is not charged rent for that day by the ~~operator~~**lodging tax collector**. Any such individual so occupying space in transient lodging shall be deemed to be a transient until the period of 27 days has expired unless there is an agreement in writing between the ~~operator~~**lodging tax collector** and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior to and subsequent to the effective date of this ordinance may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient.

(1312) “Transient Lodging Intermediary” or “**Lodging Intermediary**” a person **other than a transient lodging provider** that facilitates the retail sale of transient lodging **and:**

- (a) **Charges for the occupancy of the lodging;**
- (b) **Collects the consideration charged for occupancy of the lodging; or**
- (c) **Receives a fee or commission and requires the lodging provider to use a specified third-party entity to collect the consideration charged for occupancy of the lodging.**

(13) “**Transient Lodging Provider**” or “**Lodging Provider**” means a person that furnishes lodging.

(14) “**Transient Lodging Tax Collector**” or “**Lodging Tax Collector**” means a **transient lodging provider or a transient lodging intermediary.**

Section 2. 8.802 Tax Imposed.

(1) ***

(B) The total retail price paid by a person for occupancy of transient lodging that is part of a travel package may be determined by reasonable and verifiable standards from books and records kept in the ordinary course of the ~~operator's~~**lodging tax collector's** business.

(c) The tax shall be collected by the ~~operator~~**lodging tax collector** that receives the consideration rendered for occupancy of the transient lodging.

(d) The tax imposed by this subsection is in addition to and not in lieu of any state transient lodging tax.

(2) The transient shall pay the tax to the ~~operator~~**lodging tax collector** of the transient lodging at the time the rent is paid. The ~~operator~~**lodging tax collector** shall enter the tax on his records when rent

is collected if the ~~operator lodging tax collector~~ keeps his records on the cash accounting basis and when earned if the ~~operator lodging tax collector~~ keeps his records on the accrual accounting basis. If the rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the ~~operator lodging tax collector~~ with each installment. If for any reason the tax due is not paid to the ~~operator transient lodging provider of the transient lodging~~, the ~~Finance Director~~ **Chief Financial Officer** may require that such tax shall be paid directly to the city.

Section 3. 8.803 Collection of Tax ~~by operator~~; Rules for Collection.

(1) **The lodging provider that collects the consideration charged for occupancy of a transient lodging business, or a transient lodging intermediary as described in Section 8.801(13) of this Code, as applicable, is responsible for collecting any lodging tax and shall file a return of the tax with the City of Medford Chief Financial Officer, or with any tax administrator identified by the City, reporting the amount of tax due during the reporting period to which the return relates.**

(12) Every ~~operator lodging tax collector~~ renting rooms in this city, the occupancy of which is not exempted under the terms of this ordinance, shall collect a tax from the occupant. The tax collected or accrued by the ~~operator lodging tax collector~~ constitutes a debt owing by the ~~operator tax collector~~ to the city. In addition the tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the city.

(23) In all cases of credit or deferred payment of rent, the payment of tax to the ~~operator lodging tax collector~~ may be deferred until the rent is paid, and the ~~operator tax collector~~ shall not be liable for the tax until creditors are paid or deferred payments are made.

(34) The ~~Finance Director~~ **Chief Financial Officer** shall enforce provisions of this ordinance and shall have the power to adopt rules and regulations not inconsistent with this ordinance as may be necessary to aid in the enforcement.

(45) The rate imposed by section 8.802 shall be rounded to the nearest whole cent.

Section 4. 8.804 ~~Operator's Lodging Tax Collector's~~ Duties.

Each ~~operator lodging tax collector~~ shall collect the tax imposed by this ordinance at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the ~~operator's lodging tax collector's~~ records, and any receipt rendered by the ~~operator lodging tax collector~~. No ~~operator lodging tax collector~~ shall advertise that the tax or any part of the tax will be assumed or absorbed by the ~~operator tax collector~~, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this ordinance.

Section 5. 8.806 Registration of ~~Operator Tax Collector~~; Form and Contents; Execution; Certification of Authority.

(1) Every person engaging or about to engage in business as an ~~operator~~ **a lodging tax collector** in this city shall register with the ~~Finance Director~~ **Chief Financial Officer** on a form provided by ~~him~~

~~the city. Operators~~ **Lodging tax collectors** engaged in business at the time this ordinance is adopted must register not later than thirty (30) calendar days after this adoption. ~~Operators~~ **Lodging tax collectors** starting business after this ordinance is adopted must register within fifteen (15) calendar days after commencing business. The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment or collection of tax regardless of registration.

(2) Registration shall set forth:

(a) ~~†The name under which an operator~~ **a lodging tax collector** transacts or intends to transact business;

(b) ~~†The location of his place or places of business~~ **the transient lodging;**

(c) ~~and~~ **Any** such other information to facilitate the collection of the tax as the ~~Finance Director~~ **Chief Financial Officer** may require; **and**

(d) ~~The registration shall be signed by~~ **signature** of the ~~operator~~ **lodging tax collector**.

(3) The ~~Finance Director~~ **Chief Financial Officer** shall, within ten days after registration, issue without charge a certificate of authority to each registrant to collect the tax from the occupant, together with a duplicate thereof for each additional place of business of each registrant. Certificates shall be nonassignable and nontransferable and shall be surrendered immediately to the ~~Finance Director~~ **Chief Financial Officer** upon the cessation of business at the location named or upon its sale or transfer. Each certificate and duplicate shall state the place of business **of the transient lodging** to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all occupants and persons seeking occupancy.

Said certificate shall, among other things, state the following:

(a) The name of the ~~operator~~ **lodging tax collector**;

(b) The address of the transient lodging;

(c) The date upon which the certificate was issued;

(d) "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Transient Lodgings Tax Ordinance of the City of Medford by registration with the ~~Finance Director~~ **Chief Financial Officer** for the purpose of collecting from transients the room tax imposed by said City and remitting said tax to the ~~Finance Director~~ **Chief Financial Officer**. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate transient lodging without strictly complying with all local applicable laws including but not limited to those requiring a permit from any board, commission, department or office of the City of Medford. This certificate does not constitute a permit."

Section 6. 8.807 Due Date; Returns and Payments.*

(1) **The tax imposed by this Chapter shall be paid by the occupant to the lodging tax collector at the time that rent is paid. All amounts of such taxes collected by any lodging tax collector are due and payable to the Chief Financial Officer on or before the last day of each month. a return for the preceding month's tax collections shall be filed with the Finance Director . The return shall be filed by every operator lodging tax collector liable for payment of tax, in such form as the Finance Director Chief Financial Officer may prescribe.**

(2) Returns shall show the amount of tax collected or otherwise due for the related period. The ~~Finance Director~~ **Chief Financial Officer** may require returns to show the total rentals upon which tax was collected or otherwise due, gross receipts of the ~~operator~~ **lodging tax collector** for such period and an explanation in detail of any discrepancy between such amounts, and the amount of rents exempt, if any.

(3) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the ~~Finance Director~~ **Chief Financial Officer** at his office either by personal delivery by mail or by any commercially reasonable means, including but not limited to electronic or telephonic transfer, or private delivery service (PDS). For purposes of determining delinquencies, the date of delivery is the later of receipt of the return or receipt of the tax by the ~~Finance Director~~ **Chief Financial Officer**. If the return is mailed, the postmark date from the United States Postal Service shall be considered the date of delivery for determining delinquencies. ~~Private Delivery Service (PDS)~~ PDS shipping date may be treated as an equivalent to United States Postal Service for purposes of the postmark rule. If the return is delivered in person, it must be received on or before the due date during business hours. (8am-5pm, Monday-Friday). For purposes of imposing penalties and interest for delinquent filing, a 5 day grace period shall be given. This means that any return and tax remittance delivered within 5 days of the due date will not be assessed penalties and or interest.

(4) For good cause, the ~~Finance Director~~ **Chief Financial Officer** may extend for not to exceed one month the time for making any return or payment of tax. No further extension shall be granted, except by the City Council upon appeal. Any ~~operator~~ **lodging tax collector** to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this ordinance. *Effective April 1, 1992

Section 7. 8.808 Penalties and Interest.

(1) Original Delinquency. Any ~~operator~~ **lodging tax collector** who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this ordinance prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax.

(2) Continued Delinquency. Any ~~operator~~ **lodging tax collector** who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the amount of the tax and the ten percent (10%) penalty first imposed.

(3) Fraud. If the ~~Finance Director~~ **Chief Financial Officer** determines that the nonpayment of any remittance due under this ordinance is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in paragraphs (1) and (2) of this section.

(4) Interest. In addition to the penalties imposed, any ~~operator~~ **lodging tax collector** who fails to remit any tax imposed by this ordinance shall pay interest at the rate of one percent per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of

penalties, from the date on which the remittance first became delinquent until paid.

(5) Penalties Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall be merged with and become a part of the tax herein required to be paid.

(6) Petition for Waiver. Any ~~operator~~ **lodging tax collector** who fails to remit the tax herein levied within the time herein stated shall pay the penalties herein stated provided, however, the **lodging tax collector** may petition the City Council for waiver and refund of the penalty or any portion thereof and the City Council may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

Section 8. 8.809 Deficiency Determinations; Fraud, Evasion, ~~Operator~~ **Tax Collector** Delay.

(1) Deficiency Determination. If the ~~Finance Director~~ **Chief Financial Officer** determines that the returns are incorrect, he may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within his possession or that may come into his possession. One or more deficiency determinations may be made of the amount due for one, or more than one period, and the amount so determined shall be due and payable immediately upon service of notice as herein provided after which the amount determined is delinquent. Penalties or deficiencies shall be applied as set forth in Section 8.808.

(a) In making a determination the ~~Finance Director~~ **Chief Financial Officer** may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties, and interest, on the underpayments. The interest on underpayments shall be computed in the manner set forth in Section 8.808.

(b) The ~~Finance Director~~ **Chief Financial Officer** shall give to the ~~operator~~ **lodging tax collector** or occupant a written notice of his determination. The notice may be served personally or by mail; if by mail, the notice shall be addressed to the ~~operator~~ **lodging tax collector** at his address as it appears in the records of the ~~Finance Director~~ **Chief Financial Officer**. In the case of service by mail of any notice required by this ordinance the service is complete at the time of deposit in the United States Post Office.

(c) Except in the case of fraud, intent to evade this ordinance or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires later.

(d) Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the ~~Finance Director~~ **Chief Financial Officer** has given notice thereof, provided, however, the ~~operator~~ **lodging tax collector** may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(2) Fraud, Refusal to Collect, Evasion. If any ~~operator~~ **lodging tax collector** shall fail or refuse to collect said tax or to make, within the time provided in this ordinance, any report and remittance of

said tax or any portion thereof required by this ordinance, or makes a fraudulent return or otherwise willfully attempts to evade this ordinance, the ~~Finance Director~~ **Chief Financial Officer** shall proceed in such manner as he may deem best to obtain facts and information on which to base an estimate of the tax due. As soon as the ~~Finance Director~~ **Chief Financial Officer** has determined the tax due that is imposed by this ordinance from an ~~operator~~ **lodging tax collector** who has failed or refused to collect the same and to report and remit said tax, he shall proceed to determine and assess against such ~~operator~~ **lodging tax collector** the tax, interest, and penalties, provided for by this ordinance. In case such determination is made, the ~~Finance Director~~ **Chief Financial Officer** shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice shall be made and mailed within three years after discovery by the ~~Finance Director~~ **Chief Financial Officer** of any fraud, intent to evade or failure or refusal to collect said tax, or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the ~~Finance Director~~ **Chief Financial Officer** has given notice thereof, provided, however, the ~~operator~~ **lodging tax collector** may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(3) ~~Operator Lodging Tax Collector~~ Delay. If the ~~Finance Director~~ **Chief Financial Officer** believes that the collection of any tax or any amount of tax required to be collected and paid to the city will be jeopardized by delay, or if any determination will be jeopardized by delay, he shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as herein provided shall be immediately due and payable, and the ~~operator~~ **lodging tax collector** shall immediately pay same determination to the ~~Finance Director~~ **Chief Financial Officer** after service of notice thereof, provided, however, the ~~operator~~ **lodging tax collector** may petition, after payment has been made, for redemption and refund of such determination, if the petition is filed within ten days from the date of service of notice by the ~~Finance Director~~ **Chief Financial Officer**.

Section 9. 8.810 Redeterminations.

(2) If a petition for redetermination and refund is filed within the allowable period, the ~~Finance Director~~ **Chief Financial Officer** shall reconsider the determination, and, if the person has so requested in his petition, shall grant the person an oral hearing and shall give him ten days notice of the time and place of the hearing. The ~~Finance Director~~ **Chief Financial Officer** may continue the hearing from time to time as may be necessary.

(3) The ~~Finance Director~~ **Chief Financial Officer** may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined such increase shall be payable immediately after the hearing.

(4) The order or decision of the ~~Finance Director~~ **Chief Financial Officer** upon a petition for redetermination of redemption and refund becomes final ten (10) days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the City Council within the ten (10) days after service of such notice.

(5) No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the ~~operator~~ **lodging tax collector** has first complied with the payment provisions hereof.

Section 10. 8.811 Security for Collection of Tax.

(1) The ~~Finance Director~~ **Chief Financial Officer**, whenever he deems it necessary to insure compliance with this ordinance, may require any ~~operator~~ **lodging tax collector** subject thereto to deposit with him such security in the form of cash, bond, or other security as the ~~Finance Director~~ **Chief Financial Officer** may determine. The amount of the security shall be fixed by the ~~Finance Director~~ **Chief Financial Officer** but shall not be greater than twice the ~~operator's~~ **lodging tax collector's** estimated average monthly liability for the period for which he files returns, determined in such manner as the ~~Finance Director~~ **Chief Financial Officer** deems proper, or Five Thousand Dollars (\$5,000.00), whichever amount is less. The amount of the security may be increased or decreased by the ~~Finance Director~~ **Chief Financial Officer** subject to the limitations herein provided. The ~~operator~~ **lodging tax collector** has a right to appeal to the City Council any decision of the ~~Finance Director~~ **Chief Financial Officer** made under this section.

(2) Any time within three years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the ~~Finance Director~~ **Chief Financial Officer** may bring an action in the courts of this State, or any other state, or of the United States in the name of the City of Medford to collect the amount delinquent with penalties and interest.

Section 11. 8.812 Lien.

The tax imposed by this ordinance together with the interest and penalties herein provided and the filing fees paid to the County Clerk of Jackson County, Oregon, and advertising costs which may be incurred when same becomes delinquent as set forth in this ordinance shall be and, until paid, remain a lien from the date of its recording with the County Clerk of Jackson County, Oregon, and superior to all subsequent recorded liens on all tangible personal property used in the transient lodging of an ~~operator~~ **lodging tax collector** within Medford and may be foreclosed on and sold as may be necessary to discharge said lien, if the lien has been recorded with the County Clerk of Jackson County, Oregon. Notice of lien may be issued by the ~~Finance Director~~ **Chief Financial Officer** whenever the ~~operator~~ **lodging tax collector** is in default in the payment of said tax, interest and penalty and shall be recorded with the County Clerk of Jackson County, Oregon and a copy sent to the delinquent **lodging tax collector**. The personal property subject to such lien may be foreclosed on and sold as provided by law.

Any lien for taxes as shown on the records of the proper County Official shall, upon the payment of all taxes, penalties, and interest thereon, be released by the ~~Finance Director~~ **Chief Financial Officer** when the full amount determined to be due has been paid to the city and the ~~operator~~ **lodging tax collector** or person making such payment shall receive a receipt therefor stating that the full amount of taxes, penalties, and interest thereon have been paid and that the lien is thereby released and the record of lien is satisfied.

Section 12. 8.813 Refunds.

(1) ~~Operators~~ Refunds. Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the ~~Finance Director~~ **Chief Financial Officer** under this ordinance, it may be refunded, provided a verified claim in writing therefor stating the specific reason upon which the claim is founded, is filed with the ~~Finance Director~~ **Chief Financial Officer** within three years from the date of payment. The claim shall be

made on forms provided by the ~~Finance Director~~ **Chief Financial Officer**. If the claim is approved by the ~~Finance Director~~ **Chief Financial Officer**, the excess amount collected or paid may be refunded or may be credited on any amounts due and payable from the ~~operator~~ **lodging tax collector** from whom it was collected or by whom paid and the balance may be refunded to such ~~operator~~ **lodging tax collector**, his administrators, executors or assignees.

(2) Transient Refunds. Whenever the tax required by this ordinance has been collected by the ~~operator~~ **lodging tax collector**, and deposited by the ~~operator~~ **lodging tax collector** with the ~~Finance Director~~ **Chief Financial Officer**, and it is later determined that the tax was erroneously or illegally collected or received by the ~~Finance Director~~ **Chief Financial Officer**, it may be refunded by him to the transient, provided a verified claim in writing therefor, stating the specific reason on which the claim is founded, is filed with said ~~Finance Director~~ **Chief Financial Officer** within three years from the date of payment.

Section 13. 8.814 Collection Fee.

Every ~~operator~~ **lodging tax collector** liable for the collection and remittance of the tax imposed by this ordinance may withhold five percent (5%) of the net tax due to cover the ~~operator's~~ **lodging tax collector's** expense in the collection and remittance of said tax.

Section 14. 8.815 Administration.

(1) Special Fund. The ~~Finance Director~~ **Chief Financial Officer** shall deposit twenty-five percent of the proceeds of the transient lodgings tax as they are received in a special fund to be known as the "Community Promotions Fund" and the balance of the proceeds shall be deposited in the General Fund. The Community Promotions Fund shall be used for the purpose of promoting, directly or through contract, the use of the City of Medford for recreational, cultural, convention and tourist-related activities and services. However, the city council may by resolution transfer all or part of the balance remaining in the Community Promotions Fund at the end of any fiscal year to the General Fund.

(2) Records Required from ~~Operators~~ **Lodging Tax Collectors**; Form. Every ~~operator~~ **lodging tax collector** shall keep guest records of room sales and accounting books and records of the room sales. All records shall be retained by the ~~operator~~ **lodging tax collector** for a period of three years and six months after they come into being.

(3) Examination of Records; Investigations. The ~~Finance Director~~ **Chief Financial Officer** or any person authorized in writing by him may examine during normal business hours, the books, papers and accounting records relating to room sales of any ~~operator~~ **lodging tax collector** after notification to the ~~lodging tax collector~~ **lodging tax collector** liable for the tax and may investigate the business of the ~~operator~~ **lodging tax collector** in order to verify the accuracy of any return made, or if no return is made by the ~~operator~~ **lodging tax collector**, to ascertain and determine the amount required to be paid. To assist in this process, the ~~Finance Director~~ **Chief Financial Officer** may request certified copies of annual tax returns covering the ~~operator~~ **lodging tax collector**.

(4) Confidential Character of Information Obtained - Disclosure Unlawful. It shall be unlawful for the ~~Finance Director~~ **Chief Financial Officer** or any person having an administrative or clerical duty under the provisions of this ordinance to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person required to obtain a Transient Occupancy Registration Certificate, or pay a transient occupancy tax,

or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth in any statement or application, or to permit any statement or application, or copy of either, or any book containing any abstract or particulars thereof to be seen or examined by any person, provided that nothing in this subsection shall be construed to prevent:

Section 15. 8.818 Appeals to City Council.

Any person aggrieved by any decision of the ~~Finance Director~~ **Chief Financial Officer** may appeal to the City Council of the City of Medford by filing a notice of appeal with the ~~Finance Director~~ **Chief Financial Officer** within ten (10) days of the service or the mailing of the notice of the decision given by the ~~Finance Director~~ **Chief Financial Officer**. The ~~Finance Director~~ **Chief Financial Officer** shall transmit said notice of appeal, together with the file of said appealed matter to the City Council who shall fix a time and place for hearing such appeal. The City Council shall give the appellant not less than ten (10) days written notice of the time and place of hearing of said appealed matter. Action by the City Council on appeals shall be by resolution, passed by a majority of the members present at the meeting where such appeal is considered.

Section 16. 8.820 Violations.

It is unlawful for any ~~operator~~ **lodging tax collector** or other person so required to fail or refuse to register as required herein, or to furnish any return required to be made, or fail or refuse to furnish a supplemental return or other data required by the ~~Finance Director~~ **Chief Financial Officer** or to render a false or fraudulent report, with intent to defeat or evade the determination of any amount due required by this ordinance.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.6

www.ci.medford.or.us

DEPARTMENT:	Public Works Department	AGENDA SECTION:	Consent Calendar
PHONE:	(541) 774-2100	MEETING DATE:	June 20, 2019
STAFF CONTACT:	Cory Crebbin, P.E., Public Works Director		

COUNCIL BILL 2019-60

An ordinance authorizing execution of a Quitclaim Deed of an existing easement in conjunction with the Larson Creek Greenway Segment II project.

SUMMARY AND BACKGROUND

Council is requested to approve a Quitclaim Deed of an existing easement with Charles L. Butler, James M. Wright, Mark R. Olfson, and Roger S. Hull in conjunction with the Larson Creek Greenway Segment II Project. A new easement for the Larson Creek Trail has been acquired and the easement to be quitclaimed is no longer needed.

The project will extend the Larson Creek Trail from Ellendale Drive to Black Oak Drive approximately 3,500 feet, and includes an asphaltic multi-use path and two pedestrian bridges.

The existing easement was recorded on December 15, 1995. The easement was granted for the sole purpose of creating and maintaining a public bicycle and walking path.

PREVIOUS COUNCIL ACTIONS

On January 17, 2019, Council approved Council Bill 2019-05 awarding a construction contract in an amount of \$1,756,202.35 to JRT Construction, LLC, for the construction of the Larson Creek Trail Segment II Improvements from Ellendale Drive to Black Oak Drive.

On December 6, 2018, Council approved Council Bill 2018-126 adopting a revised Transportation System Plan.

On June 15, 2017, Council approved Council Bill 2017-57 adopting the biennial Budget which includes funds for this project on page 8-55.

On November 20, 2014, Council approved Council Bill 2014-139 authorizing Intergovernmental Agreement (IGA) No. 30143 between the City of Medford and the Oregon Department of Transportation (ODOT) for Larson Creek Trail Segment II Improvements. This IGA authorized the City of Medford to design and construct multi-use path improvements between Ellendale Drive to Black Oak Drive.

ANALYSIS

The current American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities and the Planning Commission's recommendations to work with the community along the path required alignment changes from the existing easement.

Through negotiations with the property owners the City of Medford received a revised perpetual easement in exchange for extinguishing the existing perpetual easement recorded on December 15, 1995. The revised easement reduces the easement area by approximately 270 sq.ft.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

The construction contract completion deadline is October 18, 2019.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.6

www.ci.medford.or.us

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Deny the ordinance and provide direction to staff regarding the Larson Creek Greenway easement.

STAFF RECOMMENDATION

Staff recommends approval of the Quitclaim Deed with Charles L. Butler, James M. Wright, Mark R. Olfson, and Roger S. Hull

SUGGESTED MOTION

I move to approve the ordinance for a Quitclaim Deed.

EXHIBITS

Ordinance

Site Map

Quitclaim Deed

ORDINANCE NO. 2019-60

AN ORDINANCE authorizing execution of a Quitclaim Deed of an existing easement in conjunction with the Larson Creek Greenway Segment II project.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That execution of a Quitclaim Deed of an existing easement in conjunction with the Larson Creek Greenway Segment II project, is hereby authorized.

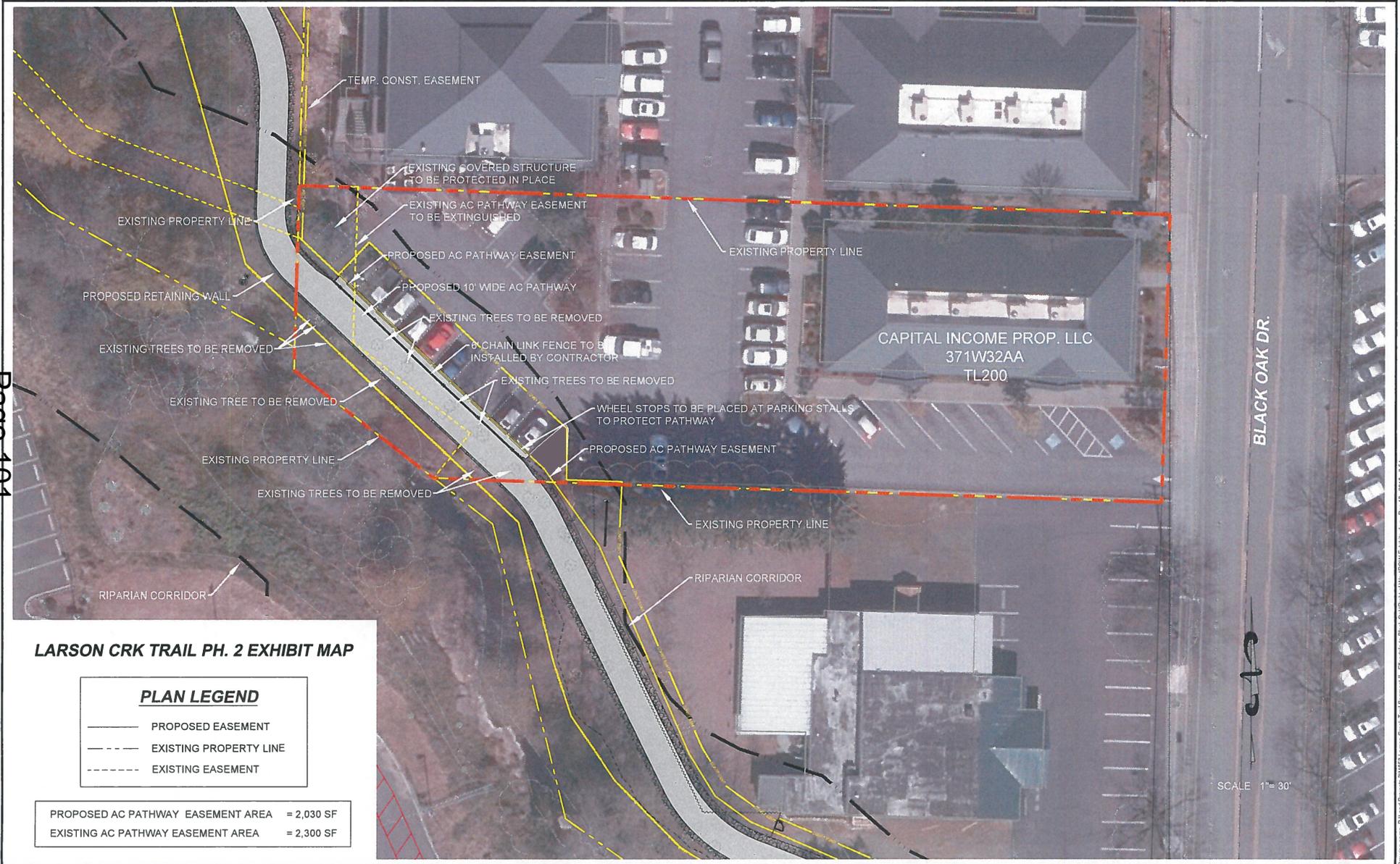
PASSED by the Council and signed by me in authentication of its passage this ____ day of June, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



LARSON CRK TRAIL PH. 2 EXHIBIT MAP

PLAN LEGEND

- PROPOSED EASEMENT
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT

PROPOSED AC PATHWAY EASEMENT AREA	= 2,030 SF
EXISTING AC PATHWAY EASEMENT AREA	= 2,300 SF

SCALE 1" = 30'

QUITCLAIM DEED

CITY OF MEDFORD, a municipal corporation, Grantor, releases and quitclaims to CHARLES L. BUTLER, JR., JAMES M. WRIGHT, MARK R. OLFSON, AND ROGER S. HULL, Grantee, all right, title and interest in and to the perpetual easement described in Exhibit A, attached hereto and incorporated herein by reference, set forth in Document No. 95-36037 recorded on December 15, 1995 of the Official Records of Jackson County, Oregon.

The true consideration for this conveyance is \$-0- and other good and valuable consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this _____ day of _____, 2019.

Gary H. Wheeler
Mayor

STATE OF OREGON)
County of Jackson)

On this _____ day of _____, 2019, personally appeared before me Gary H. Wheeler, as Mayor for the City of Medford and is known to me to be the person whose name is signed to this document, and acknowledges that he signed the document.

Notary Public for Oregon
My Commission expires:

GRANTEE: Charles L. Butler, Jr.
Charles L. Butler, Jr.

The foregoing instrument was acknowledged before me this 28 day of March, 2019,
by Charles L. Butler, Jr.

Vickie M. Westbrook

Notary Public for Oregon
My Commission expires: July 18-1



GRANTEE: James M. Wright
James M. Wright

The foregoing instrument was acknowledged before me this 21st day of March, 2019,
by James M. Wright.



Lisa M. Rahm
Notary Public for Oregon
My Commission expires:

GRANTEE: Mark R. Olson
Mark R. Olson

The foregoing instrument was acknowledged before me this 1 day of April, 2019,
by Mark R. Olson.



Vickie M. Westbrook
July 18, 2020
Notary Public for Oregon
My Commission expires:

GRANTEE: Roger S. Hull
Roger S. Hull

The foregoing instrument was acknowledged before me this 30th day of April, 2019,
by Roger S. Hull.



Vickie M. Westbrook
Notary Public for Oregon
My Commission expires:
July 18, 2020

GRANTOR: CITY OF MEDFORD
GRANTEE: CHARLES L. BUTLER, JR., JAMES M. WRIGHT, MARK R. OLFSO, AND ROGER S. HULL
After recording, return a copy to:
Office of the City Recorder
City of Medford
411 W. 8th St.
Medford, OR 97501

Until a change is requested, all tax statements shall be sent to:
Capital Income Properties, LLC
2594 E. Barnett Rd.
Medford, OR 97504

EXHIBIT A

A 20.0 FOOT WIDE MAINTENANCE AND BICYCLE PATH EASEMENT, THE WEST LINE OF WHICH IS COINCIDENT WITH THE FOLLOWING DESCRIBED LINE AND THE EAST LINE OF WHICH TERMINATES ON THE NORTH AND SOUTH BOUNDARIES OF THE TRACT DESCRIBED IN DEED RECORDED AS NO. 94-30368 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON:

Commencing at the southeast corner of Parcel No. 2 of Minor Partition Plat recorded November 22, 1994, as Partition Plat No. P-120-1994, and filed in the office of the Jackson County Surveyor as Survey No. 14291; thence South $00^{\circ}04'37''$ East, along a line which is 35.00 feet west of and parallel with the centerline of Black Oak Drive, 100.00 feet to the south boundary of the tract described in deed recorded as No. 94-30368 of the Official Records of Jackson County, Oregon, thence North $89^{\circ}42'00''$ West (Record West), along said south boundary; 245.81 feet to the southwest corner thereof for the true point of beginning of the line to be described; thence North $53^{\circ}30'00''$ West 61.24 feet; thence North $00^{\circ}05'00''$ West (Record North) 63.84 feet to the northwest corner thereof and the point of termination of said described line.



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 60.7

www.ci.medford.or.us

DEPARTMENT: Police Department
PHONE: (541) 774-2200
STAFF CONTACT: Randy Sparacino, Chief of Police

AGENDA SECTION: Consent Calendar
MEETING DATE: June 20, 2019

COUNCIL BILL 2019-61

An ordinance authorizing the purchase of seven (7) new police patrol vehicles in the total amount of \$262,798.00 from Northside Ford Truck Sales Incorporated of Portland, Oregon.

SUMMARY AND BACKGROUND

Council is requesting to consider of an ordinance to allow the Medford Police Department to purchase seven new police patrol vehicles. The police department has researched the available police vehicles and has selected the Ford Utility Police Interceptor Hybrid. As a result of this year's Request for Quotes (RFQ) process, Northside Ford Truck Sales Incorporated of Portland, Oregon has submitted the lowest bid.

PREVIOUS COUNCIL ACTIONS

On March 15, 2018, Council unanimously approved Council Bill 2018-26 ordinance authorizing the purchase of new police patrol vehicles in the total amount of \$204,971.59 from Landmark Ford. Ordinance #2018-26 was duly adopted.

ANALYSIS

The Police Department's plan is to purchase the vehicles from the dealership and then obtain a separate RFQ for the vehicle outfitting. The turn key method we have used in the past caused delays in vehicle deployment and was more costly. This has proven to be a faster and least expensive way of purchasing and deploying our vehicles. Allowing us to purchase our patrol vehicles on July 1st will allow us to replace our aging fleet sooner, saving the department in vehicle maintenance costs.

Bids were accepted in a competitive RFQ process and three vendors submitted bids for the vehicles. All three vendors are participants in the procurement service contract with the State of Oregon.

Company	Bid
Gresham Ford	\$ 37,542.78
Landmark Ford Lincoln.	\$ 37,843.28
Northside Ford Truck Sales, Inc	\$ 37,524.03

Once the vehicles are received, a quality police vehicle builder will assemble the cars. This will be done via a separate competitive RFQ process.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Funds contained in the 2019-2021 budget. The Department has budgeted \$187,713.90 for five vehicles in account number 1002110-640-4004, (page 3-26) the police motive equipment account. The remaining two vehicles have been budgeted at \$75,085.56 in account 2012122-640-4041, project PFM 0072-201-4004.

TIMING ISSUES

The Police Department is seeking to purchase the seven vehicles budgeted for the FY2019 on July 1st. This will allow receipt of the vehicles by our upfitters by the beginning of summer allowing faster deployment.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.7

www.ci.medford.or.us

COUNCIL OPTIONS

Approve the ordinance.

Modify the ordinance.

Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to adopt the resolution authorizing the purchase of seven patrol cars from Northside Ford Truck Sales Incorporated of Portland, Oregon.

EXHIBITS

Ordinance

Three bid quotations for the 2020 Utility Police Interceptor, Sport Utility.

ORDINANCE NO. 2019-61

AN ORDINANCE authorizing the purchase of seven (7) new police patrol vehicles in the total amount of \$262,798.00 from Northside Ford Truck Sales Incorporated of Portland, Oregon.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That the purchase of seven (7) new police patrol vehicles in the total amount of \$262,798.00 from Northside Ford Truck Sales Incorporated of Portland, Oregon is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED: _____, 2019.

Mayor



Paul Blankenship

Government and Commercial Fleet Manager

Military Deliveries

State of Oregon Contract #5551

Cell: 503.490.6510

Office: 503.665.0101

Fax: 503.665.0497

Paul@GreshamFord.com

Quoted to:	City of Medford		
	Phil Eastman		
Cell/Phone	541-774-2224	Date Quoted	6/4/2019
FAX	N/A	This Quote is per one vehicle	
E-Mail	phil.eastman@cityofmedford.org		
		Contract FIN	QS045

Vehicle Quoted:	Model Code	K8A AWD Police Interceptor Utility
	Model Year	2020

Quote:	Item Code	Item Description	Price
Base		K8A AWD Police Interceptor Utility	\$ 34,803.00
WB	119	In. Wheel Base	incl.
Color	YZ	Oxford White	incl.
Interior	9	Cloth Buckets/Vinyl Rear	incl.
Interior Color	6	Ebony Black	incl.
Trim	500A	Equip Group.	incl.
Engine	99W	3.3L Hybrid	incl.
Transmission	44B	Mod Hybrid Transmission	incl.
Emissions	425	50 States Emissions	incl.
	17T	Cargo Dome Light	\$ 48.00
	18D	Global Lock and Unlock	incl.
	19V	Rear Camera on Demand	\$ 216.00
	43D	Courtesy Lamp Disable	\$ 24.00
	47A	Engine Idle	\$ 245.00
	51T	Driver LED Spot Lamp (Whelen)	\$ 395.00
	55F	4 Keys and 4 Keyless FOBs	\$ 319.00
	65L	18 in. Wheel Covers	\$ 57.00
	66A	Front Headlamp PKG, Grill Wiring	\$ 841.00
	68G	Rear Door Handle and Lock Inoperable	\$ 70.00
	76R	Reverse Sensing System	\$ 258.00
	87R	Rear View Mirror W/Rear Camera	incl.
	92R	Solar Tint 2nd Row Only	\$ 80.00
	153	Front License Plate Bracket	incl.

Cost of Vehicle \$ 37,356.00

Oregon Vehicle Privilege Tax \$ 186.78

E-Plates \$ -

Delivered to Salem, Oregon

Total Vehicle Quote \$ 37,542.78



Landmark Ford Lincoln
12000 S W 66th Ave, Tigard, Oregon, 972238599
Office: 503-639-1131

Customer Proposal

Prepared for:

Mr. Phil Eastman
Medford Police Department
Office: 541-774-2224
Email: pgeastman@cityofmedford.org

Prepared by:

Diane Pohl
Office: 503-639-1131

Date: 06/07/2019

Vehicle: 2020 Police Interceptor Utility Base
AWD





Selected Options

Code	Description	Invoice
Base Vehicle		
K8A	Base Vehicle Price (K8A)	\$39,396.00
Packages		
500A	Order Code 500A <i>Includes:</i> - Engine: 3.3L V6 Direct-Injection Hybrid System (136-MPH Top Speed) - Transmission: 10-Speed Automatic - 3.73 Axle Ratio - GVWR: TBD - Tires: 255/60R18 AS BSW - Wheels: 18" x 8" 5-Spoke Painted Black Steel Includes polished stainless steel hub cover, center caps and full size spare. - Unique HD Cloth Front Bucket Seats w/Vinyl Rear Includes reduced bolsters, driver 6-way power track (fore/aft.up/down, tilt with manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both front seatbacks. - Radio: AM/FM/MP3 Capable Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.	N/C
Powertrain		
99W	Engine: 3.3L V6 Direct-Injection Hybrid System (136-MPH Top Speed)	Included
44B	Transmission: 10-Speed Automatic	Included
STDAX	3.73 Axle Ratio	Included
STDGV	GVWR: TBD	Included
Wheels & Tires		
STDWL	Wheels: 18" x 8" 5-Spoke Painted Black Steel <i>Includes polished stainless steel hub cover, center caps and full size spare.</i>	Included
STDTR	Tires: 255/60R18 AS BSW	Included
65L	18" Full Face Wheel Covers	\$57.00
Seats & Seat Trim		
9	Unique HD Cloth Front Bucket Seats w/Vinyl Rear <i>Includes reduced bolsters, driver 6-way power track (fore/aft.up/down, tilt with manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both front seatbacks.</i>	Included
Other Options		
113WB	113" Wheelbase	STD

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Selected Options (cont'd)

Code	Description	Invoice
PAINT	Monotone Paint Application	STD
STDRD	Radio: AM/FM/MP3 Capable <i>Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.</i>	Included
66A	Front Headlamp Lighting Solution Recommend using Ultimate Wiring Package (67U). <i>Includes LED low beam/high beam headlamp, wig-wag function and (2) red/blue/white LED side warning lights in each headlamp (factory configured: driver's side white/red / passenger side white/blue). Wiring and LED lights included (in headlamps only; grille lights not included). Controller not included.</i> <i>Includes:</i> <i>- Grille LED Lights, Siren & Speaker Pre-Wiring</i>	\$841.00
43D	Dark Car Feature <i>Courtesy lamps disabled when any door is opened.</i>	\$24.00
17T	Switchable Red/White Lighting in Cargo Area <i>Deletes 3rd row overhead map light.</i>	\$48.00
60A	Grille LED Lights, Siren & Speaker Pre-Wiring	Included
51T	Driver Only LED Spot Lamp (Whelen)	\$395.00
92R	2nd Row Only Solar Tint Glass <i>Includes privacy glass on rear quarter and liftgate window.</i>	\$80.00
87R	Rear View Camera <i>Displayed in rear view mirror. Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) OR the rear view mirror (87R).</i> <i>Includes:</i> <i>- Electrochromic Rear View Mirror</i> <i>Video is displayed in rear view mirror.</i>	N/C
19V	Rear Camera On-Demand <i>Allows driver to enable rear camera on-demand (10-second timer).</i>	\$216.00
68G	Rear-Door Controls Inoperable <i>Locks, handles and windows. Note: Can manually remove window or door disable plate with special tool. Note: Locks/windows operable from driver's door switches.</i>	\$70.00
18D	Global Lock / Unlock Feature <i>Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with remote keyless.</i>	N/C
55F	Remote Keyless Entry Key Fob w/o Key Pad <i>Does not include PATS. Includes 4-key fobs. Key fobs are not fobbed alike when ordered with Keyed-Alike.</i>	\$319.00
47A	Police Engine Idle Feature <i>This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling.</i>	\$245.00

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Selected Options (cont'd)

Code	Description	Invoice
76R	Reverse Sensing System	\$258.00
Emissions		
425	50 State Emission System	STD
	Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.	
Interior Colors		
96_01	Charcoal Black	N/C
Primary Colors		
UM_01	Agate Black	N/C
SUBTOTAL		\$41,949.00
Fuel Charge		\$49.38
Destination Charge		\$1,095.00
TOTAL		\$43,093.38

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Pricing - Single Vehicle

MSRP

Vehicle Pricing

Base Vehicle Price	\$40,615.00
Options & Colors	\$2,715.00
Upfitting	\$0.00
Destination Charge	\$1,095.00

Subtotal \$44,425.00

Pre-Tax Adjustments

Code	Description	
5550	State Contract 5550 Discount	-\$6,995.00
DEL Medford	Delivery to Medford	\$225.00

Subtotal \$37,655.00

Sales Taxes

Code	Description	
PT	Oregon Privilege Tax	\$188.28

Subtotal \$37,843.28

Post-Tax Adjustments

Code	Description	
E-Plates 2	E-Plates	\$147.00

We are a licensing dealer. If you would like Oregon Exempt License Plates at the time of delivery add \$147.00

Total \$37,990.28

Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. Phil Eastman, Medford Police Department
 By: Diane Pohl Date: 06/07/2019



Landmark Ford Lincoln
 12000 S W 66th Ave, Tigard, Oregon, 972238599
 Office: 503-639-1131

2020 Police Interceptor Utility, Sport Utility
 AWD Base(K8A)
 Price Level: 20

Major Equipment

(Based on selected options, shown at right)

3.3L V-6 DOHC w/port/direct injection 285hp
 10 speed automatic w/OD

Exterior:Agate Black
 Interior:Charcoal Black

- * 4-wheel ABS
- * Traction control
- * Advance Trac w/Roll Stability Control
- * Dual zone electronic automatic temperature control
- * AM/FM stereo with seek-scan, external memory control
- * Rear child safety locks
- * Variable intermittent speed-sensitive wipers wipers
- * Dual front airbags
- * Airbag occupancy sensor
- * Tachometer
- * Underseat ducts
- * 35-30-35 folding rear split-bench
- * Class III hitch
- * Brake assistance
- * P 255/60R18 BSW AS W-rated tires
- * Automatic air conditioning
- * Tinted glass
- * LED brakelights
- * Dual power remote mirrors
- * 18 x 8 steel wheels
- * Driver and front passenger seat mounted side airbags
- * Rear window defroster
- * Message Center
- * Reclining front bucket seats
- * Audio control on steering wheel

Fuel Economy

City
 N/A



Hwy
 N/A

Selected Options

MSRP

STANDARD VEHICLE PRICE	\$40,615.00
Order Code 500A	N/C
Engine: 3.3L V6 Direct-Injection Hybrid System	Included
Transmission: 10-Speed Automatic	Included
3.73 Axle Ratio	Included
GVWR: TBD	Included
Wheels: 18" x 8" 5-Spoke Painted Black Steel	Included
Tires: 255/60R18 AS BSW	Included
Unique HD Cloth Front Bucket Seats w/Vinyl Rear	Included
113" Wheelbase	STD
Monotone Paint Application	STD
Radio: AM/FM/MP3 Capable	Included
50 State Emission System	STD
Agate Black	N/C
Charcoal Black	N/C
Front Headlamp Lighting Solution	\$895.00
Grille LED Lights, Siren & Speaker Pre-Wiring	Included
Switchable Red/White Lighting in Cargo Area	\$50.00
Global Lock / Unlock Feature	N/C
Rear Camera On-Demand	\$230.00
Dark Car Feature	\$25.00

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Prepared for: Mr. Phil Eastman, Medford Police Department
 By: Diane Pohl Date: 06/07/2019



Landmark Ford Lincoln
12000 S W 66th Ave, Tigard, Oregon, 972238599
Office: 503-639-1131

2020 Police Interceptor Utility, Sport Utility
AWD Base(K8A)
Price Level: 20

Police Engine Idle Feature	\$260.00
Driver Only LED Spot Lamp (Whelen)	\$420.00
Remote Keyless Entry Key Fob w/o Key Pad	\$340.00
18" Full Face Wheel Covers	\$60.00
Rear-Door Controls Inoperable	\$75.00
Reverse Sensing System	\$275.00
Rear View Camera	N/C
Electrochromic Rear View Mirror	Included
2nd Row Only Solar Tint Glass	\$85.00
<hr/>	
SUBTOTAL	\$43,330.00
Destination Charge	\$1,095.00
<hr/>	
TOTAL	\$44,425.00

Page 115

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. Phil Eastman, Medford Police Department
By: Diane Pohl Date: 06/07/2019



Northside Ford Truck Sales, Inc.
6221 N E Columbia Blvd., Portland, Oregon, 972182995
Office: 503-282-7773

Customer Proposal

Prepared for:

Phil Eastman
Lieutenant, Medford Police Dept

Prepared by:

SHARON TUCKER
Office: 503-282-7773

Date: 06/10/2019

Vehicle: 2020 Police Interceptor Utility Base
AWD

Quote ID: MdPD20K8A





Selected Options

Code	Description	MSRP	Invoice
Base Vehicle			
K8A	Base Vehicle Price (K8A)	\$40,615.00	\$39,396.00
Packages			
500A	Order Code 500A <i>Includes:</i> - Engine: 3.3L V6 Direct-Injection Hybrid System (136-MPH Top Speed) - Transmission: 10-Speed Automatic - 3.73 Axle Ratio - GVWR: TBD - Tires: 255/60R18 AS BSW - Wheels: 18" x 8" 5-Spoke Painted Black Steel Includes polished stainless steel hub cover, center caps and full size spare. - Unique HD Cloth Front Bucket Seats w/Vinyl Rear Includes reduced bolsters, driver 6-way power track (fore/aft.up/down, tilt with manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both front seatbacks. - Radio: AM/FM/MP3 Capable Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.	N/C	N/C
Powertrain			
99W	Engine: 3.3L V6 Direct-Injection Hybrid System <i>(136-MPH Top Speed)</i>	Included	Included
44B	Transmission: 10-Speed Automatic	Included	Included
STDAX	3.73 Axle Ratio	Included	Included
STDGV	GVWR: TBD	Included	Included
Wheels & Tires			
STDWL	Wheels: 18" x 8" 5-Spoke Painted Black Steel <i>Includes polished stainless steel hub cover, center caps and full size spare.</i>	Included	Included
STDTR	Tires: 255/60R18 AS BSW	Included	Included
65L	18" Full Face Wheel Covers	\$60.00	\$57.00
Seats & Seat Trim			
9	Unique HD Cloth Front Bucket Seats w/Vinyl Rear <i>Includes reduced bolsters, driver 6-way power track (fore/aft.up/down, tilt with manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both front seatbacks.</i>	Included	Included
Other Options			

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Selected Options (cont'd)

Code	Description	MSRP	Invoice
113WB	113" Wheelbase	STD	STD
PAINT	Monotone Paint Application	STD	STD
STDRD	Radio: AM/FM/MP3 Capable <i>Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.</i>	Included	Included
66A	Front Headlamp Lighting Solution Recommend using Ultimate Wiring Package (67U). <i>Includes LED low beam/high beam headlamp, wig-wag function and (2) red/blue/white LED side warning lights in each headlamp (factory configured: driver's side white/red / passenger side white/blue). Wiring and LED lights included (in headlamps only; grille lights not included). Controller not included.</i> <i>Includes:</i> <i>- Grille LED Lights, Siren & Speaker Pre-Wiring</i>	\$895.00	\$841.00
43D	Dark Car Feature <i>Courtesy lamps disabled when any door is opened.</i>	\$25.00	\$24.00
17T	Switchable Red/White Lighting in Cargo Area <i>Deletes 3rd row overhead map light.</i>	\$50.00	\$48.00
60A	Grille LED Lights, Siren & Speaker Pre-Wiring	Included	Included
51T	Driver Only LED Spot Lamp (Whelen)	\$420.00	\$395.00
92R	2nd Row Only Solar Tint Glass <i>Includes privacy glass on rear quarter and liftgate window.</i>	\$85.00	\$80.00
87R	Rear View Camera <i>Displayed in rear view mirror. Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) OR the rear view mirror (87R).</i> <i>Includes:</i> <i>- Electrochromic Rear View Mirror</i> <i>Video is displayed in rear view mirror.</i>	N/C	N/C
19V	Rear Camera On-Demand <i>Allows driver to enable rear camera on-demand (10-second timer).</i>	\$230.00	\$216.00
68G	Rear-Door Controls Inoperable <i>Locks, handles and windows. Note: Can manually remove window or door disable plate with special tool. Note: Locks/windows operable from driver's door switches.</i>	\$75.00	\$70.00
18D	Global Lock / Unlock Feature <i>Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with remote keyless.</i>	N/C	N/C
55F	Remote Keyless Entry Key Fob w/o Key Pad <i>Does not include PATS. Includes 4-key fobs. Key fobs are not fobbed alike when ordered with Keyed-Alike.</i>	\$340.00	\$319.00
47A	Police Engine Idle Feature	\$260.00	\$245.00

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Selected Options (cont'd)

Code	Description	MSRP	Invoice
	<i>This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling.</i>		
76R	Reverse Sensing System	\$275.00	\$258.00
Emissions			
425	50 State Emission System	STD	STD
	Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.		
Interior Colors			
96_01	Charcoal Black	N/C	N/C
Primary Colors			
YZ_01	Oxford White	N/C	N/C
SUBTOTAL		\$43,330.00	\$41,949.00
Fuel Charge		\$0.00	\$5.20
Destination Charge		\$1,095.00	\$1,095.00
TOTAL		\$44,425.00	\$43,049.20

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Northside Ford Truck Sales, Inc.
 6221 N E Columbia Blvd., Portland, Oregon,
 972182995
 Office: 503-282-7773

2020 Police Interceptor Utility, Sport
Utility
 AWD Base(K8A)
 Price Level: 20 Quote ID: MdPD20K8A

Pricing - Single Vehicle

MSRP

Vehicle Pricing

Base Vehicle Price	\$40,615.00
Options & Colors	\$2,715.00
Upfitting	\$0.00
Destination Charge	\$1,095.00

Subtotal \$44,425.00

Pre-Tax Adjustments

Code	Description	
VCAF	As per state contract #5549.	\$0.00
Delivery	Delivery per contract \$2.25 per mile after 60.	\$0.00
Govt Disc	Government discount	-\$7,087.66

Subtotal \$37,337.34

Sales Taxes

Code	Description	
Oregon Tax	Oregon Privilege Tax	\$186.69

Oregon Privilege Tax for all new vehicles and any used vehicles with less than 7500 miles that have not previously been registered in Oregon.

Subtotal \$37,524.03

Post-Tax Adjustments

Code	Description	
LTD E-plate	License, title, doc (E-Plates)	\$197.00

Total \$37,721.03

Customer Signature _____

Acceptance Date _____

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Prepared for: Phil Eastman, Lieutenant, Medford Police Dept
 By: SHARON TUCKER Date: 06/10/2019



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 80.1

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 20, 2019

COUNCIL BILL 2019-62

An ordinance authorizing the establishment of a 20 mph designated speed for Valley View Drive, between Hillcrest Road and Capital Avenue.

SUMMARY AND BACKGROUND

Council is requested to consider an ordinance for a 20 mile-per-hour (mph) designated speed on Valley View Drive, between Hillcrest Road and Capital Avenue. This action is recommended by the Transportation Commission (TC) and Traffic Coordinating Committee (TCC).

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

Oregon Revised Statute (ORS) 810.180 requires that a 20 mph designated speed be established by ordinance. If the City Council approves this ordinance, the Public Works Department will post Yield Roadway signage and SPEED LIMIT 20 signs.

A citizen traffic request was received proposing that Valley View Drive, between Hillcrest Road and Capital Avenue, be changed from a two-way street to a one-way street with bike lanes. Concerns stated in the letter included vehicular, bicycle, and pedestrian safety and preservation of the Heritage American Elm trees on this section of the street.

On May 24, 2018, the TCC heard the concerns of the citizens and recommended that Public Works research the request and report back. An additional concern raised at the May 24th meeting was the speed of traffic.

Public Works performed an analysis of peak volumes under the base traffic volumes and with re-routed traffic and found no significant changes to the delay at the intersections. However, the requested change would add approximately 630 vehicles per day (VPD) to Capital Avenue between Sunrise Avenue and Valley View Drive, which currently carries about 350 VPD. This equates to a 280% increase with approximately 80 new trips in the peak hour.

Public Works sent a letter to 270 residents along Valley View Drive, Capital Avenue, and in the immediate proximity of those streets, requesting feedback on the proposed changes. Out of 51 responses received, 23 were in favor of the one-way and 28 were in favor of the existing conditions.

Public Works recommended that the TCC consider a Yield Roadway treatment for this section of Valley View found in the Federal Highway Administration (FHWA) Small Town and Rural Multimodal Networks publication. The Yield Roadway is intended for streets that are 12-20 feet wide with very low traffic volumes operating at low speeds. Design recommendations for Valley View to achieve a Yield Roadway are to leave the centerline unmarked and to install pedestrian warning signs and two-way traffic warning signs. The TCC also recommended that the speed limit be reduced to 20 mph. Recent changes to ORS 810.180 authorize the City Council to adopt an ordinance designating a 20 mph speed limit on low volume, low speed, residential streets that have signage indicating the presence of pedestrians or bicyclists.

On April 24, 2019, the TC concurred with the TCC recommendations.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 80.1

www.ci.medford.or.us

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The signs are anticipated to cost about \$1,200 which is budgeted in the Street Maintenance Fund.

TIMING ISSUES

None.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing the establishment of a 20 mph designated speed for Valley View Drive, between Hillcrest Road and Capital Avenue.

EXHIBITS

Ordinance

Exhibit A – Request Letter

Exhibit B – Yield Roadway Document

ORDINANCE NO. 2019-62

AN ORDINANCE authorizing the establishment of a 20 MPH designated speed for Valley View Drive, between Hillcrest Road and Capital Avenue.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That establishment of a 20 MPH designated speed for Valley View Drive, between Hillcrest Road and Capital Avenue, is hereby authorized.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor

Valley View Drive bears unique historical significance. In the early 1900s, the street was designed and engineered to be a driveway for homes along the street and once housed the tracks for the electric streetcar of the Southern Oregon Traction Co. so integral to Medford's development as a thriving city. The portion between Hillcrest and Capital has been lined on both sides by American Elm trees for over a century. American Elm trees grew famous as part of the American Revolution and are honored at Liberty Tree Park in Boston and at Central Park in New York City.

There has been active neighborhood involvement with the City's arborists over the decades to ensure that both the neighbors and the City maintain the canopy to preserve the historical look of the area and Medford's unique history. The canopy-lined portion of the street is also the narrowest portion of the street. At the present time, traffic can travel both directions on Valley View Drive.

Our Concerns:

The residents of Valley View Drive and the surrounding area are concerned about vehicular, bicycle, and pedestrian safety given the street design and our shared desire to preserve and protect the endangered and recently named Heritage American Elm Trees on this section of Valley View Drive.

Neighborhood Goals:

- To preserve the canopy-lined portion of the street maintaining its current country lane look.
- Increase human safety by reducing travel in one direction only that is fitting for the width of the street.
- To preserve and protect the endangered heritage American Elm trees and new rooting canopy trees
- To reduce motor vehicle crashes and increase safety for both humans and vehicles
- To comply with the city's designation/codes
- To create new, safer pathways for non-motor commuters

Our Request of the Traffic Coordinating Committee:

- 1) Make Valley View Drive one-way (traffic moving south to north) between Hillcrest and Capital. This would be more in alignment with the width of the surrounding streets and alleyways.
- 2) Paint the street to create a pedestrian/bike path between Hillcrest and Capital.

More about the American Elm canopy:

The American Elm trees that line both sides of Valley View Drive between Hillcrest and Capital are approximately 110 years old. Many cities across the US have suffered catastrophic declines of American Elm trees due to Dutch Elm's disease. These trees can live up to 200-300 years if they are properly cared for. The City of Medford arborist recently tested the Valley View elms for DED (Dutch Elm Disease) and found them to be free of disease and healthy. The City of Medford has awarded the American Elm trees on Valley View Drive the Heritage Tree designation. The award will be announced at the annual Arbor Day celebration on May 12th. Heritage trees are chosen to bring awareness to the social, cultural, historical and ecological value of trees. Candidate heritage trees are also assessed for form, shape, beauty, age, color, rarity, genetic constitution, their prominence as community landmarks and their cultural and historical significance.

The City of Medford arborist recommended to preserve the American Elms on Valley View by limiting traffic/weight on Valley View Drive which would alleviate stress on the trees and their roots and limbs. When cars pull over to allow for passing traffic, there is potential damage to the elm roots and over hanging limbs. By making Valley View Drive a one-way street, we could reduce the traffic/weight on the street and damage that occurs when vehicles pull over onto the roots. We would also reduce the risk of accidents that could damage the trees.

More about Traffic and Safety Concern:

There have been 17 motor vehicle crashes at the Valley View Drive and Hillcrest intersection over the last five years and many more near misses. It is extremely dangerous. Turning right onto Valley View Drive from Hillcrest requires moving into oncoming traffic on Valley View due to the sharp and narrow curve. The streets are narrow and the view is obstructed. If Valley View Drive were one-way (traffic moving south to north), the intersection between Hillcrest and Valley View Drive would become safer. This would also maintain access for emergency vehicles and utility/trash disposal vehicles.

More about Current Designation of this street:

According to the City of Medford, Valley View Drive is designated as a minor residential street. A minor residential street is defined as being 28 feet wide paved for bi-directional traffic and parking on both sides of the street. Valley View Drive between Hillcrest and Capital is 16 feet and 8 inches wide. It is not safe for two cars to drive by in opposite directions. Currently cars moving in one direction will pull over on the side of the road and stop and let the traffic moving in the other direction go by. By making Valley View Drive one-way between Hillcrest and Capital, you would decrease the risk of crashes and potential injuries. It would also be safer for the residents on the street to access their mail boxes and trash bins without concern for their safety.

More about City of Medford Neighborhood Goals:

The City of Medford has a goal to make Medford more bicycle and pedestrian friendly. With the proposal of making Valley View one-way, it dramatically improves the safety for bicycle and pedestrian traffic on Valley View Drive. It would create a new pathway for bike and pedestrian commuters alleviating traffic in other parts of the city. It is also in alignment with other city planning efforts to promote walkways such as the newly placed park bench on Hillcrest near the intersection of Valley View and Hillcrest. Our goal would be to have bicycle and pedestrian lanes painted on the paved road to clearly delineate the motor vehicle and bicycle/pedestrian-only lanes.

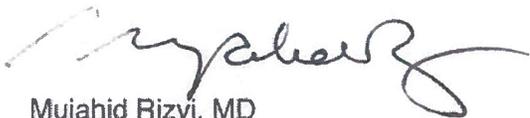
Please refer to the following exhibits:

- A. Mail Tribune January 14, 2007 Article about the history of Valley View Drive
- B. Pictorial Vision Valley View-Hillcrest intersection
- C. Pictorial Vision on Valley View Drive approaching Capital going one-way
- D. Pictorial Vision Valley View Drive-Capital intersection

We are also submitting this proposal to the Medford Bicycle and Pedestrian Advisory Committee and the City of Medford Tree Committee/Parks and Recreation Committee for their endorsements.

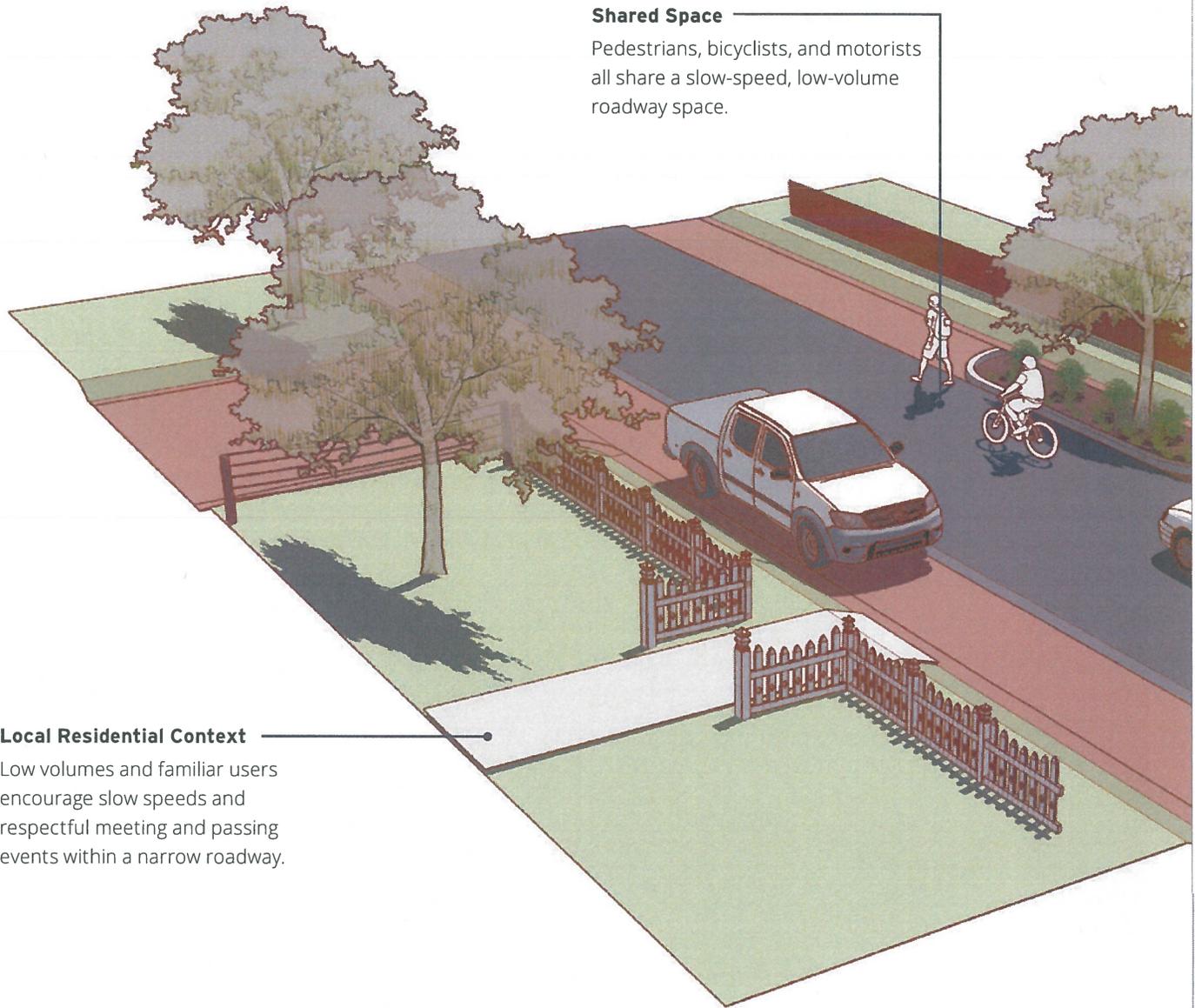
If you have any questions, please feel free to email or call me.

Sincerely,



Mujahid Rizvi, MD
226 Valley View Drive
Medford, OR 97504
541-779-1827
ebrender@gmail.com

cc: Kim Wallen, Councilmember Ward 4
Michael Zarosinski, Councilmember Ward 4



Shared Space

Pedestrians, bicyclists, and motorists all share a slow-speed, low-volume roadway space.

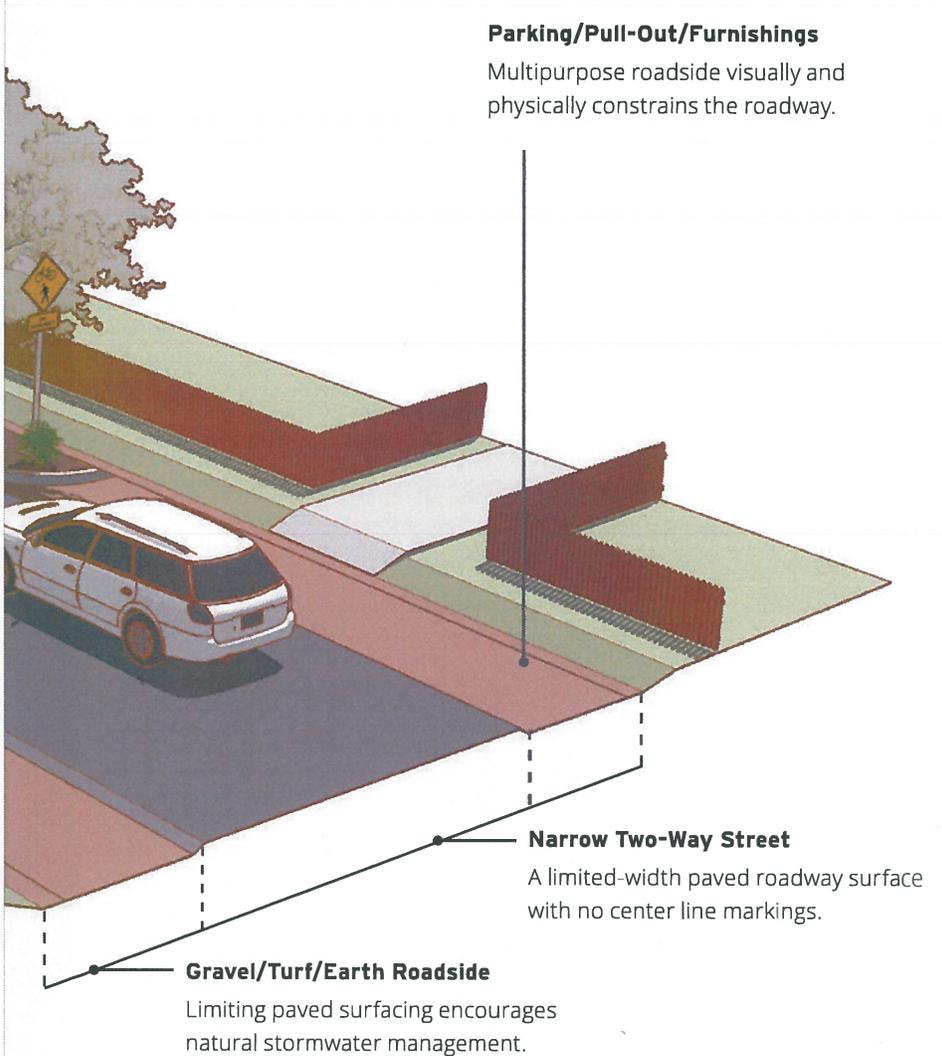
Local Residential Context

Low volumes and familiar users encourage slow speeds and respectful meeting and passing events within a narrow roadway.

Yield Roadway

A yield roadway is designed to serve pedestrians, bicyclists, and motor vehicle traffic in the same slow-speed travel area. Yield roadways serve bidirectional motor vehicle traffic without lane markings in the roadway travel area.

EXHIBIT B

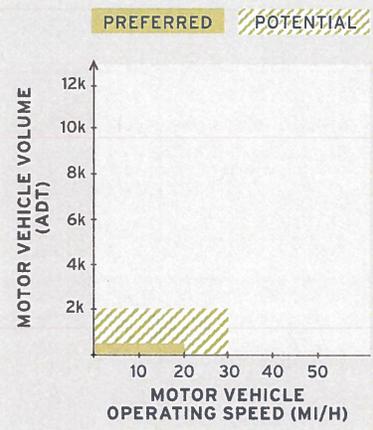


BENEFITS

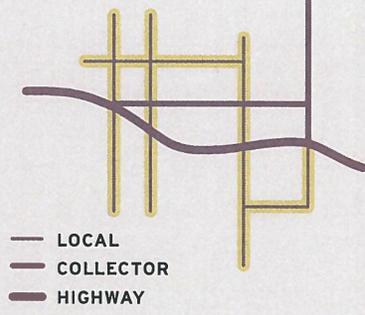
- Less costly to build and/or maintain than fully paved cross sections.
- Connects local residential areas to destinations on the network.
- Limits impermeable surface area and minimizes stormwater runoff.
- Maintains aesthetic of narrow roads and uncurbed road edges.
- Encourages slow travel speed when narrower than 20 ft (6.0 m).
- Can support a larger tree canopy when located within wide unpaved roadside areas.
- Supports on-street or shoulder parking for property access.
- Low maintenance needs over time.

APPLICATION

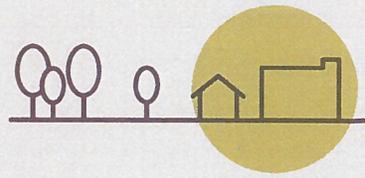
Speed and Volume
Appropriate on roads with very low volumes⁽¹⁾ and low speed.



Network
Local residential roadways. Not for through motor vehicle travel.



Land Use
Within built-up areas, particularly near residential land uses where most traffic is familiar with prevailing road conditions.





Yield Roadway

Yield roadways can effectively serve local travel needs, maintain aesthetic preferences, and is a common form for low-volume local rural roads. When operating at very-low volumes and at low speeds, pedestrians and bicyclists are comfortable walking within the travel area of the roadway.⁽ⁱ⁾ Yield roadways are designed with narrow roadway dimensions to prioritize local access and community livability.

For more information on related roadway types, refer to sections on **Slow Streets** and **Shared Streets** in *FHWA Achieving Multimodal Networks 2016*.

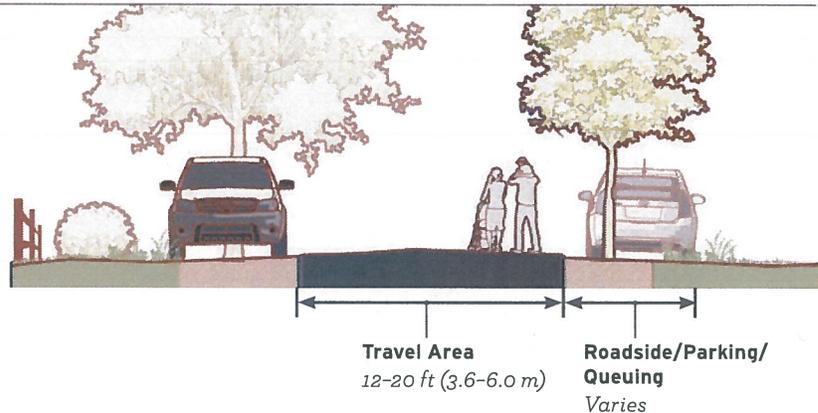


Figure 2-1. When vehicles travelling in opposite directions meet, the two vehicles may not have enough room to pass within the travel area. One vehicle may need to pull into a parking lane, pull-out, or driveway area to let the other pass.

GEOMETRIC DESIGN

TWO-WAY TRAVEL LANE

The paved two-way travel lane should be narrow to encourage slow travel speeds and require courtesy yielding when vehicles traveling in opposite directions meet.

- Total traveled way width may vary from 12 ft (3.6 m)–20 ft (6.0 m).⁽ⁱⁱ⁾
- Traveled way width below 15 ft (4.5 m) or below function as a two-way single-lane roadway and should follow the guidance of the *AASHTO Low Volume Roads 2001*.

- A** When width is 15 ft (4.5 m) or narrower, provide pull-out areas every 200–300 ft to allow for infrequent meeting and passing events between motor vehicles. Pull-out areas may be established in the parking lane or roadside area.⁽ⁱⁱⁱ⁾
- Access for emergency vehicles should be provided.^(iv) There is no single fire code standard for local roads; however, a range of clear widths for parking and deploying fire department apparatus is between

16–20 ft (5.0–6.0 m). Designers should provide an opening of this width every 200–300 ft (600–91 m).^v

ROADSIDE

If desired, parking may be located on the paved roadway surface or on gravel or soil shoulders outside of the paved roadway. The parking lane may also serve as a pull-out area while yielding.

- When possible, the parking lane should be constructed with a contrasting material to differentiate the lane from the travel area. Bituminous, crushed stone, gravel, and turf shoulders can be used as contrasting materials to the travel area (*AASHTO Green Book 2011*, p. 4-13).
- Trees may be planted within the roadside area at regular intervals to visually and physically narrow the corridor, add to the aesthetic environment, and encourage slow speeds.

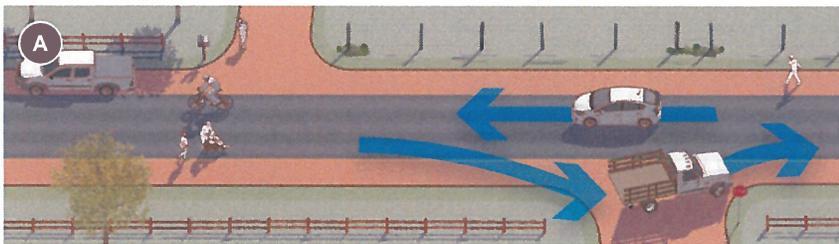


Figure 2-2. A travel area width of 16–18 ft (4.8–5.5 m) is appropriate for low volumes of two-way traffic and may require slowing when vehicles traveling in opposite directions meet. A travel area of 12–15 ft (3.6–4.5 m) is too narrow for two motor vehicles to pass, and one vehicle may need to pull into a parking lane, pull-out, or driveway area to let the other proceed.



Yield Roadway

MARKINGS

No markings are necessary to implement a yield roadway.

- Do not mark a center line within the travel area. The single two-way lane introduces helpful traffic friction and ambiguity, contributing to a slow-speed operating environment.^(vi)

SIGNS

Use signs to warn road users of the special characteristics of the street. Potential signs include:

- A PEDESTRIAN (W11-2) warning sign with ON ROADWAY legend plaque. See Figure 2-3.^(vi)
- Use a Two-Way Traffic warning sign (W6-3) to clarify two-way operation of the road if any confusion exists.



Figure 2-3. Pair a W11-1, W1-2, or W11-15 warning sign with a custom legend plaque to inform road users that shared use by pedestrians and/or bicyclists might occur.

INTERSECTIONS

At uncontrolled crossings of local streets, no special treatment is necessary. The additional space within the intersection area offers queuing opportunities when vehicles traveling in opposite directions meet.

- Consider parking prohibitions of 20–50 ft (6.0–15.0 m) in advance of intersections. This is particularly helpful to accommodate large vehicle turning movements.
- Provide adequate stopping sight distance around curves and at uncontrolled intersections. Values of stopping sight distance for two-way single-lane roads should be twice the stopping sight distance for a comparable two-lane road.

Sisters, OR—Population 2,170



IMPLEMENTATION

In rural communities with a disconnected street network, local streets are the only viable connection to a scene of an emergency. Implementing agencies should work closely with emergency response stakeholders.

ACCESSIBILITY

Yield roadways allow motor vehicles, bicyclists, and pedestrians to share the same space. On very low-volume and low-speed streets, pedestrians and bicyclists may be comfortable using the roadway with the occasional vehicle. If this facility is intended for use by pedestrians, it must meet accessibility guidelines for walkways.



CASE STUDY | YIELD ROADWAY

Manzanita, Oregon

PROJECT DESCRIPTION

The residents of Manzanita cherish their small town and have outlined ways to maintain this character. One of the goals identified in the town's Comprehensive Plan is "to maintain and create residential living areas which are safe and convenient, which make a positive contribution to the quality of life, and which are harmonious with the coastal environment." Toward this end they have a network of local streets that create peaceful conditions for people walking, bicycling, and driving.

In addition, there is a recognition that even on collector streets bicycle and pedestrian travel should be safe. The plan states that "Sufficient pavement width should be included on all major streets or roads to accommodate bicycle traffic."

Where a visually or physically separated facility is not provided, speeds will be slowed to create bicycle-friendly conditions. The plan states, "Efforts to reduce speeding on Laneda Avenue should be carried out by the city. This should take the form of maintaining a low speed (20 Mi/h), requesting that the City police and Tillamook County Sheriff's Department maintain a high level of enforcement and installing appropriate warning signs." Efforts such as these enable Manzanita's local streets to be shared roadways where people driving, walking, and biking can all safely share the street.

DETAILS**COMMUNITY CONTEXT**

Manzanita is a quiet, peaceful village surrounded by the natural beauty of the Pacific Ocean, Neah-Kah-Nie Mountain, and State and private forests. The Manzanita area is home to 725 full time residents. In the summer the population swells to 2,500 to 3,000.

KEY DESIGN ELEMENTS

The standard City residential street is 20 ft wide paved with asphalt and with a concrete gutter along one side.

ROLE IN THE NETWORK

Manzanita's local streets connect residences with the ocean, parks, and downtown. The ability to use these shared local streets allow people walking or on bikes to access all parts of the community.

FUNDING

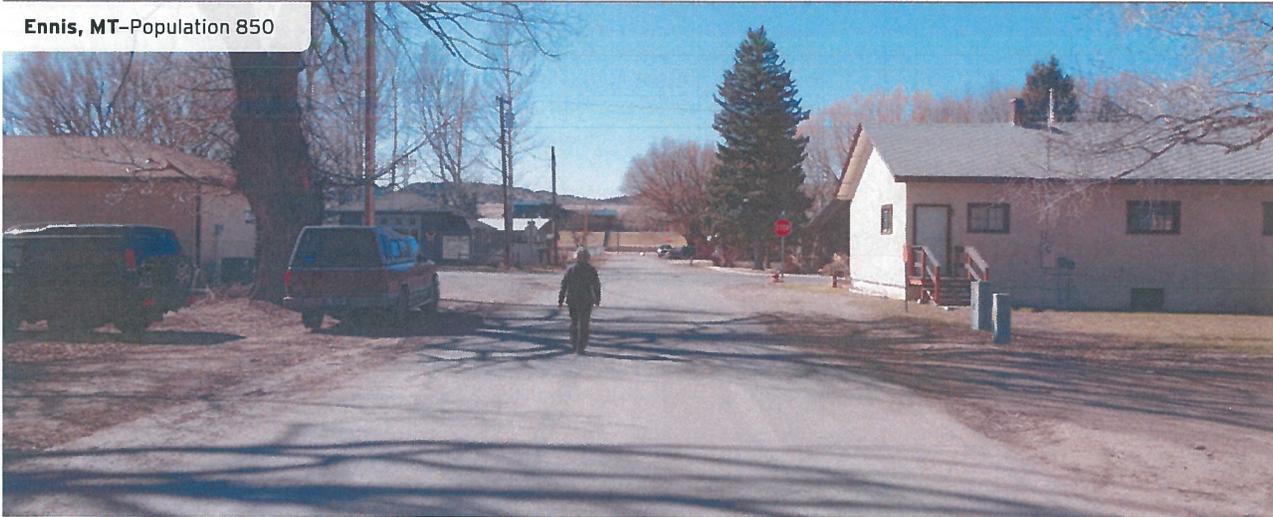
The key aspect of this treatment is that it requires funding beyond what is currently used to maintain the local streets. The City maintains the streets that have been brought up to city standards. Graveled streets that have not been brought up to City standards are maintained by the adjacent property owners. There are some roads within the City that are County roads maintained by Tillamook County.

For more information refer to the City of Manzanita website:
<http://ci.manzanita.or.us/>



Yield Roadway

Ennis, MT—Population 850



FOOTNOTES

- i * Very low-volume local roads are typically used by people who are familiar with the roads. These roads are used by such low volumes of traffic that crashes are rare, as vehicles hardly encounter other vehicles. AASHTO defines a very low-volume street as one that is functionally classified as a local road and has 400 cars per day or less (AASHTO Green Book 2011, p. 5-34).
 - On local streets with less than 400 vehicles per day, no separated pedestrian infrastructure may be necessary (AASHTO Pedestrian Guide 2004).
- ii The AASHTO Green Book notes that, on narrow, unlaned roads, “random intermittent parking on both sides of the street usually results in areas where two-way movement can be accommodated” (2011, p. 4-74). Additionally, “The level of user inconvenience occasioned by the lack of two moving lanes is remarkably low in areas where single-family units prevail” (2011, p. 5-13).
- iii When two vehicles do encounter one another on a narrow, unlaned street, “opposing conflicting traffic will yield and pause on the parking lane area until there is sufficient width to pass” (AASHTO Green Book 2011, p. 5-13).
- iv On the subject of emergency response, the AASHTO Green Book states that a “curb face-to-curb face width of 8 m [26 ft] provides a 3.6-m [12-ft] center travel lane that provides for the passage of fire trucks and two 2.2-m [7-ft] parking lanes” (2011, p.5-13).
- v The *Oregon DOT Neighborhood Street Design Guidelines* support local street configurations with a clear travel area of 14 ft (2000, p.20). Dan Burden’s *Emergency Response Handbook* calls for an “operations area for emergency responders every 200–300 ft” (Burden 2000, p.32).
- vi The FHWA MUTCD does not recommend center line markings on paved two-way streets that are narrower than 16 ft wide, or operating below 3,000 ADT (2009, p.349).
- vi The FHWA MUTCD permits local highway agencies to “develop special word message signs in situations where roadway conditions make it necessary to provide road users with additional regulatory, warning, or guidance information...” These “new word message signs may be used without the need for experimentation.” (2009, p.28).

WORKS CITED

- American Association of State Highway and Transportation Officials. *Guide for the Planning, Design, and Operation of Pedestrian Facilities*. 2004.
- American Association of State Highway and Transportation Officials. *A Policy on Geometric Design of Highways and Streets*. 2011.
- American Association of State Highway and Transportation Officials. *Guidelines for Geometric Design of Very Low-Volume Local Roads*. 2001.
- Burden, Dan, and Zykofsky, Paul. *Emergency Response: Traffic Calming and Traditional Neighborhood Streets*. 2000.
- Federal Highway Administration. *Achieving Multimodal Networks*. 2016.
- Federal Highway Administration. *Manual on Uniform Traffic Control Devices*. 2009.
- Oregon Department of Transportation (ODOT). *Neighborhood Street Design Guidelines: An Oregon Guide for Reducing Street Widths*. 2000.

PHOTO CREDIT

- Page 2-1. Western Transportation Institute
- Page 2-6. Western Transportation Institute
- Page 2-7. Alta Planning + Design
- Page 2-8. Western Transportation Institute



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 80.2

www.ci.medford.or.us

DEPARTMENT: City Manager
PHONE: (541) 774-2002
STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: June 20, 2019

COUNCIL BILL 2019-63

A resolution adopting 2019-21 Biennial Goals for the City of Medford.

SUMMARY AND BACKGROUND

Council is requested to consider approval of the 2019-21 Biennial Goals for the City of Medford which were identified and discussed at the February 28, May 9 and May 30, 2019 Goal Setting Study Session.

The goals will assist staff in addressing priority needs as established by the Council. In addition, the approval of the goals will help narrow the focus on those priorities approved by Council. Reporting on progress on these goals will be completed semi-annually.

PREVIOUS COUNCIL ACTIONS

On May 30, 2019, Council held a third study session regarding the development of Goals for the 2019-21 Biennium. The consensus of the Council was to move the goals, with discussed modifications to the June 20, 2019 Council meeting for formal consideration.

On May 9, 2019, Council held a second study session to review updates to the goals as discussed at the February 28 study session.

On February 28, 2019, Council held a study session to begin a discussion and prioritization of goals for the 2019-21 Biennium.

On September 17, 2017, Council approved Council Bill R2017-117, a resolution adopting the 2017-19 Biennial Goals for the City Council.

ANALYSIS

During the before-mentioned study sessions, all elected officials and executive management staff participated by listing short-term goals. Staff worked with consultant Megan Davis Lightman in drafting broad based categories which would contain specific action items as follows:

Council Goals

- **Housing Strategies:** Enhancing livability for all residents by providing and safeguarding a range of housing choices in Medford.
 - Review and approve changes to development standards
 - Adopt new parking policies that encourage downtown redevelopment
 - Review and consider staff recommendations:
 - Utilizing City owned surplus property for affordable housing units
 - System Development Charge credits for housing and Accessory Dwelling Units
 - Regulatory reforms recommended by the Housing Advisory Commission
 - Awards for affordable and workforce housing through the Housing Opportunity Fund
 - Identify infrastructure constraints that discourage residential development
 - Set priorities for Community Development Block Grants and General Fund Grants
- **Community & Employee Engagement:** Bring community stakeholders together to discuss common vision for what Medford is going to strive to accomplish. Engagement includes involving and informing citizens about the Vision, Mission and Goals for the City. Expand engagement to include employees



CITY OF MEDFORD AGENDA ITEM COMMENTARY

Item No: 80.2

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who will become knowledgeable about all aspects of City services and provide leadership growth opportunities

- Develop a broad-based vision with community stakeholders
- Community Engagement
 - Implementation of the Strategic Communications and Marketing Plan
- Government Partnership Engagement
 - Mayor and Council to invite and participate in collaboration with, RCC, SOU, Jackson County, RVCOG, Medford School District and additional agencies
- Employee Engagement
 - Deliver consistent, relevant, and timely communications to our employees
- **Public Infrastructure:** Proactively plan for and respond to identified infrastructure needs by providing facilities essential for citizens and visitors to live, work and play in a manner that is financially and environmentally sustainable.
 - Bear Creek Master Plan
 - Continue with implementation on publicly owned property
 - Determine Feasibility of an Aquatic/Event Center
 - Citywide Space Needs Assessment
 - Public Works' Infrastructure
 - Council to review and approve recommendation from the Transportation Commission on prioritization of a 6-year capital improvement plan for street projects
 - Create a City Wayfinding Program
 - Address I-5 Viaduct Design and Noise Issues with Oregon Department of Transportation
 - Aquatic facility analysis and direction
- **Economic Development:** The City will play an active role in maintaining and enhancing Medford's diverse economy with an emphasis on family wage jobs.
 - Mayor and Council will participate in the development of a Regional Economic Development Strategy in partnership with SOREDI
 - Review implementation strategies specific for Medford
 - Adopt into the Medford Comprehensive Plan
 - Develop a Policy Framework for Triple Bottom Line
 - Integrate economic health, social sustainability and environmental stewardship for the planning, development and infrastructure opportunities
 - Identify and Remove Barriers to Economic Development
- **Downtown & Redevelopment:** The City will seek opportunities to assist with the development and redevelopment opportunities within the downtown core area.
 - Liberty Park Plan – Council/MURA Board to identify and prioritize projects and amend the City Center Revitalization Plan to incorporate those projects
 - Reimagine Parking District
 - Updated strategy to provide both public and private parking opportunities
 - Seismic Retrofit Program implementation
 - Public/Private Partnerships
 - Seek partnerships for the development of City and privately owned properties for housing and/or retail
- **Health and Safety:** The City will develop and implement programs that address safety and livability issues that impacts residents and visitors lives.
 - Neighborhood Livability Partnership
 - Address Livability Issues
 - Implementation of the Livability Team that will focus on issues around the Bear Creek Greenway, Downtown and nuances properties



CITY OF MEDFORD AGENDA ITEM COMMENTARY

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- Homeless System Action Plan
 - Council to adopt and set priorities outlined in the plan
- Public Safety Level of Service
 - Council to adopt Level of Service and Strategic Plans for both Fire & Rescue and Police Departments. Identify resources if additional staffing is needed for future biennium
- Emergency Management
 - Council to adopt an updated City of Medford Emergency Operations Plan and complete all necessary National Incident Management System trainings.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Most of the financial resources are within the approved 2019-21 Biennial Budget. Additional resources will be identified by staff and presented to Council for consideration during the biennium.

TIMING ISSUES

There is no immediate timing issue with this agenda item. However, establishing goals will help staff know Council priorities as we move into this next biennium.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends the approval of the 2019-21 Biennial Goals as presented.

SUGGESTED MOTION

I move to approve the resolution adopting the Medford City Council 2019-21 Biennial Goals.

EXHIBITS

Resolution
2019-21 Draft Biennial Goals

RESOLUTION NO. 2019-63

A RESOLUTION adopting 2019-21 Biennial Goals for the City of Medford.

WHEREAS, on May 30, 2019 the following Biennial Goals were defined and approved at a City Council study session:

- **Housing Strategies:** Enhancing livability for all residents by providing and safeguarding a range of housing choices in Medford.
 - Review and approve changes to development standards
 - Adopt new parking policies that encourage downtown redevelopment
 - Review and consider staff recommendations:
 - Utilizing City owned surplus property for affordable housing units
 - System Development Charge credits for housing and Accessory Dwelling Units
 - Regulatory reforms recommended by the Housing Advisory Commission
 - Awards for affordable and workforce housing through the Housing Opportunity Fund
 - Identify infrastructure constraints that discourage residential development
 - Set priorities for Community Development Block Grants and General Fund Grants

- **Community & Employee Engagement:** Bring community stakeholders together to discuss common vision for what Medford is going to strive to accomplish. Engagement includes involving and informing citizens about the Vision, Mission and Goals for the City. Expand engagement to include employees who will become knowledgeable about all aspects of City services and provide leadership growth opportunities
 - Develop a broad-based vision with community stakeholders
 - Community Engagement
 - Implementation of the Strategic Communications and Marketing Plan
 - Government Partnership Engagement
 - Mayor and Council to invite and participate in collaboration with RCC, SOU, Jackson County, RVCOG, Medford School District and additional agencies
 - Employee Engagement
 - Deliver consistent, relevant, and timely communications to our employees

- **Public Infrastructure:** Proactively plan for and respond to identified infrastructure needs by providing facilities essential for citizens and visitors to live, work and play in a manner that is financially and environmentally sustainable.
 - Bear Creek Master Plan
 - Continue with implementation on publicly owned property
 - Determine Feasibility of an Aquatic/Event Center
 - Citywide Space Needs Assessment
 - Public Works Infrastructure

- Council to review and approve recommendation from the Transportation Commission on prioritization of a 6-year capital improvement plan for street projects
 - Create a City Wayfinding Program
 - Address I-5 Viaduct Design and Noise Issues with Oregon Department of Transportation
 - Aquatic facility analysis and direction
- **Economic Development:** The City will play an active role in maintaining and enhancing Medford's diverse economy with an emphasis on family wage jobs.
 - Mayor and Council will participate in the development of a Regional Economic Development Strategy in partnership with SOREDI
 - Review implementation strategies specific for Medford
 - Adopt into the Medford Comprehensive Plan
 - Develop a Policy Framework for Triple Bottom Line
 - Integrate economic health, social sustainability and environmental stewardship for planning, development, and infrastructure opportunities
 - Identify and Remove Barriers to Economic Development
- **Downtown & Redevelopment:** The City will seek opportunities to assist with the development and redevelopment opportunities within the downtown core area.
 - Liberty Park Plan – Council/MURA Board to identify and prioritize projects and amend the City Center Revitalization Plan to incorporate those projects
 - Reimagine Parking District
 - Updated strategy to provide both public and private parking opportunities
 - Seismic Retrofit Program implementation
 - Public/Private Partnerships
 - Seek partnerships for the development of City and privately owned properties for housing and/or retail
- **Health and Safety:** The City will develop and implement programs that address safety and livability issues that impacts residents' and visitors' lives.
 - Neighborhood Livability Partnership
 - Address Livability Issues
 - Implementation of the Livability Team that will focus on issues around the Bear Creek Greenway, Downtown, and nuisance properties
 - Homeless System Action Plan
 - Council to adopt and set priorities outlined in the plan
 - Public Safety Level of Service
 - Council to adopt Level of Service and Strategic Plans for both Fire & Rescue and Police Departments. Identify resources if additional staffing is needed for future biennium
 - Emergency Management

- Council to adopt an updated City of Medford Emergency Operations Plan and complete all necessary National Incident Management System trainings.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the 2019-21 Biennial Goals listed above, are hereby adopted.

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

ATTEST: _____
City Recorder

Mayor

Housing Strategies: Enhancing livability for all residents by promoting and preserving a range of housing choices in Medford.

- **Increase Opportunities for Downtown Housing:** Implement strategies and recommendations from the Liberty Park Neighborhood Plan and City Center Revitalization Plan. Implementing these strategies will create affordable and workforce housing opportunities as well as diversity housing types. Develop partnerships with private developers in order to produce a targeted number of housing in all categories. Utilize incentives for development through the Construction Excise Tax, Urban Renewal Funds, and other funding sources. Provide guidance to the Housing Advisory and Grants Commission on setting priorities and establishing a targeted goal for number of units produced. Establish a goal for the development of 100 units affordable to households with incomes up to 120% of AMI as detailed in the most recent Downtown Market Study.
 - **Mayor, Council and MURA Board: Downtown redevelopment. Review and approve changes to development standards, e.g. Adopt new parking policies that encourage downtown residential development.**
 - **Department Lead:** Development Services & Urban Renewal
 - **Biennium Deliverable:** Establish targeted number of units. Award funds and other economic incentives to deliver units. Complete one “Barnum” project (acquire, renovate, construct) with partners. Collaborate with MURA on other residential seismic retrofit projects in downtown.
 - **Funding:** Incentive funding provided through; Construction Excise Tax, Urban Renewal Funds, Community Development Block Grants, General Fund Grants, System Development Deferral program, FEMA seismic mitigation grant, and tax abatements.
 - **Future Deliverables:** Provide update on number of targeted units and funding sources to continue providing housing.

- **Increase Opportunities for Housing:** Convene major employers to assess economic vulnerabilities resulting from housing shortages and explore partnership opportunities to develop housing options within their project areas.
 - **Mayor and Council: Review and consider staff recommendations regarding deliverables identified below.**
 - **Department Lead:** Development Services & Urban Renewal
 - **Biennium Deliverable:** Identify City surplus property and convert to housing units. Staff to provide options for Council consideration on additional System Development Charge credits for housing and Accessory Dwelling Units (ADUs). Implement regulatory reforms recommended by Housing Advisory Commission/TA Grant Technical Advisory Group. Complete two rounds of Housing Opportunities Fund (HOF) requests for proposals. Explore feasibility and benefits of creating a “Housing and Community Development Foundation” with local employers and the development community in order to sustain a stable work force. Identify infrastructure constraints that discourage residential development in existing/older neighborhoods and develop a strategic plan to address those deficiencies.
 - **Funding:** Incentive funding provided through; Construction Excise Tax, Urban Renewal Funds, Community Development Block Grants, General Fund Grants and System Development Deferral program. Seek to establish funding sources through local improvement districts.

- *Future Deliverables:* Provide update on number of targeted units and funding sources to continue providing housing. Assess feasibility of establishing an employee housing assistance program. Update the City of Medford Housing Element in concurrently with the next Portland State University Projections in 2021.
- **Homeless System Action Plan (HSAP):** Implement goals and actions identified in the HSAP that increase the supply of affordable and supportive housing. Address unsheltered homelessness and encampments along with increasing temporary housing programs that lead to permanent housing and placements. Increase collaboration with non-profits, faith based organizations, business community and other government agencies to implement solutions from HSIP. Implementation of the HSAP will be coordinated with the Continuum of Care.
 - ***Mayor and Council: Adopt plan by October 1, 2019. By November 2019, Council to set priorities for Community Development Block Grants and General Fund Grants. Issue grants based on Council priorities.***
 - *Department Lead:* Housing and Community Development
 - *Biennium Deliverable:* Staff to offer recommended priorities based on need, timing, funding and ability to complete this action within the targeted timeframe. Based on staff recommendations, Council to set priorities for Community Development Block Grants and General Fund Grants. Issue grants based on Council priorities. Report on progress on the HSIP along with CoC.
 - *Funding:* Amount TBD. Funding available through Community Development Block Grants, General Fund Grants and contributions by other agencies.
 - *Future Deliverables:* Provide update on goals and actions contained within the HSIP.

Community & Employee Engagement: Bring community stakeholders together to discuss common vision for what Medford is going to strive to accomplish. Engagement includes involving and informing citizens about the vision, mission and goals for the City. Expand engagement to include employees who will become knowledgeable about all aspects of City services and provide leadership growth opportunities.

- **By July 18, in association with adoption of the 2019-21 Biennial Budget, Council to express support and approve funds to move community engagement forward e.g. OKC MAPS Model**
- **Develop a broad-based vision with community stakeholders:** Development of a vision for what Medford could become in the next 20-40 years. Identify broad goals with community partners and develop potential funding options for implementation.
 - *Mayor and Council Role: Approve and serve as supportive hosts at public events*
 - *Department Lead:* City Manager's Office
 - *Biennium Deliverable:* Community Vision Master Plan
 - *Funding:* \$200,000 – Available from funds identified in 2019-21 biennial budget Issue
 - *Future Deliverables:* Implementation and funding strategies - 21-23 Biennium
- **Community Engagement:** Proactively share information and increase engagement and trust through external communications and community building. This will be accomplished through the implementation of the Strategic Communications and Marketing Plan. Additionally, efforts to identify and broaden stakeholder groups in order achieve a more robust dialog on issues and opportunities.
 - *Department Lead:* City Manager's Office
 - *Biennium Deliverable:* The Communications and Marketing Manager will compile all metrics and create a yearly report. Metrics will be used to guide communication budget and existing and new communication efforts, Operation Care, and Citizens Academy. These efforts will measure and track citizen engagement results, e.g. # of people engaged, online, in person, via emails, surveys, Facebook live events, and other identified methods. Staff will research metrics used by outside organizations that determine livability items that are used by national publications.
 - *Funding:* \$200,000 – Available from funds identified in 2019-21 biennial budget
 - *Future Deliverables:* Based on yearly report and evaluation of strategies and tactics listed in the Strategic Communications and Marketing Plan.
- **Government Partnership Engagement:** Seek to expand partnerships with state and local government agencies along with educational organizations in order to align agency collaboration.
 - *Mayor and Council: Invite and participate in collaboration with, RCC, SOU, Jackson County, RVCOG, 549C and additional agencies.*
 - *Department Lead:* City Manager's Office
 - *Biennium Deliverable:* Establish regular meetings with partners
 - *Funding:* Varies: Costs for meetings are contained within the Mayor/Council budget
 - *Future Deliverables:* Identify ways to collaborate on addressing community and regional challenges

- **Employee Engagement:** Deliver consistent, relevant, and timely communications to our employees. Expand leadership opportunities within.
 - *Department Lead:* All City Departments
 - *Biennium Deliverable:* Establish Leadership Program. Staff response and feedback along with periodic surveys.
 - *Funding:* Varies: Costs are contained within each department's training budgets.
 - *Future Deliverables:* Based on evaluation from employee input.

Public Infrastructure: Proactively plan for and respond to identified infrastructure needs by providing facilities essential for citizens and visitors to live, work and play in a manner that is financially and environmentally sustainable.

- *Mayor and Council: Council to express support and funding allocation to complete the following essential activities.*
- **Bear Creek Master Plan** – Update the plan to include a vision for all of Bear Creek within City limits. The plan should address lighting, vegetation management, water quality within the creek, park settings, events that promote use by residents and visitors, potential to add security cameras to various locations and a two-sided approach to Bear Creek (meaning both sides of the creek are addressed). The Master Plan should be visionary and include a section on redevelopment of existing businesses along its frontage. One example is whether or not the mall can be repurposed to create more green space along the creek, and/or hotel or event center to attract visitors to the area.
 - *Department Lead:* Parks, Recreation and Facilities
 - *Supporting Departments:* Police, Fire and Development Services
 - *Biennium Deliverable:* Identification of items related to safety, lighting and vegetation management. Present to Council costs and funding sources
 - *Funding:* TBD
 - *Future Deliverables:* Final Master Plan in the 21-23 Biennium
- **Determine feasibility of a potential Aquatics Facility with Event/Recreation Center** - Council directed staff to present facility options, costs for construction and operations and funding options. Information will be presented in the 3rd quarter of 2019.
 - *Department Lead:* Parks, Recreation and Facilities
 - *Supporting Departments:* City Manager's Office and Finance
 - *Biennium Deliverable:* Facility plan along with funding options
 - *Funding:* \$730,550 for the facility plan; \$1,015,500 construction reserve
 - *Future Deliverables:* Council approved funding options. Possible construction beginning in first year of 21-23 Biennium
- **Citywide space needs assessment/City Hall utilization strategy** - ORW has completed this study that will require analysis and direction by Council.
 - *Department Lead:* Parks, Recreation and Facilities
 - *Supporting Departments:* City Manager's Office and Finance
 - *Biennium Deliverable:* Comprehensive evaluation of current department space needs resulting in a space utilization plan of how City buildings can be used to meet present and future needs. The deliverable may change based on Council feedback from the study session.
 - *Funding:* \$14,000
 - *Future Deliverables:* TBD based on study session feedback

- **Public Works' Infrastructure** - As new development comes into the City, it's critical to ensure that the transportation, storm drain and sewer systems have enough capacity to handle future demand. These issues were addressed in newly adopted Transportation System and Sewer Master Plans (the Storm Drain Master Plan is under development).
 - **Mayor and Council: Council to review and approve recommendation from Transportation Commission on prioritization of 6-year capital improvement list of street projects.**
 - *Department Lead:* Public Works
 - *Supporting Departments:* Development Services
 - *Biennium Deliverable:* Completed projects
 - *Funding:* \$1,085,800 for 8 projects that increase sewer capacity. Funding will be developed for street and road improvements through recommendation by Transportation Commission.
 - *Future Deliverables:* Additional projects constructed per Sewer Master Plan, Transportation System Plan and Storm Drain Plan.

- **City Wayfinding Program** – Establish design standards for a city-wide wayfinding program that places an emphasis on identifying entry into Medford along with the downtown area. Prioritize sites and install signage.
 - *Department Lead:* Planning
 - *Supporting Departments:* Public Works
 - *Biennium Deliverable:* Updated wayfinding program that provides signage for entrances into Medford along with the downtown area.
 - *Funding:* \$30,000 is contained within the Planning Department 2019-21 Biennial Budget for implementation of this program.
 - *Future Deliverables:* Additional signage will be needed in the 2021-22 Biennium for those areas that have been identified for signage, but were not within the 2019-21 budgeted amount.

- **I-5 Viaduct.** The viaduct has served to divide the City and separates the community. While the Oregon Department of Transportation (ODOT) is responsible for the roadway and has taken the lead on how to address the viaduct, its impact on the City is so great the City needs to aggressively and actively participant in defining the solution. Issues that need to be addressed include easy access to downtown to support both the Economic Development and Downtown Revitalization Council goals as well as address livability around the viaduct. One example could be a food truck/cart pod that would attract people to the area.
 - *Department Lead:* City Manager's Office
 - *Supporting Departments:* Development Services
 - *Biennium Deliverable:* Identify the City's vision for I-5 and the viaduct and prepare a plan that turns the current negatives surrounding the viaduct to positives. The vision should incorporate the area surrounding Biddle, Riverside, Central and the Viaduct.
 - *Funding:* None proposed by the City
 - *Future Deliverables:* TBD in conjunction with ODOT

Economic Development: The City will play an active role in maintaining and enhancing Medford’s diverse economy with an emphasis on a full spectrum of family wage jobs.

- **Regional Economic Development Strategy (2 points):** Collaborate with SOREDI, private business, government and educational partners to develop a regional economic strategy identifying targeted industries that best align with regional assets and strengths that will become the guiding document for future business development.
 - **Mayor and Council: Participate in development of the strategy. Completion by SOREDI expected on January 2020. Review implementation strategies specific for Medford. Adopt into the Medford Comprehensive Plan by June 2020.**
 - **Department Lead:** City Manager
 - **Supporting Department:** Planning
 - **Biennium Deliverable:** Regional Economic Strategy with action plan. Staff to identify specific action items related to the City of Medford and present those items for Council consideration for implementation.
 - **Funding:** Funding for study has been accomplished. Funding for implementation has been requested from the 2019 Oregon Legislature.
 - **Future Deliverables:** Measurable outcomes from strategy and action plan that will require action in the 21-23 Biennium

- **Develop a policy framework that integrates economic health, social sustainability and environmental stewardship to inform economic and community development strategies and guide interdepartmental collaboration:** Adopt triple bottom line analysis of planning, development, and infrastructure investment opportunities
 - **Mayor and Council: Adopt a policy framework by July 2020 applicable to Council, City staff and Boards & Commissions.**
 - **Department Lead:** City Manager
 - **Supporting Departments:** Development Services, MURA, and Parks & Recreation
 - **Biennium Deliverable:** Sustainability policy framework and implementation strategy
 - **Funding:** Departments listed
 - **Future deliverables:** Process amendments to incorporate sustainability framework in practice.

- **Identify and Remove Barriers to Economic Development:** Complete a comprehensive review of the Development Code to identify barriers for development. Review would include creating a database of property within the Urban Growth Boundary which would identify vacant and underutilized opportunities. Review potential opportunities to create additional Urban Renewal Areas.
 - **Department Lead:** Development Services
 - **Supporting Department:** MURA staff
 - **Biennium Deliverable:** Available Employment Development Site Opportunities Map including existing vacant development land and re-developable employment land by 2020
 - Internal review of Land Development Code (e.g. minimum off street parking requirements) and other city regulations to identify regulatory barriers completed by July 2021

- Identify 2-3 new Urban Renewal Agency districts and complete initial feasibility studies by July 2021
- Identify known infrastructure-related development constraints and develop strategic plan to address those constraints by July 2021
- Complete update and refinement of the Downtown 2050 Plan and work with partners to develop marketing strategies for redevelopment projects in downtown
- Conduct outreach and education with local and non-local development community to promote Opportunity Zone projects
- Develop CDBG-funded micro-lending and business incubation program, partner with local lending institutions (if possible and beneficial) to leverage additional funding to support small, local startup businesses in targeted industries
- Assess feasibility of a public maker-space
- Emphasize the value of place-making in Economic Development strategies
- *Funding:* Funding for review is contained within the 2019-21 biennial budget for the departments listed. Determine appropriate funding source for new UR districts feasibility analysis consistent with statutory limitations on existing TIF.
- *Future Deliverables:*
 - Formally create and begin to administer 2-3 new Urban Renewal Agency districts
 - Update City's Economic Element and incorporate an Economic Development Strategy into that document

Downtown Redevelopment: The City will seek opportunities to assist with the development and redevelopment opportunities within the downtown core area.

- **Liberty Park Plan:** Implement the strategies from the Liberty Park Plan that will assist with creating housing and redevelopment. Seek opportunities to connect Liberty Park to other areas through public infrastructure improvements. Develop and implement strategies for improvements to Riverside Avenue.
 - **MURA Board:** *By October 1, identify and prioritize projects. Direct staff to amend the City Center Revitalization Plan.*
 - **Department Lead:** MURA staff
 - **Supporting Departments:** Development Services and City Manager's Office
 - **Biennium Deliverable:** Completion and adoption of Liberty Park Plan. MURA Board to prioritize projects listed within plan and dedicate funding for implementation.
 - **Funding:** \$15-\$18 million from MURA with possible funding coming from Public Works for infrastructure.
 - **Future Deliverables:** Staff anticipates that the implementation of the plan will require two biennium's. Projects identified by the Liberty Park Plan.

- **Reimagine Parking District:** Develop an updated strategy to provide both public and private parking opportunities. Review opportunities to develop more robust and responsive parking options, including an assessment of potential expansion of the Parking District to address both business, student, and residential needs.
 - **Department Lead:** City Manager's Office
 - **Supporting Departments:** Planning Department and MURA Staff
 - **Biennium Deliverable:** Parking District Capacity Plan
 - **Funding:** Undefined, but contained within the Parking Fund.
 - **Future Deliverables:** Actions defined within the Capacity Plan; improved signage, improved metering, location based standards, expanded hours of use of city owned lots.

- **Seismic Retrofit Program:** Continue working with property owners within the Urban Renewal District in providing financial assistance as a match for seismic retrofitting of buildings that will provide housing or economic improvements.
 - **Department Lead:** Urban Renewal
 - **Supporting Departments:** Development Services
 - **Biennium Deliverable:** Provide matching funds for either engineering studies or actual improvements to six buildings during the biennium.
 - **Funding:** \$2,000,000 from Urban Renewal along with grants from the State and Federal Sources.
 - **Future Deliverables:** Evaluation of the program will determine impacts and consideration for future renewal of this program.

DOWNTOWN REDEVELOPMENT

- **Public/Private Partnerships:** Create Public/Private Partnerships for the development of City and privately owned downtown properties for housing and/or retail. Create a streamlined development process to assist private property owners and developers. Update already established City plans that will help develop clean, safe and inviting spaces. Leverage existing, near-term and long-term opportunities to focus on economic development and Bear Creek Greenway as a recreational amenity. Update land-use and design standards for MURA and Downtown areas that establishes a compatible use to achieve Council goals. Seek to replicate where appropriate throughout Medford.
 - *Department Lead:* Urban Renewal
 - *Supporting Departments:* City Manager's Office and Development Services
 - *Biennium Deliverable:* Development Services staff to create a streamlined review process for projects within the downtown area. Review and update the Medford 2050 to assist with the direction on development. Review and implement appropriate items within the Bear Creek Master Plan. Identify all City owned properties to market for possible development.
 - *Funding:* City to possibly provide property as matching funds for development project.
 - *Future Deliverables:* Evaluation of the program will determine impacts and consideration for future renewal of this program.

Health and Safety: Proactively address the health and safety needs of the community by providing a high quality of service and collaboration with community partners to implement initiatives aimed at improving challenges related to a growing city.

- **Neighborhood Livability Partnership:** Continue with the support of this program which partners with other government agencies and non-profits to address residential properties that are out of compliance.
 - *Department Lead:* Police
 - *Support Departments:* Legal, Community Development, Jackson County, and local non-profits.
 - *Biennium Deliverable:* Substantial improvements to identified properties, which assists with livability issues within their neighborhoods. Staff estimates addressing 12 of these properties per biennium.
 - *Funding:* Program funding is currently contained within various departments' budgets. Abatement costs are recovered.
 - *Future Deliverables:* Reduction on number of problem properties and increased safety within those neighborhoods.

- **Address Livability Issues:** Implementation of the Livability Team that will focus on issues around the Bear Creek Greenway, Downtown and nuance properties. Continue to partner with Jackson County, Oregon Department of Transportation and non-profits on Greenway Health and Safety Operations.
 - *Department Lead:* Police
 - *Supporting Departments:* Fire, and Parks & Recreation
 - *Biennium Deliverable:* Increase patrols in the downtown and greenway. Link at least 40 individuals to available services. Removal of 10-acres non-native vegetation which will reduce fire hazards and provide safety along the greenway.
 - *Funding:* \$150,000 for the biennium has been budgeted by the various departments for other action items. Additional funds are needed to address the removal of non-native vegetation.
 - *Future Deliverables:* Five percent reduction in the amount of illegal camping as a result of the efforts, nuance properties are abated and an increase in community use of Bear Creek Greenway Park areas.

- **Homeless System Action Plan (HSAP):** Implement goals and actions identified in the HSAP that address health and safety issues. Addressing unsheltered homelessness and encampments along with expanding diversion and prevention strategies through establishing partnerships and funding.
 - ***Mayor and Council: Adopt plan by October 1, 2019. By November 2019, Council to set priorities for Community Development Block Grants and General Fund Grants. Issue grants based on Council priorities.***
 - *Department Lead:* Housing and Community Development
 - *Support Departments:* City Manager's Office, Police, Fire, CoC and partners.

- *Biennium Deliverable:* Staff to recommend priorities based on health and safety needs. Report on progress on the HSIP along with CoC.
 - *Funding:* Amount TBD. Funding available through Community Development Block Grants, General Fund Grants and contributions by other agencies.
 - *Future Deliverables:* Provide update on goals and actions contained within the HSIP.
- **Public Safety Level of Service:** Update strategic and operational plans for both Fire & Rescue and Police Department. Plans are to identify recommendations on levels of service and expectations by Mayor and Council.
 - ***Mayor and Council: Adopt Level of Service along with Strategic Plans for both Fire & Rescue and Police. Identify resources if additional staffing is needed for future biennium.***
 - *Department Lead:* Fire & Rescue, Police Department
 - *Support Departments:* City Manager's Office and Finance
 - *Biennium Deliverable:* Medford Fire & Rescue Strategic Plan: Level of Service, Alternative Responses, Services Boundaries and Facilities Plan. Medford Police Department Strategic Plan: Level of Service
 - *Funding:* \$150,000 for Fire & Rescue plan have been provided through the 2019-21 Biennial Budget and is contained within the City Manager's Budget. The Police Department plan has funding within the 2019-21 budget.
 - *Future Deliverables:* Fire & Rescue – Level of Service, service boundaries, and alternative responses to medical calls. Police – Level of Service.
- **Emergency Management:** Complete an update to the City of Medford Emergency Operations Plan. Complete necessary training for elected officials, staff and volunteers. Plan needs to include access to east and west areas of Medford for Police, Fire, Public Works and other organizations as necessary, address first and second response teams, identify additional public works infrastructure that could be needed (e.g., eastside service center for Public Works that includes a fueling station) and include a business resumption plan for City offices and staff.
 - ***Mayor and Council: Adopt an update to the City of Medford Emergency Operations Plan. Complete all necessary National Incident Management System training.***
 - *Department Lead:* Emergency Management Coordinator and Public Works
 - *Support Departments:* All City Department's
 - *Biennium Deliverable:* Updated Emergency Operations Plan. Training for all elected officials and identified City Staff. Recommendations and implementation of an East Medford Service Center.
 - *Funding:* Is contained within the 2019-21 Biennial Budget for Emergency Management. \$3,000,000 to design and construct Phase 1 of an eastside Public Works facility that may include constructing site access and fencing, installation of utilities, construction of a second fueling facility and fuel storage.
 - *Future Deliverables:* Fire & Rescue – Maintenance of City of Medford Emergency Operations Plan. Updated contacts to be updated/transioned into digital system, Everbridge. Table top exercises to be performed involving all-hazards within the City's plan. Public Works – completion on future phases of East Medford Service Center



**CITY OF MEDFORD
AGENDA ATTACHMENT**

Item No: 100.1

B.Y.O.B

Bring Your Own Bag

[HB 2509](#) passed Tuesday, June 11, banning single-use plastic bags. In summary, the ban:

- Prohibits retail establishments from providing single-use checkout bags to customers, except in certain cases.
- Prohibits restaurants from providing single-use checkout bags to customers.
- Requires retail establishments to charge not less than five cents each for recycled paper checkout bags, reusable fabric checkout bags or reusable plastic checkout bags provided to customers, except in certain circumstances.
- Requires restaurants to charge not less than five cents each for reusable plastic checkout bags provided to customers, except in certain cases.
- Establishes certain preemptive restrictions on local governments.
- Requires Department of Environmental Quality to report on certain impacts.
- Punishes violations by maximum fine of \$250 per violation.
- Repeals statute requiring retail establishments that offer plastic bags to customers to also offer paper bags.

Ask and You Shall Receive

[SB 90](#) passed June 5, 2019 enacted that a food and beverage provider or convenience store may not provide a single-use plastic straw to consumer unless the consumer specifically requests the single-use plastic straw.

What About Polystyrene?

HB 2883 that prohibits food vendor from using polystyrene container in selling, offering for sale, serving or dispensing prepared food to public did not pass. However, the Medford City Council banned polystyrene foam disposable food service ware in 2015. The Medford Municipal Code [8.4000](#), [8.4001](#) and [8.4002](#) outlines the details.