



Medford City Council Meeting

Agenda

November 3, 2016

12:00 Noon

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

10. Roll Call

Introduction of McLoughlin Middle School Students of the Month

20. Approval or Correction of the Minutes of the October 20, 2016 Regular Meeting

30. Oral Requests and Communications from the Audience

Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. PLEASE SIGN IN.

30.1 SOREDI Update by Colleen Padilla

40. Consent Calendar

50. Items Removed from Consent Calendar

60. Ordinances and Resolutions

60.1 COUNCIL BILL 2016-138 An ordinance authorizing execution of a Letter of Agreement with AFSCME Local 2621, Council 75, AFL-CIO to add the classification of Development Services Support Technician II to the salary schedule at range M27.

70. Council Business

80. City Manager and Other Staff Reports

80.1 Crater Lake Avenue Asphalt Sidewalk Repair by Cory Crebbin

80.2 Lozier Lane Condemnation by Cory Crebbin

80.3 Quarterly Financial Report by Alison Chan

80.4 Food Truck Legislative History, Private Petition Code Amendment by Kelly Akin

80.5 Further reports from City Manager

90. Propositions and Remarks from the Mayor and Councilmembers

90.1 Proclamations issued:
None

90.2 Further Council committee reports

90.3 Further remarks from Mayor and Councilmembers

100. Adjournment to the Evening Session

The evening meeting has been canceled as there are no items for council consideration.



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

Item No: 60.1

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DEPARTMENT: Human Resources
PHONE: 541-774-2010
STAFF CONTACT: Mike Snyder, Human Resources Director

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: November 3, 2016

COUNCIL BILL 2016-138

An ordinance authorizing execution of a Letter of Agreement with AFSCME Local 2621, Council 75, AFL-CIO to add the classification of Development Services Support Technician II to the salary schedule at range M27.

SUMMARY AND BACKGROUND

A collective bargaining agreement is currently in effect between The City of Medford and AFSCME Local 2621, Council 75, AFL-CIO Medford Municipal Employees Association (July 1, 2014 – June 30, 2017). The Public Works Department is adding the classification of Development Services Support Technician II which encompasses a higher level of tasks that are beyond the current essential duties required in the Development Services Support Technician classification. Addition of this classification does not increase the department's full time employee count.

PREVIOUS COUNCIL ACTIONS

AFSCME collective bargaining agreement approved August 21, 2014, Ordinance 2014-100. Council action is required on collective bargaining agreements.

ANALYSIS

Addition of the Development Services Support Technician II classification will enable the department to continue to provide excellent customer service without having to add staff or require overtime of current staff to perform the required higher level tasks of reviewing and interpreting building permits/plans to determine compliance; issue general and public utility right of way permits which includes assessing fees and coordinating inspections; track and process system development charge credits and help administer defective sidewalk program.

The proposed Letter of Agreement is necessary to amend Exhibit A (Salary Schedule) of the current collective bargaining agreement between The City of Medford and AFSCME Local 2621, Council 75, AFL-CIO Medford Municipal Employees Association to include the classification of Development Services Support Technician II at range M27.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Funding for the proposed amendment is already included in the current biennial budget. The annual net increase with the new classification of Development Services Support Technician II in grade M27, hired at step 1, would be \$3,729, compared to the Development Services Support Technician in grade M25.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve or deny the ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance adding the classification of Development Services Support Technician II to the salary schedule at range M27.

EXHIBITS

Ordinance
Letter of Agreement

ORDINANCE NO. 2016-138

AN ORDINANCE authorizing execution of a Letter of Agreement with AFSCME Local 2621, Council 75, AFL-CIO to add the classification of Development Services Support Technician II to the salary schedule at range M27.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of a Letter of Agreement with AFSCME Local 2621, Council 75, AFL-CIO to add the classification of Development Services Support Technician II to the salary schedule at range M27, 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 _____, 2016.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2016.

Mayor

Letter of Agreement
Between
the City of Medford
&
AFSCME Local 2621, Council 75, AFL-CIO
Medford Municipal Employees Association

The current collective bargaining agreement between the parties is hereby amended by the following additions:

1. Exhibit A – Salary Schedule – Range M27 will include the classification of Development Services Support Technician II.

For the Union

 10-21-16
Rodney McCambridge Date

 10-21-16
Craig Howe Date

For the City

Gary H. Wheeler Date

Brian Sjothun Date

**EXHIBIT A
SALARY SCHEDULE**

| Effective July 1, 2015 – reflects a 2.5% for each hourly rate | | | | | | |
|---|--|------|-----------|------------|----------|--|
| Grade | Position Number and Title | Step | Hourly | Monthly | Annual | |
| M07 | 209:CUSTODIAN | 1 | \$15.0643 | \$2,611.17 | \$31,334 | |
| | | 2 | \$15.8175 | \$2,741.67 | \$32,900 | |
| | 309:CLERICAL SUPPORT TECHNICIAN | 3 | \$16.6085 | \$2,878.83 | \$34,546 | |
| | | 4 | \$17.4388 | \$3,022.75 | \$36,273 | |
| | | 5 | \$18.3107 | \$3,173.83 | \$38,086 | |
| | | 6 | \$19.2263 | \$3,332.58 | \$39,991 | |
| M20 | 180:ENGINEERING TECH I | 1 | \$17.3085 | \$3,000.17 | \$36,002 | |
| | | 2 | \$18.1739 | \$3,150.17 | \$37,802 | |
| | | 3 | \$19.0826 | \$3,307.67 | \$39,692 | |
| | | 4 | \$20.0368 | \$3,473.08 | \$41,677 | |
| | | 5 | \$21.0386 | \$3,646.67 | \$43,760 | |
| | | 6 | \$22.0905 | \$3,829.00 | \$45,948 | |
| M25 | 195:FINANCIAL SUPPORT TECHNICIAN | 1 | \$17.8763 | \$3,098.58 | \$37,183 | |
| | 197:COURT SPECIALIST | 2 | \$18.7701 | \$3,253.50 | \$39,042 | |
| | 207:WAREHOUSE/TRADES TECHNICIAN | 3 | \$19.7086 | \$3,416.17 | \$40,994 | |
| | 264:ADMINISTRATIVE SUPPORT TECHN. | 4 | \$20.6940 | \$3,587.00 | \$43,044 | |
| | 292:DEVELOPMENT SVCS SUPPORT TECH | 5 | \$21.7287 | \$3,766.33 | \$45,196 | |
| | 295:RECREATION PROGRAM COORDINATOR TBD:UTILITY BILLING SUPPORT TECHNICIAN | 6 | \$22.8151 | \$3,954.58 | \$47,455 | |
| M27 | 335:FINANCIAL SUPPORT SPECIALIST | 1 | \$19.6692 | \$3,409.33 | \$40,912 | |
| | | 2 | \$20.6527 | \$3,579.83 | \$42,958 | |
| | | 3 | \$21.6853 | \$3,758.75 | \$45,105 | |
| | | 4 | \$22.7696 | \$3,946.75 | \$47,361 | |
| | | 5 | \$23.9081 | \$4,144.08 | \$49,729 | |
| | | 6 | \$25.1034 | \$4,351.25 | \$52,215 | |
| M30/31 | 249:TECHNOLOGY SUPPORT TECHNICIAN | 1 | \$20.9794 | \$3,636.42 | \$43,637 | |
| | 251:PARKS CUSTOMER SVC SPECIALIST | 2 | \$22.0284 | \$3,818.25 | \$45,819 | |
| | 254:DEVELOPMENT SVCS SPECIALIST | 3 | \$23.1300 | \$4,009.17 | \$48,110 | |
| | 258:DATA BASE TECHNICIAN | 4 | \$24.2865 | \$4,209.67 | \$50,516 | |
| | 328:PARKS MARKETING SPECIAL EVENTS | 5 | \$25.5008 | \$4,420.17 | \$53,042 | |
| | 163:ENGINEERING TECH II | 6 | \$26.7758 | \$4,641.17 | \$55,694 | |
| | 305:PLANNER I 340:GRANTS SUPPORT TECHNICIAN | | | | | |
| M40 | 159:PLANS EXAMINER I | 1 | \$21.3235 | \$3,696.08 | \$44,353 | |
| | | 2 | \$22.3897 | \$3,880.92 | \$46,571 | |
| | | 3 | \$23.5092 | \$4,074.92 | \$48,899 | |
| | | 4 | \$24.6847 | \$4,278.67 | \$51,344 | |
| | | 5 | \$25.9190 | \$4,492.67 | \$53,912 | |
| | | 6 | \$27.2150 | \$4,717.25 | \$56,607 | |

Agenda Item 80.4



Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject Temporary Food Vendor Legislative History
To Mayor and City Council
From Kelly Akin, Interim Planning Director via Brian Sjothun, City Manager
Date October 27, 2016

BACKGROUND

The *Medford Land Development Code* in its current form was adopted in 1986. Mobile food units were added in 1993 (Ord. 7511) and limited to 128 square feet in size. The units were allowed in three commercial and two industrial zones.

CODE AMENDMENT HISTORY

2009 Amendment Request

In August 2009, the City Council received a request from Rogue BBQ to lift the 128-square foot size limit. Staff processed the amendment to the Land Development Code; after two study sessions and two hearings, the Planning Commission forwarded a favorable recommendation to increase the size to 170 square feet with an additional 170 square feet for outdoor equipment. The Planning Commission recommendation included maintaining the 128-square foot limit for the Central Business District and Historic Preservation Overlay Zone.

In January 2010, the City Council held a public hearing and received written and oral testimony during the proceedings. The Council unanimously voted to deny the ordinance.

Basis for Denial

The Council decided against amending the *Medford Land Development Code* in January 2010 because they did not see the benefit of adopting the city-wide amendment for the benefit of one business. It was determined that larger temporary food units would have greater impacts on the land as well as surrounding businesses. The Council expressed concern about liability issues of having a larger unit on private property with existing businesses. Additionally, at the public hearing downtown merchants voiced complaints about the unfair competition such units pose since they do not have to pay SDC's, utility fees, or provide restroom facilities or off-street parking. Also, temporary food vendor units would be larger than small food vendors (coffee kiosks are limited to 128 square

feet). The City Council indicated that given the economic conditions at the time, they wished to support existing, permanent food businesses that pay fees and property taxes. Expanding the size of temporary food vendors may have the unintended consequence of creating an unfair disadvantage for these existing businesses. Those that are downtown are a major contributor to the revitalization of the downtown. Finally, the City Council found that the vendors were able to operate satisfactorily in a 128-square foot unit.

2010 Amendment Request

In May 2010, the Council received a request from Rogue BBQ to reconsider the size increase and directed staff to bring back the code amendment for consideration. In July 2010 the Council adopted the current ordinance which limits the size to 128 square feet downtown and 170 square feet in other areas of the city.

Basis for Approval

At the public hearing, the City Council received testimony citing equity concerns of the temporary units vs. brick-and-mortar establishments. The owners of Rogue BBQ noted that the discussion at the denial hearing was centered on downtown and not citywide. The City Council found that the proposal met the approval criteria and adopted Ordinance 2010-161.

CODE AMENDMENT INITIATION POLICY

In 2015, staff created a policy on handling private-party code amendment petitions. The purpose is to have a regular, reliable method for processing requests to amend the Land Development Code.

In short, the request should be directed to the Planning Director. The petitioner's request and reasons for the request will be presented to the Planning Commission at its next regular study session. A memorandum formally initiating the amendment will be presented to the Planning Commission at its next regular meeting and the Planning Commission will either vote up or down. Staff will inform the petitioner and the City Manager of the decision. If initiated, staff will process the amendment.

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Attachment: Policy on handling private-party code amendments petitions rev. 4/27/15



Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

SUBJECT Policy on handling private-party code amendments petitions
TO Eric Swanson, City Manager
FROM John Adam, Senior Planner, via James E. Huber, Planning Director
DATE October 8, 2014; revised April 27, 2015

PURPOSE

To have a regular, reliable method for processing private-party petitions to amend the development code. To address such petitions to the appropriate staff and appointed decision-making bodies. To maintain documentation for future reference.

METHOD

1. All inquiries should be directed to the Planning Department. Staff will direct the person to write a letter to the Director outlining the petition and their reasons for it.
 2. On receipt of a petition a general file (GF) will be created in HTE. When a petition is moved to action the GF can be converted to a development code amendment (DCA) type.
 3. Planning management/staff will discuss the request, accounting for how long it may take to develop a code amendment (owing to complexity), and developing a recommendation to the Planning Commission. Staff may also refer the question to other appropriate commissions or committees for their suggestions.
 4. For the next available Planning Commission study session staff will prepare a memo explaining the pros and cons of the proposed change, staff's recommendation on whether or not to proceed, and how it may delay other items on the department's legislative agenda. Petitioner should be encouraged to attend the study session so Commissioners can query the petitioner directly.
 5. At the conclusion of the study session, the Planning Commission will discuss the merits and deficits of proceeding on the petition. As a general rule, the Planning Commission will initiate no more than two private-party petitions in a calendar year.
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- 5.1. A memorandum formally initiating a code amendment will be placed on the consent calendar of the next available regular Planning Commission meeting, which the Commission will vote either up or down.
- 5.2. If initiated, staff will begin scheduling work. Note that an initiation does not alter the priority of the existing workload; other projects underway or just beginning may take precedence.
 - 5.2.1. At this point the Planning Department will collect the standard fee for code amendments before doing further work. Neither the Planning Commission nor staff are empowered to waive the fee, only the City Council may do so.
- 5.3. If the decision is not to proceed, or to withhold it for future consideration, a memo documenting the decision will be kept in the file.
- 5.4. For either situation staff will document the reasoning of the Commission. Staff will contact the petitioner and let them know the result, informing them of possible timeline. Staff will give a copy of the decision to the City Manager to share with the Council as he or she sees fit. All documents from the process will be filed in the Planning Department.

If subsequently the petitioner shows up at a Council meeting with the same request, or writes to one or more Councilor with the same request, staff will be able to provide documentation of the facts and the due consideration already given to the matter for the Council to take into account before deciding on a course of action.