



November 21, 2019

6:00 P.M.

Medford City Hall, Medford Room

411 W. 8th Street, Medford, Oregon

10. Roll Call

20. Recognitions, Community Group Reports

20.1 Employee Recognitions

20.2 Community Group Reports

a. Quarterly Economic Development Update by Colleen Padilla of SOREDI

b. Arts Commission Report

30. Oral Requests and Communications from the Audience

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

40. Approval or Correction of the Minutes of the November 7, 2019 Regular Meeting

50. Consent Calendar

50.1 COUNCIL BILL 2019-120

An ordinance approving Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues and Harry & David, LLC, including an extension through December 31, 2024.

50.2 COUNCIL BILL 2019-121

An ordinance awarding a Stormwater Master Plan contract in an amount of \$526,681 to Brown and Caldwell.

50.3 COUNCIL BILL 2019-122

A resolution adopting the City of Medford's 2019-21 Program Funding Priorities, and the corresponding Homeless System Action Plan Implementation Plan.

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

70.1 COUNCIL BILL 2019-123

A resolution approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district.

70.2 COUNCIL BILL 2019-124

A resolution approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district, except for the City of Talent.

80. Public Hearings

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

80.1 COUNCIL BILL 2019-125

An ordinance proclaiming annexation to the City of Medford of an approximate .0966-acre tract of land (previously listed as 1.086 acres, which included the associated right-of-way), including a single parcel located at 3558 Table Rock Road. The property will be removed from Medford Rural Fire Protection District #2, effective pursuant to State law. (A-19-001) Land Use, Quasi-Judicial

90. Council Business

90.1 Proclamations issued

Small Business Saturday - November 21, 2019

Crater Lake Chapter, Daughters of the American Revolution,
100th Anniversary - November 24, 2019

90.2 Committee Reports and Communications

a. Council Officers Update

100. City Manager and Staff Reports

100.1 Overnight Sleeping in Vehicles

110. Adjournment



AGENDA ITEM COMMENTARY

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

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

COUNCIL BILL 2019-120

An ordinance approving Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues and Harry & David, LLC, including an extension through December 31, 2024.

SUMMARY AND BACKGROUND

Council is requested to authorize Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues baseball team and Harry & David, including an extension through December 31, 2024 valued at \$40,000 per year.

PREVIOUS COUNCIL ACTIONS

On June 15, 2006, Council approved Council Bill 2006-140, revising the naming-rights policy for facilities or areas within parks originally adopted by Council in December 2002.

On June 7, 2007, Council approved Council Bill 2007-120, an ordinance authorizing execution of a 10-year naming rights agreement with Medford Youth Baseball Society and Harry & David Operations Corporation in the amount of \$357,500 for recognition opportunities at the city-owned baseball facility within U.S. Cellular Community Park.

On June 6, 2019, Council approved Council Bill 2019-51, an ordinance authorizing execution of the Stadium Naming Rights Agreement with Harry & David and the Medford Rogues for recognition opportunities at the U.S. Cellular Community Park baseball stadium.

ANALYSIS

The owners of the Medford Rogues baseball club and Harry & David negotiated an amendment to the one-year Stadium Naming Rights Agreement originally approved by the City Council on June 6, 2019. The proposal amends the partnership terms and conditions for naming rights of the full-size natural-grass baseball stadium within U.S. Cellular Community Park.

The amendment complies with the City's recreation facility naming rights policy, and City Council approval is necessary because the facility is owned by the City of Medford.

The key terms of the amendment, subject to Council approval, are:

- A five-year extension valued at \$40,000 per year through December 31, 2024.
- An additional five-year term upon mutual written agreement expiring Dec. 31, 2029.
- Harry & David may subtract the cost to replace or modify its stadium signage from the annual fee.



The amendment extends the following benefits to Harry & David:

- Company logo on the large sign along South Pacific Highway adjacent to the stadium.
- Company logo on the electronic scoreboard.
- 150 complimentary Medford Rogues game tickets each season.
- Advertising on Medford Rogues printed materials.

All benefits outlined in the proposed contract are the responsibility of the Medford Rogues to manage and provide to Harry & David. The naming rights fee will be retained in full by the Medford Rogues to help fulfill its contracted field management and maintenance obligations to the City.

Harry & David has held the naming rights to the baseball stadium since 2007 when it signed a 10-year, \$357,500 agreement with Medford Youth Baseball Society and the City of Medford. The company honored the terms of the previous contract in 2018 leading up to the development of a new agreement this calendar year.

The Medford Parks and Recreation Commission reviewed the amendment and recommends Council approval.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Medford Rogues to receive up to \$40,000 annually.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve 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 Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues and Harry & David, LLC.

EXHIBITS

Ordinance

June 6, 2019 Stadium Naming Rights Agreement

Amendment No. 1 to Stadium Naming Rights Agreement

ORDINANCE NO. 2019-120

AN ORDINANCE approving Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues and Harry & David, LLC, including an extension through December 31, 2024.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That Amendment No. 1 to the Stadium Naming Rights Agreement between the Medford Rogues and Harry & David, LLC, including an extension through December 31, 2024, is hereby approved.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____ 2019.

Mayor

STADIUM NAMING RIGHTS AGREEMENT

THIS STADIUM NAMING RIGHTS AGREEMENT is made this 6th day of June 2019, by and among MOBT, Inc., a Nevada corporation, with a business address of 2929 S. Pacific Hwy. (PO Box 699), Medford, Oregon 97501, hereinafter referred to as "The Baseball Club," Harry and David, LLC, an Oregon limited liability company, with a business address of 2500 South Pacific Highway, Medford, Oregon, 97501, hereinafter referred to as "Harry & David," and the City of Medford, an Oregon municipal corporation, hereinafter referred to as the "City."

RECITALS:

A. Whereas, the City owns the baseball facility located at 2929 South Pacific Highway, Medford, Oregon, 97501 (the "Facility").

B. Whereas, the City has a naming rights policy wherein private individuals and entities can contract with the City to have their name placed on City sporting facilities for a prescribed fee.

C. Whereas, Harry & David previously acquired naming rights to the Facility pursuant to an agreement between the City, Harry & David and the Medford Youth Baseball Society dated June 6, 2007 and as amended by the parties on July 7, 2011 ("Previous Agreement").

D. Whereas, the Previous Agreement has expired and Harry & David desires to continue possession of the naming rights to the Facility as a promotional opportunity and as a support to a facility that will benefit the community and to secure the amenities and marketing rights set forth herein.

E. Whereas, the City entered into a contract with The Baseball Club on September 20, 2012, which granted The Baseball Club the rights to revenues collected from baseball facility operations that includes the revenues from the City naming rights policy ("Services Contract").

F. Whereas, the City desires to continue to grant to Harry & David naming rights to the Facility (including, without limitation, the baseball field), and such other rights and benefits as further set forth herein.

NOW, THEREFORE, the parties agree as follows:

1. The City hereby grants (and The Baseball Club confirms such grant) to Harry & David the exclusive right to name the Facility (including the baseball field), as well as the other rights and benefits set forth herein, during the term of this Agreement in exchange for the consideration described herein.

2. While this Agreement is in effect, Harry & David shall have the exclusive right to select the name for the Facility, including the baseball field ("Facility Name"), and Harry & David is also hereby granted the following additional rights:

- 2.1 At the time of the execution of this Agreement, Harry & David designates the Facility Name to be "Harry & David Field."
- 2.2 Harry & David shall continue to have the exclusive right to incorporate the Harry & David name/logo on a sign located alongside South Pacific Highway. The size of the sign may be up to 150 square feet.
- 2.3 Harry & David shall continue to have the exclusive right to place the Harry & David name/logo on the sign located above the electronic scoreboard. The sign measures 5' x 30'.
- 2.4 Harry & David shall continue to have the exclusive right to place the Harry & David name/logo on the sign located at the entrance to the Facility. The size of the sign may be up to 50 square feet. The entrance is depicted on the attached Exhibit "A".
- 2.5 Harry & David shall have the exclusive right to place, at The Baseball Club's expense, Harry & David's name/logo on the top of both the home and visitor's dugouts.
- 2.6 The parties acknowledge that the signage obligations imposed under this section are subject to reasonable signage ordinances of the City of Medford.
- 2.7 The Facility Name shall appear prominently on the cover of all souvenir programs sold at the Facility.
- 2.8 The Facility Name shall appear on the face of all tickets for games and events hosted at the Facility that require paid admission.
- 2.9 The Facility Name shall appear on all souvenir cups sold at the Facility concession stand.
- 2.10 Harry & David shall have the opportunity, and is hereby granted the unrestricted, worldwide, irrevocable, transferrable right and license, to use, copy, distribute, make derivative works from, sublicense and publish, the Facility Name, as well as the Medford Rogues' logo(s), trademark(s), name(s) and image(s), in any corporate advertising, marketing, publicity or promotional materials, in Harry & David's sole discretion, in any and all media, known or unknown.
- 2.11 Press releases, promotional materials, scripts and other references to the Facility by The Baseball Club or the City shall refer to the Facility by the Facility Name. Use of the Facility Name by the City and The Baseball Club as outlined herein shall be subject to such reasonable guidelines and standards as Harry & David may from time to time provide.

- 2.12 Harry & David is hereby granted the exclusive right to distribute Harry & David discount coupons and promotional flyers/materials (for and created by Harry & David) for all events at the Facility.
- 2.13 At such times as reasonably requested by Harry & David but subject to The Baseball Club's consent (not to be unreasonably withheld), Harry & David shall have the right to conduct sales at the Facility twice a year, which sales are subject to all applicable City Codes related to parking lot sales, and the right to conduct employment fairs twice per year.
- 2.14 Harry & David shall have one (1) full page advertisement in each Medford Rogues program. Unless otherwise designated by Harry & David, the advertisement shall be created and provided by Harry & David and shall appear on the outside back page of the program. Harry & David's logo shall also appear on the front of the program.
- 2.15 Harry & David is hereby granted the right to require up to two (2) appearances, at The Baseball Club's expense, by one or more Medford Rogues players at Harry & David's Country Village store in Medford, at such dates/times requested by Harry & David (during home stands by The Baseball Club), subject to The Baseball Club's consent, such consent not to be unreasonably withheld.
- 2.16 Harry & David is hereby granted the right to designate one or more Monday Medford Rogues, home games at the Facility as "Moose Munch® Popcorn Monday", during which Moose Munch® bags will be distributed to fans.
- 2.17 At each game at the Facility, fans will be invited to come down onto the field to get an autograph from their favorite Rogues player / coach as part of the "Harry & David Post-Game Autograph Session" Series.
- 2.18 The first 500 fans at one game at the Facility will receive a Medford Rogues team photo, with Harry & David's logo co-branded on the piece. Photos will be created at The Baseball Club's expense (but subject to Harry & David's review and approval of the logo usage).
- 2.19 Radio (including, without limitation, web radio) broadcasts of games for the Medford Rogues will include the following: for home games, broadcasts will include live drop ins referencing the Facility Name ("You are listening to Medford Rogues Baseball at Harry & David Field") between every inning; and for all games (both home and away) each broadcast will include two (2) thirty (30) second commercials prepared by or for Harry & David. The content of such commercials and other references to Harry & David shall be subject to Harry & David's prior review and approval, and/or guidelines provided by Harry & David.

- 2.20 Harry & David will receive two (2) 15-20 second public address announcements during each Medford Rogues home game. The content of such announcements shall be subject to Harry & David's prior review and approval, and/or guidelines provided by Harry & David.
- 2.21 Employees of Harry & David and their affiliated companies may purchase general admission tickets to any Medford Rogues home game for \$5.00, each, at the Facility box office with proof of employment (i.e. employee badge).
- 2.22 All team press releases, promotion materials, scripts and other references to the Facility shall refer to the Facility Name as designated by Harry & David. Use of the Facility Name in such press releases, promotional materials, scripts and other references shall be subject to Harry & David's prior review and approval, and/or guidelines or other instructions provided by Harry & David.
- 2.23 Harry & David will receive four (4) "Strike Zone" season tickets free of charge (Section B, Row A, Seats 1-4), for all Medford Rogues games at the Facility each season during the term of this Agreement.
- 2.24 Harry & David is hereby granted the right of first refusal to negotiate other naming rights and amenities such as, but not limited to, Facility banners, awnings and on-deck circles. Furthermore, Harry & David shall have an exclusive first right of negotiation, until three (3) months prior to the expiration date of this Agreement, regarding naming rights for the Facility following expiration of this Agreement. Nothing herein, however, shall be deemed to obligate Harry & David to enter into any further agreement with The Baseball Club or the City.

3. Exclusivity. City and The Baseball Club shall not authorize any manufacturer, seller, distributor or dealer of any of the following competitive goods or services to be a sign, seat, dugout or on-deck circle sponsor or co-sponsor within the Facility or any element thereof, or otherwise authorize the promotion of any such competitive goods or services with respect to the Facility: mail order gifts, specialty foods or other specialty goods, floral goods and/or floral services.

4. Harry & David shall provide designs and other art work as necessary with respect to the use of Harry & David's trademark(s), service mark(s) tradename(s) and/or logo(s) as contemplated herein ("Harry & David IP"). Signage and other representations of Harry & David's name or any other proposed use of the Harry & David IP as contemplated herein shall be in a quality consistent with that customarily used by Harry & David and shall be subject to Harry & David's prior written approval with respect to each proposed usage instance, which approval shall not be unreasonably withheld.

5. The term of this Agreement shall commence on January 1, 2019, and shall continue for one (1) year, ending on December 31, 2019. Any and all renewals shall be subject to the parties' mutual written agreement.

6. During the initial one-year term of this Agreement, Harry & David agrees, for the rights and considerations set out herein, to pay The Baseball Club Forty Thousand Dollars (\$40,000) ("Annual Fee"). The Annual Fee shall be due and payable by July 15, 2019. In the event this Agreement is renewed for subsequent periods, the amount of the Annual Fee and the due date for such renewal period will be subject to the parties' mutual written agreement as set forth in such renewal.

Harry & David shall make the Annual Fee payment to The Baseball Club at The Baseball Club's address set forth above or to such other address as The Baseball Club may designate in writing to Harry & David. If The Baseball Club's Services Contract with the City expires or is terminated while this Agreement is in effect, the City shall promptly notify Harry & David of any such expiration or termination, which notice will instruct Harry & David on where and who to make any future naming rights payments required herein.

7. Harry & David may change the Facility Name from time to time with the prior written consent of The Baseball Club and the City, which consent shall not be unreasonably withheld.

8. The Baseball Club agrees to use its best efforts to assist Harry & David with any and all promotions in connection with The Baseball Club and/or the Facility.

9. The parties acknowledge that neither party has the authority or right to incur obligations of any kind in the name or for the account of the other or to commit or bind the other to any contract. Harry & David shall not be liable for any claims, demands, judgments or actions for personal loss, injury, death, property damage or otherwise suffered by participants, spectators or others relating to activities at the Facility.

10. Either party may terminate this Agreement:

- a. Upon a material breach by the other party which is not cured within thirty (30) days following receipt of written notice specifying the breach, or:
- b. By written notice if the other party files a voluntary petition in bankruptcy or is adjudicated bankrupt or insolvent or upon the appointment of a receiver or trustee or the execution upon assets of the party by creditors.

Following any termination or expiration of this Agreement, Harry & David and The Baseball Club shall each have the right, but not the obligation, to remove all signage which includes Harry & David's name.

11. All trademarks, service marks, trade dress, Harry & David IP and other proprietary property of Harry & David shall remain the exclusive property of Harry & David and neither The

Baseball Club nor the City shall have the right to the use of any such property except as specifically provided in this Agreement.

12. Both during and after this Agreement, The Baseball Club agrees to protect, defend, indemnify and hold Harry & David and its affiliated companies, and its and their respective officers, directors, employees, agents, successors and assigns harmless from and against any and all expenses, damages, claims, suits, losses, actions, judgments, liabilities and costs whatsoever (including reasonable attorney fees) arising out of, or connected with, a) Harry & David's naming of the Facility or the other rights of Harry & David provided hereunder, b) the operations of The Baseball Club (including, without limitation, breach of this Agreement by The Baseball Club and/or the negligence, gross negligence or intentional misconduct by the Baseball Club in connection with its performance hereunder), and/or c) any infringement or other violation by The Baseball Club of any third party trademark, copyright, patent, trade secret or other intellectual property or privacy right, except for infringement or other violations caused by advertisements, art work, or promotions produced by Harry & David.

13. Both during and after this Agreement, The Baseball Club agrees to protect, indemnify and hold the City harmless from and against any and all expenses, damages, claims, suits, losses, actions, judgments, liabilities and costs whatsoever arising out of or connected with the operations of The Baseball Club.

14. The Baseball Club shall, at its own expense, secure and maintain in full force and effect during the term of the Agreement, including any renewal periods, at least the following insurance coverage:

- a. A general comprehensive liability policy in commercially reasonable amounts with respect to The Baseball Club's activities hereunder, and at a minimum in an amount of not less than \$1,000,000.00 per occurrence for personal injury, death, property damage and other related harm suffered by participants, spectators and others who may be adversely affected by activities at the Facility.
- b. Worker's compensation coverage and employer's liability insurance as required by law.

The Baseball Club shall provide Harry & David with evidence of the Certificates of Insurance upon Harry & David's written request. The Certificates of Insurance shall name Harry & David as an additional insured. The fulfillment of The Baseball Club's insurance obligations hereunder shall not otherwise relieve such party of any liability assumed under this Agreement, or in any way modify or limit its obligations hereunder.

15. Any notices to be furnished under this Agreement shall be in writing and shall be deemed given when deposited in the United States mail, addressed to the other party's address set forth above, if sent by certified mail postage prepared in full, or if sent in this manner to such other address as the notified party shall have previously given in writing to the other party.

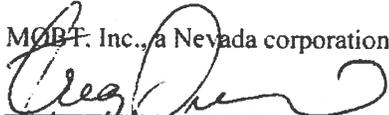
16. This Agreement may not be assigned by either party without the express written consent of the other, which consent shall not be unreasonably withheld. Any such assignment shall not relieve the assigning party from any liabilities hereunder.

17. This Agreement constitutes the entire agreement among the parties with respect to the subject matter contained herein, supersedes any prior oral or written understandings with respect to the same subject matter and may only be amended by a document signed by the parties.

18. This Agreement shall be governed in all respect by the laws of the State of Oregon.

19. Severability: If any provision of this Agreement is deemed unenforceable, the remaining provisions of the Agreement shall remain in full force and effect.

MOBT, Inc., a Nevada corporation

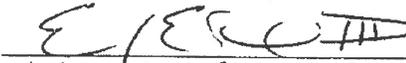
By: 

6/4/19 . PRESIDENT

"The Baseball Club"

HARRY AND DAVID, LLC.

an Oregon limited liability company

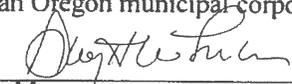
By: 

6-4-2019 . SVP-FINANCE, TREASURER

"Harry & David"

CITY OF MEDFORD.

an Oregon municipal corporation

By: 

Mayor

"City"

EXHIBIT "A"

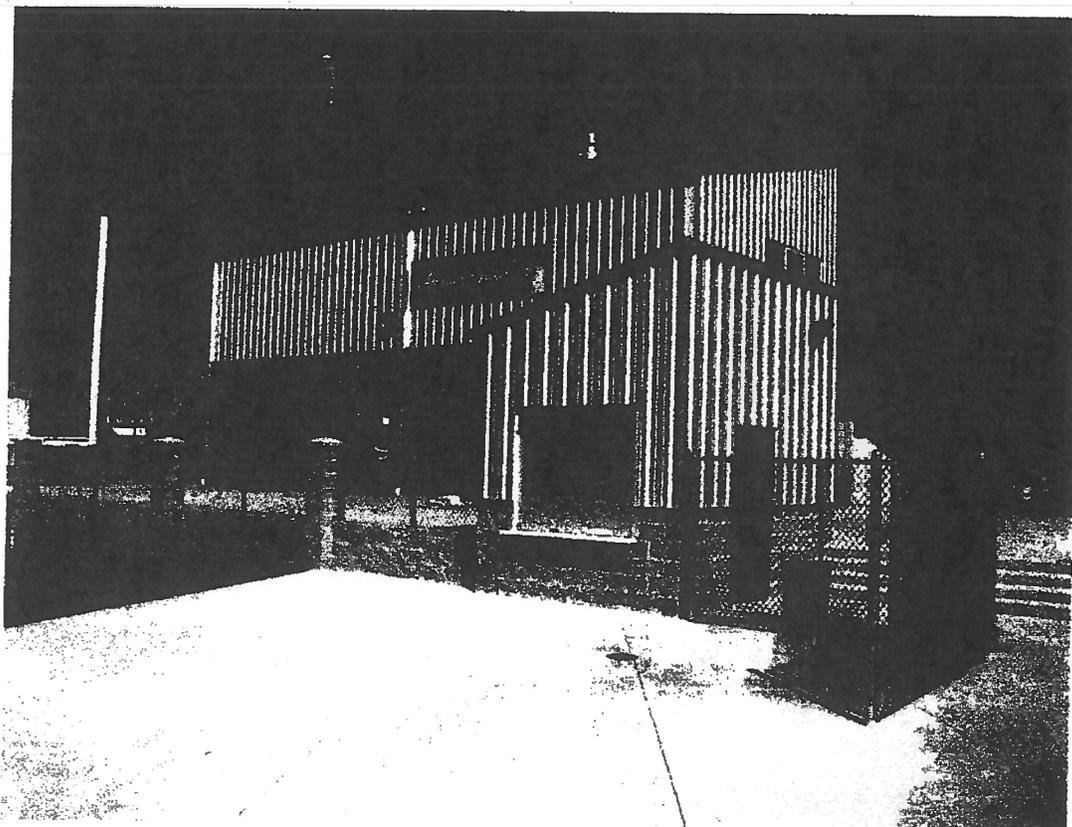


Exhibit "A"

AMENDMENT NO. 1 TO STADIUM NAMING RIGHTS AGREEMENT

This Amendment No. 1 to Stadium Naming Rights Agreement, dated as of October 31, 2019 (the "*Amendment*"), is by and among MOBT, Inc., a Nevada corporation ("*The Baseball Club*"), Harry and David, LLC, an Oregon limited liability company ("*Harry & David*"), and the City of Medford, an Oregon municipal corporation ("*City*").

WHEREAS, the parties hereto have entered into a Stadium Naming Rights Agreement, dated June 6, 2019 (the "*Existing Agreement*");

WHEREAS, the parties hereto desire to amend the Existing Agreement on the terms and subject to the conditions set forth herein; and

WHEREAS, pursuant to Section 17 of the Existing Agreement, the amendments contemplated by the parties must be contained in a written agreement signed by an authorized representative of each party.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Definitions. Capitalized terms used and not defined in this Amendment have the respective meanings assigned to them in the Existing Agreement.

2. Amendments to the Existing Agreement. As of the Effective Date (defined below), the Existing Agreement is hereby amended or modified as follows:

(a) Section 2.5 of the Existing Agreement is hereby deleted in its entirety.

(b) Section 2.12 of the Existing Agreement is hereby deleted in its entirety.

(c) Section 2.13 of the Existing Agreement is hereby deleted in its entirety.

(d) Section 2.14 of the Existing Agreement is hereby deleted in its entirety, substituting in lieu thereof the words: "Harry & David's logo shall appear on the front of each Medford Rogues souvenir program. In addition, an advertisement created and provided by Harry & David shall appear each season in the Medford Rogues pocket schedule. Following the expiration or earlier termination of The Baseball Club's current contract with its current advertiser for advertising space on the outside back cover of such pocket schedule, Harry & David's advertisement shall appear on such outside back cover."

(e) Section 2.15 of the Existing Agreement is hereby deleted in its entirety.

(f) Section 2.16 of the Existing Agreement is hereby deleted in its entirety.

(g) Section 2.17 of the Existing Agreement is hereby deleted in its entirety.

(h) Section 2.18 of the Existing Agreement is hereby deleted in its entirety.

(i) Section 2.21 of the Existing Agreement is hereby amended by inserting at the end of such Section the words: "Immediately prior to the opening of each baseball season, and once again on or about June 30th of each year, Harry & David shall undertake reasonable efforts to communicate the foregoing employee ticket offer and the then-current Medford Rogues' home schedule to Harry & David employees based in Medford, Oregon."

(j) Section 2.23 of the Existing Agreement is hereby deleted in its entirety, substituting in lieu thereof the words: "Harry & David will receive, per season, 150 "anytime tickets", which may be used for any Medford Rogues home game during such season."

(k) Section 5 of the Existing Agreement is hereby deleted in its entirety, substituting in lieu thereof the words: "The term of this Agreement shall commence on January 1, 2019, and shall continue for six (6) years, ending on December 31, 2024 (the "Initial Term"). The parties may, upon mutual written agreement, renew this Agreement for one (1) additional five (5) year term, expiring December 31, 2029 (the "Renewal Term"). Unless mutually agreed by the parties in a written amendment signed by the parties at the time of such renewal, the terms and conditions of this Agreement during such Renewal Term shall be the same as the terms and conditions in effect immediately prior to such renewal."

(l) Section 6 of the Existing Agreement is hereby deleted in its entirety, substituting in lieu thereof the words: "Harry & David agrees, for the rights and considerations set out herein, to pay The Baseball Club Forty Thousand Dollars (\$40,000) per calendar year (the "Annual Fee"), less any applicable Annual Signage Deduction (as such term is defined below), which shall be due and payable on January 31st of the applicable year except as set forth below. Harry & David may, in its sole discretion, create and install new signage or update the existing signage permitted in Section 2.2, Section 2.3, and Section 2.4, and the parties hereto agree that the aggregate cost of the foregoing and all related design, production, construction and installation expenses actually incurred by Harry & David (collectively, the "Signage Costs") shall be offset against the Annual Fee as follows: The Signage Costs shall be divided by five to determine the "Annual Signage Deduction," which shall be applied as set forth below. Notwithstanding anything in this Agreement to the contrary, the payment schedule for the Initial Term shall be as follows:

- 2019: \$40,000 due 7/15/2019
- 2020: \$25,000 due 1/31/2020
\$15,000, less the Annual Signage Deduction, due 7/31/2020
- 2021: \$30,000 due 1/31/2021
\$10,000, less the Annual Signage Deduction, due 7/31/2021
- 2022: \$40,000, less the Annual Signage Deduction, due 1/31/2022

- 2023: \$40,000, less the Annual Signage Deduction, due 1/31/2023
- 2024: \$40,000, less the Annual Signage Deduction, due 1/31/2024

Harry & David shall notify The Baseball Club of the Signage Costs, and for each year during which the Annual Signage Deduction applies, The Baseball Club shall provide to Harry & David an itemized invoice reflecting a credit for the applicable Annual Signage Deduction.

Unless mutually agreed by the parties in a written amendment signed by the parties at the time of such renewal, in the event the Agreement is renewed by mutual written agreement for a Renewal Term (expiring December 31, 2029), the Annual Fee shall be due and payable on January 31st of each applicable year thereof.”

(m) Section 11 of the Existing Agreement is hereby amended by inserting at the end of such Section the words: “Any goodwill accruing from such use will inure solely to the benefit of Harry & David or its affiliated entities.”

3. Miscellaneous.

(a) Limitations. Except for the amendments, agreements, and other modifications expressly set forth in this Amendment, the Existing Agreement shall remain unchanged and in full force and effect.

(b) Counterparts. This Amendment may be executed by one or more of the parties hereto on any number of separate counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to constitute one and the same instrument. Delivery of an executed counterpart of this Amendment by facsimile or other electronic method of transmission shall be as effective as delivery of a manually executed counterpart thereof.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first written above.

The Baseball Club:

MOBT, INC.

By: _____

Name: _____

Title: _____

Date: _____

Harry & David:

HARRY AND DAVID, LLC

By: _____

Name: _____

Title: _____

Date: _____

City:

CITY OF MEDFORD

By: _____

Name: _____

Title: _____

Date: _____



AGENDA ITEM COMMENTARY

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

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

COUNCIL BILL 2019-121

An ordinance awarding a Stormwater Master Plan (SMP) contract in an amount of \$526,681 to Brown and Caldwell.

SUMMARY AND BACKGROUND

Council is requested to consider awarding a Stormwater Master Plan contract in the amount of \$526,681 to Brown and Caldwell. The SMP will provide the City and developers with information necessary to correctly plan and design the City's stormwater infrastructure.

The City's last SMP was produced in 1996. Basin plans were prepared for Little Elk Creek in 2012 and Larson Creek in 2015. These basin plans were produced at a time when agencies were trending toward specific basins. With recent expansion of the City's Urban Growth Boundary (UGB) and addition of Urban Reserve (UR), the City will be better served by a comprehensive SMP.

PREVIOUS COUNCIL ACTIONS

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

ANALYSIS

Stormwater is one of four Category A facilities that must be provided in order to approve a zone change application as described in Medford Municipal Code 10.204(B)(3). These facilities, if not adequate, can delay or stop zone change approval. The City recently expanded the Urban Growth Boundary (UGB) and has also identified Urban Reserves for future UGB expansion(s). This new area has not been considered as part of the current SMP. An updated SMP is required in order to assess facility adequacy for zone change applications accurately and expeditiously. Failure to properly identify needed storm drainage facilities may result in expensive rework or cause significant delays in approving future zone change applications.

The SMP will evaluate the City's current Stormwater System Development Charges (SDCs) and monthly utility fee and include recommendations if changes are needed to continue to maintain adequate facilities. The SMP is anticipated to be complete within 24 months of notice to proceed, but the actual completion date will depend on the ability to monitor storms this winter.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Expenditure of \$526,681 is included in Material and Services of the Storm Drain Utility Fund, 2019-2021 Biennial Budget, pg. 9-22.



TIMING ISSUES

Approval at this time will facilitate installation of storm flow monitoring equipment this winter. Delay of awarding this contract may delay flow monitoring until the winter of 2020/2021.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Approve the ordinance for a contract with Brown and Caldwell.

SUGGESTED MOTION

I move to approve the ordinance for a contract to Brown and Caldwell in the amount of \$526,681 to prepare a Stormwater Master Plan.

EXHIBITS

- Ordinance
- Contract on file in the City Recorder's Office.

ORDINANCE NO. 2019-121

AN ORDINANCE awarding a Stormwater Master Plan (SMP) contract in an amount of \$526,681 to Brown and Caldwell.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That a Stormwater Master Plan (SMP) contract in an amount of \$526,681 to Brown and Caldwell, which is on file in the City Recorder's office, is hereby awarded.

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

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2390
STAFF CONTACT: Angela Durant, Principal Planner

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

COUNCIL BILL 2019-122

A resolution adopting the City of Medford's 2019-21 Program Funding Priorities, and the corresponding Homeless System Action Plan Implementation Plan.

SUMMARY AND BACKGROUND

Council is requested to consider approval of a resolution to adopt the City's 2019-21 Program Funding Priorities as listed in Exhibit A and the corresponding Homeless System Action Plan (HSAP) Implementation Plan in Exhibit B. Associated funding sources include the Housing Opportunity Fund (HOF); Community Development Block Grant (CDBG) program; General Fund Grant (GFG) competitive program; and the HSAP Implementation Fund (HSAP IF).

On October 10, 2019, Council considered and provided direction to staff on potential funding priorities and homeless actions recommended for implementation during the current biennium. Based on Council's direction, additional funding opportunities and feedback from community partners, staff has amended the original recommendations reflected in Exhibit C.

PREVIOUS COUNCIL ACTIONS

On November 7, 2019, Council approved Council Bill 2019-118 adopting the Housing Opportunity Fund 2019 funding awards.

On October 10, 2019, Council held a study session and provided direction to staff regarding the 2019 City Funding Priorities and Homeless System Action Plan Implementation Plan.

On February 28, 2019, May 9, 2019, and May 30, 2019, Council held study sessions to establish 2019-21 Council Goals.

On April 25, 2019, Council held a study session to discuss the HSAP with consultants from LeSar Development Consultants.

On April 9 and 16, 2019, Council held G-3 meetings to discuss the HSAP.

On April 5, 2018, Council held a study session to discuss the Medford Livability Team.

ANALYSIS

Council's clear direction to staff triggered amendments to the original funding priorities and implementation tasks presented in the staff memorandum under Exhibit C. Below is a summary of amendments directed by Council, as well as any additional changes made as a result of community feedback and outside funding opportunities.



2019-21 City of Medford Program Funding Priorities (Exhibit A)

- **HOF:** Council directed staff to make no changes.
- **CDBG:** Council directed staff to make no changes.
- **GFG:** Council directed prioritization of 50% rather than 100% of the available “competitive” grant funds to rapid re-housing or housing stabilization programs as summarized in Exhibit A. Council also requested staff strike job training from the list of eligible activities under this prioritization category. Council further directed 50% of the available funds to provide funding to support outside agencies and organizations that care for the needs of Medford residents with programs and services the City itself either cannot, or does not, provide due to lack of facilities, staffing, funding, or other limitations. See Exhibit A for a summary of the types of essential safety net services historically funded through the program.
- **HSAP IF:** Council directed staff to make no changes. Council further directed staff to submit a grant application to Providence Health and Services for \$50,000 that could provide additional outreach and interim housing resources to the Medford Livability Team’s (LVT) Greenway Outreach Program, as originally illustrated on pages 6, 16 and 17 of Exhibit C. The name of this program changed to the Chronically Homeless Outreach Partnership (CHOP) as a result of additional community feedback. This change was recommended because outreach will extend beyond the Greenway. The City submitted the grant application to Providence on October 31, 2019. Members from the LVT, Planning Department, Rogue Retreat and OnTrack will present the CHOP to Providence’s grant advisory board on November 20, 2019. Staff anticipates grant awards will be announced mid-December 2019.

If the Providence grant is awarded, staff estimates total available funds for implementation of the HSAP will increase to \$204,500, which reflects a 36.3% increase in funding availability. The table below provides a summary of the proposed budget:

REVENUES	
City of Medford - Homeless System Action Plan Implementation Fund	\$ 150,000
Providence Health & Services - Community Grant (<i>if awarded</i>)	50,000
CHOP Interim House - Resident Contributions (<i>pending Providence grant</i>)	4,500
TOTAL REVENUES:	\$ 204,500
EXPENDITURES	
Direct Expenses	
Kelly Shelter Dedicated Shelter Beds	\$ 82,000
Reunification Program Expenses	40,000
Overhead	
CHOP Interim House Monthly Lease	36,000
CHOP Interim House Insurance Deductible Reserve	5,000
CHOP Interim House Miscellaneous Supplies	1,800
Administration	
Case Management Salaries - Rogue Retreat (CHOP Interim House)	24,700
Reunification Administration Costs	10,000
Convening Expenses (Develop community solutions for the distribution of goods and services.)	5,000
TOTAL EXPENDITURES:	\$ 204,500



If the Providence grant is not awarded, the City would not lease the interim house from OnTrack and the additional case management through Rogue Retreat would be reduced to include housing placement assistance through the Kelly Shelter, only.

Related to the "*reunification program*" above and identified as Action 5.5 of Exhibit B, staff recommends the City work with the Jackson County Continuum of Care (CoC), through a Request for Interest, to identify the agency to administer the City's reunification program and to develop best practices, standards, and procedures. Twenty percent (20%) is proposed for allocation to administrative costs including case management, working with community partners such as the hospitals, tracking and follow-up, and reporting; while 80% is proposed for allocation to direct expenses for reunification. As supported by the U.S. Department of Housing and Urban Development and in alignment with the City's CDBG program, 20% program administration is an acceptable rate given the program's complexity and existing community capacity to administer a program that upholds strong best practices and accountable performance outcomes.¹

Both the above proposed budget and Exhibit A indicate a potential reduction to the percent of total HSAP IF that may be allocated to develop community solutions around the distribution of goods and services from 7% to 3-7%. This change was driven by community feedback and the likelihood of securing leverage funds from community partners to hold the community forum. In addition, the percentage range proposed to support the CHOP was changed from 60% to 60-64%.

Medford Homeless System Action Plan Implementation Plan (Exhibit B)

The following amendments to the HSAP Implementation Plan are illustrated in Exhibit B (highlighted in orange):

- Move the Acronyms and Abbreviations table to the first page, make minor adjustments to names for better discernment, and add the Medford Livability Team.
- Better clarify under Action 1.2 that the City is not proposing to develop units, but rather support and/or fund the production of 100 units during the current biennium.
- Expand the outreach area referenced under Goal 3 from the Greenway and parks, to include Downtown.
- Change all references associated with the Greenway Outreach Pilot Program to the Chronically Homeless Outreach Partnership.
- Reduce the number of dedicated shelter beds under Action 4.1 to 3-4 beds given the cost of operating a permanent, year-round shelter.
- Correct Action 4.2 which originally stated the year-round shelter will serve as a central point to access the homeless services system. Kelly Shelter residents will apply at Rogue Retreat; and the community currently operates under a multi-access point system.

¹ U.S. Department of Housing and Urban Development. Office of Block Grant Assistance. (November 2007). Basically CDBG.



AGENDA ITEM COMMENTARY

Revisions also propose the City would work with the CoC and other partners to explore the need for a central access point that could also serve as a central point for the distribution of goods and services. The task is proposed for completion by 5/21/2020.

- Amend Action 5.5, adding the CoC as a partner to help identify the agency to administer the City's reunification program and to develop best practices, program criteria and standards. Begin and end dates were changed to 11/22/2019 - 12/31/2019.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Combined biennial funding consideration is estimated at \$2.65 million, with \$800 thousand from the HOF; \$1.4 million from CDBG; \$300 thousand from the GFG; and \$150 thousand from the HSAP IF. This consideration does not include non-competitive GFG biennial funding.

TIMING ISSUES

Staff is requesting Council approval of the City's 2019-21 Funding Priorities and HSAP Implementation Plan in order to launch the City's 2020/21 grant cycle in December 2019 and to proceed with priority implementation tasks proposed in Exhibit B.

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Decline to approve the resolution and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution adopting the City's 2019-21 Funding Priorities and HSAP Implementation Plan.

SUGGESTED MOTION

I move to approve the resolution authorizing adoption of the City of Medford's 2019-21 Program Funding Priorities and the Medford Homeless System Action Plan Implementation Plan.

EXHIBITS

Resolution

EXHIBIT A: 2019-21 City of Medford Program Funding Priorities (*amended*)

EXHIBIT B: Medford Homeless System Action Plan Implementation Plan (*amended*)

EXHIBIT C: October 10, 2019 Staff Memorandum - City Funding Priorities and Homeless System Action Plan Implementation Plan

RESOLUTION NO. 2019-122

A RESOLUTION adopting the City of Medford's 2019-21 Program Funding Priorities, and the corresponding Homeless System Action Plan Implementation Plan.

WHEREAS, on October 10, 2019, Council considered and provided direction to staff on potential funding priorities and homeless actions recommended for implementation during the 2019-21 biennium,

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

That the City of Medford's 2019-21 Program Funding Priorities, and the corresponding Homeless System Action Plan Implementation Plan, on file in the Planning Department, are hereby adopted.

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

ATTEST: _____
City Recorder

Mayor

EXHIBIT A
2019-21 City of Medford Program Funding Priorities
(Amended from the October 10, 2019 Study Session)

Housing Opportunity Fund

100% to projects that develop or redevelop affordable housing units.

Further prioritize projects that offer strong alignment with Oregon's Statewide Housing Plan and seek substantial leverage from other local, state and federal sources.

Community Development Block Grant Program

65% to open competition housing and community development activities identified in the Consolidated Plan.

15% to open competition public service activities.

20% to CDBG program administration and planning activities.

General Fund Grant Program
(competitive funds)

50% to provide operating funds to agencies and organizations providing essential safety net services. The City defines essential safety net services as assistance for emergency care, rape crisis intervention, substance, abuse treatment, medical care, legal services, shelter for women and children, programs for the homeless, support for senior citizens, and child care.

50% to rapid re-housing or housing stabilization programs that provide temporary financial assistance to homeless households or low-income households at risk of losing their housing. Assistance may include rent payments, utilities, mortgage payments, child care, transportation costs, eviction prevention services, and other expenses that help families obtain or maintain stable housing.

Homeless System Action Plan Implementation Fund

60% - 64% to increase outreach and transitional housing options that support the Chronically Homeless Outreach Partnership.

3% - 7% to develop community solutions around the distribution of goods and services.

33% to the development of a "reunification" program in partnership with the Jackson County Continuum of Care.

EXHIBIT B
Medford Homeless System Action Plan Implementation Plan
(Amended from the October 10, 2019 Study Session)

The following table lists the original five goals and 31 actions recommended in the Medford Homeless System Action Plan (HSAP), in order of priority, by LeSar Development Consultants. City Council added the development of a reunification program as a diversion strategy listed under Goal 5, Action 5.5. The table also serves as the HSAP Implementation Plan, which includes staff recommended implementation tasks, responsible groups, proposed resources, and begin/end dates. The implementation plan is intended to serve as a roadmap for the City to develop and/or support programs, partnerships and funding priorities. All actions are proposed for consideration or implementation in some capacity during the 2019-21 Biennium. However, 16 of the 32 are identified as priority actions based on need, timing, funding and ability to implement during the targeted timeframe. Collective feedback from community stakeholders, leadership bodies and Council advisory commissions prompted focus on priority actions that seek to accomplish the following:

- Support the City's Livability Team with outreach and housing resources for **chronically homeless** individuals;
- Support development of permanent and transitional housing options;
- Provide assistance to rapidly rehouse homeless individuals and families;
- Coordinate distribution of services;
- Increase resources for homelessness diversion and prevention;
- Prioritize City funding programs including the Housing Opportunity Fund (HOF), Community Development Block Grant (CDBG), General Fund Grant (GFG) and HSAP implementation funds; and
- Establish City roles to address homelessness and oversee the HSAP.

Acronyms and Abbreviations

Acronym/Abbreviation	Description	Acronym/Abbreviation	Description
CDBG	City of Medford Community Development Block Grant Program	HOF	City of Medford Housing Opportunity Fund
CDGC	Medford Community Development Grants Commission	HSAP	City of Medford Homeless System Action Plan
CCO	Coordinated Care Organization	HTF	Homeless Task Force (CoC Workgroup)
COC	Jackson County Continuum of Care	LVT	Medford Police Department's Livability Team
GFG	City of Medford General Fund Grant Program	MPD	City of Medford Police Department
HAC	Medford Housing Advisory Commission	MURA	Medford Urban Renewal Agency
HCDD	Medford Planning Department's Housing and Community Development Division	RVCOG	Rouge Valley Council of Governments

Goal #1: Increase the Supply of Affordable and Supportive Housing

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #1.1: Continue implementing ad hoc Housing Advisory Committee recommendations, through the newly appointed permanent Housing Advisory Commission including prioritizing affordable housing project review, creating developer incentives, and updating policies and standards to facilitate increased density and innovative housing models.</p>	<p>Maintain current role within HAC and ensure recommendations from this Action Plan are incorporated into ongoing HAC recommendations.</p>	<ol style="list-style-type: none"> 1) Develop Strategic Housing Plan as part of the consolidated planning process required as a CDBG entitlement jurisdiction. 2) Request Council establish funding priorities under the HOF and CDBG programs for the development of affordable housing. 	<ol style="list-style-type: none"> 1) HCDD and HAC 2) HCDD, CDGC, HAC and Council 	<p>HOF, CDBG, GFG, MURA and community leverage</p>	<p>9/1/17 - 6/30/22</p>
Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #1.2: City and County work collaboratively to set annual housing production goals.</p>	<p>Reach out to appropriate County personnel to begin discussions regarding setting goals.</p>	<ol style="list-style-type: none"> 1) City support and/or fund the production of 100 units, as established by the 2019-21 Council Goals. 2) Establish 5-year housing production goal during the CDBG consolidated planning process. 	<p>HCDD, HAC, CDGC and MURA</p>	<p>HOF, CDBG and community leverage</p>	<p>7/1/19 - 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #1.3: City and County work collaboratively to inventory all available publicly-owned land (City, County, State, and Federal) that may be suitable for housing development. Additionally, work with faith-based community and non-profits to identify land they may own for affordable/supportive housing development.</p>	<p>Begin inventorying land and reach out to County personnel to work with them on creating regional inventory list. City and County engage faith-based community and non-profits.</p>	<ol style="list-style-type: none"> 1) Develop Surplus Property List including properties in Downtown and Liberty Park. 2) Work with the COC Housing Pipeline and Faith-based workgroups to identify additional suitable land. 3) Expand surplus property list to include properties, citywide. 4) Research opportunities to create a Community Housing Foundation. 	<ol style="list-style-type: none"> 1) City Manager’s Office and MURA 2) HCDD and COC 3) City Manager’s Office and MURA 4) HCDD and HAC 	<p>City, MURA and COC staffing</p>	<p>9/1/19 – 6/30/21</p>
<p>Action #1.4: Engage private landlords in the city to rent to homeless households and develop a city or region-wide landlord engagement program that could provide funding for financial incentives to local landlords, deposits and application fees, and damage/mitigation funds.</p>	<p>Create landlord engagement campaign targeted at landlords to rent to homeless households. Work with partners to create funding pool that would provide financial incentives to landlords, deposits, damage funds, and other housing related expenses for homeless households to access.</p>	<p>Conduct research and present case studies to HAC and CDGC prior to presentation to Council</p>	<p>HCDD</p>	<p>City staffing</p>	<p>7/1/21 – 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #1.5: Increase RRH resources for non-Veteran households, both families and single adults. It is estimated that the region needs to create a MINIMUM of 83 RRH units for single non-Veteran adults and 22 units for non-Veteran families to meet current demand.</p>	<p>City needs to prioritize existing City funds that could be used for the rental assistance portions of RRH. The City should also work with the Housing Authority to understand if there are any rental assistance funds that could be paired with City funds for the use of RRH. The City should then engage in discussions with the County and CCO's to help determine funds to be used to provide the case management support with the rental assistance. The City can work with COC to determine best way to roll out the new RRH program</p>	<ol style="list-style-type: none"> 1) Develop strategic RRH program in partnership with the COC. 2) Request Council establish funding priorities under the GFG program. 3) Establish a performance goal that 85% of households served are stabilized in housing for six months or longer, which mirrors Oregon Housing and Community Services' 2019-23 homelessness goal. 	<p>HCDD, HAC, and CDGC and Council</p>	<p>CDBG, GFG and community leverage</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #1.6: Increase the supply of new PSH units for Non-Veteran single adults. It is estimated that the region needs to create a MINIMUM of 259 PSH units (Includes 245 for non-Veteran single adults and 14 for non-Veteran families to meet current demand).</p>	<p>Prioritize the creation of new PSH. This can include acquiring and rehabbing underutilized or closed hotels or motels, using pre-fabricated or modular units on City-owned land while traditional development is considered, and use City-owned property for PSH development. Work with County, VA, CCOs, and ACCESS to discuss funding of supportive services.</p>	<ol style="list-style-type: none"> 1) Develop Surplus Property List referenced in Action 1.3 and work with community partners to explore opportunities with hotels and/or modular units. 2) Develop Strategic Housing Plan as referenced Action 1.1 which will include strategies to increase production of PSH units. 	<ol style="list-style-type: none"> 1) City Manager's Office and MURA 2) HCDD and HAC 	<p>HOF, CDBG and community leverage</p>	<p>9/1/19 – 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #1.7: Engage the County, Housing Authority, CCO's, and hospitals to create a PSH pilot targeted to frequent users of healthcare systems.</p>	<p>Convene partners to discuss the creation of a PSH pilot that could be targeted to high-cost homeless individuals. To quickly create a pilot, the most efficient way would be to determine how to create new PSH rental assistance (in form of voucher or other source) and pair with services funds ideally funded by the healthcare sector.</p>	<p>Facilitate a convening including interested culturally specific services providers, behavioral health providers, housing developers, housing funders, Medicaid funders, elected officials, City staff and lived experience.</p>	<p>HCDD and HAC</p>	<p>HOF, CDBG, GFG and MURA</p>	<p>12/18/19 – 6/30/22</p>
<p>Action #1.8: Explore zone changes that would facilitate development of affordable housing, including density bonuses, multi-family zoning, and by-right development</p>	<p>City is responsible for this action.</p>	<ol style="list-style-type: none"> 1) Develop code amendment to address the multi-family residential review process (by-right development) 2) Complete City-initiated zone and GLUP change project 	<p>Planning Department, Planning Commission and HAC</p>	<p>City staffing</p>	<p>8/1/19 – 3/31/20</p>
<p>Action #1.9: Implement an ADU program to include SDC waivers. Explore opportunities to create a low-interest ADU loan program for homeowners. Develop permit-ready ADU design options.</p>	<p>City is responsible for this action.</p>	<p>Develop ADU and SDC Reduction programs for implementation during the second round of the HOF</p>	<p>HCDD and HAC</p>	<p>HOF, General Fund and City staffing</p>	<p>10/10/19 – 3/31/20</p>

Goal #2: Increase Leadership, Collaboration and Funding

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #2.1: Identify a single point of contact within the City who is responsible for homelessness and can oversee Action Plan implementation.</p>	<p>City is responsible for this action.</p>	<ol style="list-style-type: none"> 1) Develop a proposal to the CDGC for recommendation to Council to amend Medford Code 2.441: a) increase the membership to include two individuals with lived experience; b) increase the voting members constituting a quorum to six members; and c) add “acting as the advisory body to Council on matters associated with homelessness” and “implementing the Homeless System Action Plan” as statutory responsibilities. 2) Appoint HCDD staff as the single point of contact for the HSAP. 	<p>CDGC and HCDD</p>	<p>City staffing</p>	<p>9/25/19 – 12/31/19</p>
<p>Action #2.2: Continue to assess the estimated City and public costs of managing homelessness, including calculating staff time, emergency response, property damage, etc. Use the information to quantify needs and continue to strengthen the business case to invest in housing and services for homeless households.</p>	<p>Work with other sectors including healthcare and criminal justice to identify the costs associated with homelessness.</p>	<p>Complete a Cost Analysis of Homelessness</p>	<p>HCDD, CDGC and COC</p>	<p>CDBG and community leverage</p>	<p>7/1/20 – 12/31/21</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #2.3: Create a cross-sector Funders Collaborative that includes both public- and private- sector funders.</p>	<p>Convene all regional public and private funders to establish a regional funders collaborative to begin discussion of funding needs, priorities, and best way to align and increase funding for impact.</p>	<p>City is now an active member of the Jefferson Funders Forum, which is an existing regional funders collaborative.</p>	<p>HCDD staff</p>	<p>City staffing</p>	<p>9/12/19 – ongoing</p>
<p>Action #2.4: Support creation and implementation of a City and faith-based collaborative to identify shared goals, coordinate activities, and explore opportunities related to safe parking programs, shared housing opportunities, and affordable housing development. (This can be combined or expanded with COC Faith- Based Workgroup)</p>	<p>Convene all faith-based organizations within the City on an ongoing basis to discuss needs, strategies, and share best practices.</p>	<ol style="list-style-type: none"> 1) Facilitate a convening of all organizations that distribute services to the homeless including nonprofits, faith-based organizations, known individuals and businesses. 2) Request Council establish funding priorities under the HSAP to cover associated costs. 	<ol style="list-style-type: none"> 1) HCDD, HTF, CDGC and MPD 2) HCDD, CDGC, HAC and Council 	<p>HSAP</p>	<p>1/6/20 – 1/30/20</p>
<p>Action #2.5: Support creation and implementation of a City and business sector work group to address issues, develop education materials, and explore partnership opportunities related to workforce development and training.</p>	<p>Convene the Chamber, DMA, and other interested businesses in the City on an ongoing basis to discuss needs, strategies, and share best practices.</p>	<p>Facilitate initial convening to establish local interest</p>	<p>HCDD and CDGC</p>	<p>City staffing</p>	<p>7/15/20 – 12/31/19</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #2.6: Support the creation and implementation of a Lived Experience Advisory Board that would provide input on City policies and programs as well as regional approaches. Determine with the COC, if this is best created at a regional level as part of the COC but could still provide input on City specific activities.	Work with COC and other non-profits to identify potential board members who are current or past participants in homeless services or have been homeless in the city. Act as the group convener and support Board members with incentives for their participation.	<ol style="list-style-type: none"> 1) Develop a proposal to the CDGC for recommendation to Council to amend Medford Code 2.441: a) increase the membership to include two individuals with lived experience; b) increase the voting members constituting a quorum to six members; and c) add “acting as the advisory body to Council on matters associated with homelessness” and “implementing the Homeless System Action Plan” as statutory responsibilities. 2) Make a request to the COC that one of the members with lived experience be appointed to the COC Board. 	HCDD	GFG Program	12/4/19 – 1/1/20
Action #2.7: Create an area resource map using Geographic Information Systems (GIS).	Work with COC and other partners to identify and document available resources for homeless households throughout the city.	<ol style="list-style-type: none"> 1) Resource completed. 2) Obtain the enhanced resources list from the COC Manager to provide to the Medford Livability Team for distribution. 	<ol style="list-style-type: none"> 1) RVCOG 2) HCDD 	RVCOG and City staffing	10/15/19 - ongoing
Action #2.8: Continue to participate and provide leadership within the COC and invest in build-out of infrastructure through the COC.	Work with COC to determine infrastructure needs of the COC and dedicate funds with other regional partners.	City funds COC through noncompetitive GFG program.	City leadership staff and Council	GFG	ongoing

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #2.9: Require applicants demonstrate adherence to best practices and community standards in all City contracts for homeless services.	City is responsible for this action but may need input from COC on community standards.	Add best practices and standards to the City’s CDBG public services and capital improvement project guidebooks and update contracts to include federally recommended standards.	CDGC and COC	CDBG, City and COC staffing	8/5/2020 - ongoing
Action #2.10: Develop a performance culture within the City where City funds are only provided to programs that demonstrate positive outcomes. Review current contracts and potentially shift funding to higher performing projects.	City is responsible for this action but may need input from COC on performance measures.	1) Enhance City’s quarterly performance reporting platform and regularly attend Jefferson Funders Forum meetings and implement best practices for measuring performance outcomes learned through the JFF. 2) Hold training on evidence-based performance measurement for all City grant recipients.	HCDD and CDGC	City staffing	2/26/20

Goal #3: Address Unsheltered Homelessness and Encampments

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #3.1: Create a Chronically Homeless Response Group to support activities and increase collaboration between key agencies and outreach partners such as street outreach personnel, MPD, Public Works, Behavioral Health and businesses.	Convene all partners who have a stake in unsheltered homelessness and encampments.	Establish group similar to the Neighborhood Livability Team and hold regular meetings to target individuals through the Chronically Homeless Outreach Partnership referenced in Action 3.3	MPD Livability Team	City’s and other agency’s staffing	9/19/19 – 6/30/22

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #3.2: Increase resources for non-uniformed street outreach services dedicated to single adults and pair outreach staff with MPD.</p>	<p>Dedicate City funds to increasing street outreach services and work with County and other partners such as CCO's and business groups to identify funding to match.</p>	<p>Target specific partners to develop sustainable volunteer outreach program to accompany the LVT along the Greenway, in parks and Downtown.</p>	<p>HCDD, MPD, CDGC and HTF</p>	<p>HSAP, CDBG, City staffing and community volunteerism</p>	<p>9/3/19 – 6/30/22</p>
<p>Action #3.3: Create a pilot to address encampments on the Greenway, in parks, and Downtown to assess individuals, provide intensive supports, and offer housing placements.</p>	<p>As part of Chronically Homeless Response Ad Hoc Working Group discuss idea of a pilot.</p>	<ol style="list-style-type: none"> 1) Establish the Chronically Homeless Outreach Partnership pilot program, which may include dedicated shelter beds, an interim housing facility, integrated mental health and addictions recovery services, jobs training and permanent housing placement services. This program is meant to be a primary resource for the LVT to house chronically homeless individuals. Data will be collected through the working group referenced in Action 3.1. 2) Request Council establish funding priorities under the HSAP to lease one housing unit with 4-5 rooms to provide an interim, co-housing resource for the LVT. 	<ol style="list-style-type: none"> 1) MPD, HCDD, CDGC and community partners 2) HCDD, CDGC, HAC and Council 	<p>HSAP, shared resources from partners and local grants</p>	<p>10/18/19 – 6/30/22</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #3.4: Update City policies related to encampment abatement to include proactive outreach responses and offer support prior to 24-hour posting and abatement.	City is responsible for this action. Update policies based on input from Ad Hoc Working Group and pilot activities	Assess through the Chronically Homeless Outreach Partnership to identify and update outreach responses, accordingly.	MPD	City staffing	1/1/20 – 6/30/22

Goal #4: Increase Temporary Housing Programs and Successful Placements

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
Action #4.1: Support the creation of a year-round, low barrier shelter program for single adults, families, and couples. Keep the winter shelter program during first year of operation and consider if needed beyond that timeframe.	Identify site within the city to be used for shelter program and provide funding to help develop and operate as needed.	<ol style="list-style-type: none"> 1) Year-round shelter completed. 2) Request Council establish a funding priority under the HSAP to provide financial assistance to the shelter in exchange for 3-4 dedicated beds to support the LVT. 3) Support the search for a location to maintain a temporary winter shelter in addition to the new year-round shelter. 	<ol style="list-style-type: none"> 1) ACCESS and Rogue Retreat 2) HCDD, HAC, CDGC and Council 3) HCDD, CDGC, COC, Rogue Retreat, Fire Department and Building Safety Department 	HSAP, CDBG, and City, COC and agency staffing	10/15/19 – 6/30/22
Action #4.2: As part of year-round shelter, consider creating a Central Access Point within the city that could be the starting place for all populations to access the homeless services system.	Work with COC to understand if this is needed.	Work with the CoC and other partners to identify the need for and options related to a central access point that could also serve as a site for distribution of services.	CDGC, CoC, and other partners	Community partners	11/22/19 - 5/21/20

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date - End Date
<p>Action #4.3: Only provide City funds to temporary housing programs that have adopted best practices such as Housing First that includes a low barrier entry criteria and harm reduction, uses HMIS, and uses the CES.</p>	<p>City is responsible for this action.</p>	<p>Hold study session to research best practices and the effective use of multiple models for addressing homelessness.</p>	<p>HCDD, CDGC and COC</p>	<p>City and COC staffing</p>	<p>12/18/19 - 3/18/20</p>
<p>Action #4.4: Work with interested churches to create safe parking programs in their parking lots. Promote partnerships that provide funding to churches to ensure adequate restrooms and basic services at the lots and funds for service engagement. Engage church volunteers to assist with other services at the parking lots.</p>	<p>Engage area churches to develop safe parking programs. Identify funds to provide to area non-profits or churches to operate programs. Engage COC to ensure that parking programs are interacting with CES.</p>	<ol style="list-style-type: none"> 1) Identify 1-2 interested churches to implement a pilot program, potentially using City funding for rehabilitation costs to meet code requirements including access to restrooms and based services. 2) Review code to consider including nonprofits as authorized organizations to offer safe parking under certain circumstances. 	<ol style="list-style-type: none"> 1) CDGC and COC 2) Planning Department, City Attorney and Fire Department 	<p>HSAP, CDBG, and City and COC staffing</p>	<p>3/1/20 - 6/30/20</p>

Goal #5: Increase Diversion and Prevention Strategies

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #5.1: Increase resources for homelessness prevention and ensure City funds are targeted to households most likely to become homeless and funds are used efficiently.</p>	<p>Conduct assessment of current contracts where the City is providing funds for homelessness prevention and/or emergency assistance and evaluate target populations and outcomes. Based on assessment, increase funding for activities that are making an impact in preventing households from becoming homeless.</p>	<ol style="list-style-type: none"> 1) Request Council establish a funding priority under the GFG program to increase funding to housing stabilization programs that provide temporary financial assistance to low-income households at risk of losing their housing. Assistance may include rent and utilities, mortgage payments, child care, transportation costs, eviction prevention services, job training expenses, etc. 2) Implement the 85% performance standard presented in Action 1.5. 	<p>HCDD, CDGC, HAC and Council</p>	<p>GFG and CDBG</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #5.2: Provide increased funding for legal services to support City residents facing eviction.</p>	<p>City is responsible for this action.</p>	<p>Request Council establish a funding priority under the GFG, as referenced under Action 5.1. Center for Nonprofit Legal Services is the only local agency offering eviction prevention services to low-income residents.</p>	<p>HCDD, CDGC, HAC and Council</p>	<p>GFG</p>	<p>10/10/19 – 6/30/22</p>
<p>Action #5.3: Increase diversion training and activities and incorporate into CES and temporary housing programs.</p>	<p>Provide funding to COC to create and expand Diversion training to non-profits. Work with partners such as the County to provide match.</p>	<p>Hold study session with CDGC and COC Manager to explore priority need.</p>	<p>HCDD, CDGC and COC Manager</p>	<p>GFG</p>	<p>3/25/20</p>

Actions	Role of the City	Proposed Implementation Task(s)	Responsible Group(s)	Proposed Resources	Begin Date – End Date
<p>Action #5.4: As part of a diversion strategy, increase shared housing and/or roommate matching strategies to connect homeowners who may have a room to rent or to connect homeless individuals together to live as roommates.</p>	<p>Work with COC to engage in discussions with COC partners to discuss shared housing models.</p>	<p>Hold study session through the HAC and CDGC to explore opportunities and existing code.</p>	<p>HAC, CDGC, Planning Department, COC Manager, and ACCESS Housing Director</p>	<p>City's and organization's staffing</p>	<p>7/15/20</p>
<p>Action #5.5: As directed by Council, increase resources to reunite homeless individuals with their family or support network outside the City of Medford.</p>	<p>Work with the COC and other interested partners to develop a reunification program that follows best practices and community standards.</p>	<p>Work with CoC, through a Request for Interest, to identify an agency to administer the program and to develop best practices, standards and procedures.</p>	<p>HCDD, CDGC and COC</p>	<p>HSAP \$50K</p>	<p>11/22/19 - 12/31/19</p>



EXHIBIT C
MEMORANDUM

To: Mayor and Council

From: Angela Durant, Principal Planner

Study Session Date: October 10, 2019

Subject: City Funding Priorities and Homeless System Action Plan Implementation Plan

COUNCIL DIRECTION

Staff is seeking Mayor and Council direction on the City of Medford Funding Priorities Recommendation referenced herein and the corresponding Homeless System Action Plan (HSAP) Implementation Plan in Exhibit A. Associated funding sources for consideration include: 1) Housing Opportunity Fund (HOF); 2) Community Development Block Grant (CDBG); 3) General Fund Grant (GFG); and 4) HSAP implementation funding.

PRESENTATION OUTLINE

- Presentation overview and recommendation – Angela Durant and Chief Scott Clauson
- Discussion and Direction – Mayor and City Council

PREVIOUS STUDY SESSIONS AND G-3 MEETINGS ON THE TOPIC

- Council held study sessions to establish 2019-21 Council Goals on February 28, 2019, May 9, 2019 and May 30, 2019.
- On April 25, 2019, Council held a study session to discuss the HSAP with consultants from LeSar Development Consultants.
- Council held G-3 meetings to discuss the HSAP on April 9 and 16, 2019.
- On April 5th, 2018, Council held a study session to discuss the Livability Team.

PREVIOUS COUNCIL APPOINTED ADVISORY COMMISSION MEETINGS ON THE TOPIC

- On September 25, 2019, the Housing Advisory Commission (HAC) and the Community Developments Grants Commission (CDGC) passed a motion to approve the HSAP

Implementation Plan and the Funding Priorities Recommendation for the 2019-21 Biennium, as presented by staff.

- On August 21, 2019, the CDGC held a study session with Medford Police Chief, Scott Clauson and the Continuum of Care Manager, Connie Wilkerson to more effectively narrow the focus on HSAP priority actions.
- July 17, 2019, the CDGC and HAC held a joint study session to identify specific HSAP priority actions for consideration by Council.
- The CDGC provided feedback to staff on the goals and actions recommended in the HSAP during regular meetings held on May 1, 2019, May 15, 2019 and June 5, 2019.
- On May 22, 2019, the HAC held a study session to discuss the HSAP.

BACKGROUND

Over the past several years, the City of Medford has been diligent in exploring and implementing strategies to reduce barriers to the development of affordable housing, address homelessness and improve housing instability. The following key strategies are directly associated with staff's request for Council direction:

- Appoint and roster the CDGC and HAC with experts in the fields of lending, real estate, multifamily housing operation, affordable housing development, tenant organization, budget/finance, healthcare, social services, local business, workforce development, and education. This holistic approach is designed to increase capacity and stimulate greater impact through strategic recommendations to Council on complex issues such as housing and homelessness.

The CDGC was appointed to advise Council on the strategic investment of City grant resources including the CDBG and GFG programs. Primary commission objectives include helping address the obstacles of the community's underserved populations through the administration of City resources and seeking additional resources through new grant opportunities and partnerships. Implementation of the HSAP and administration of supporting City funding is in alignment with the CDGC's charge.

The HAC was appointed to implement strategies to remove policy and cost barriers to the development of affordable housing for low- to moderate-income households. One of the highest priorities of the HAC has been to launch and administer the HOF. The goal of the HOF is to *increase, improve, and preserve supportive and attainable housing to meet the needs of the citizens of Medford*. The HOF provides the community with a local, flexible funding source to incentive development and provide leverage to capture additional resources from funders with aligning goals and objectives.

- Complete the HSAP to accomplish three primary objectives: 1) define the City's role in addressing homelessness and housing instability; 2) identify actionable goals for the City to implement and/or support based on identified system and service gaps; and 3) develop a driving document to assist Council with establishing priorities, partnerships and funding decisions over the next several biennia.
- Hold an annual Council study session in October to establish funding priorities that address the community's real-time priority needs in alignment with Council's goals and strategies, as well as with those of other primary funders in a manner that can help our community capture additional leverage and garnish greater impact. This strategy mirrors the recent work of Oregon Housing and Community Services (OHCS) which is to create a streamlined calendar and transparent alignment of funding opportunities. OHCS accomplishes this in October.
- Budget additional City resources for the implementation of the HSAP and creation of the Medford Livability Team to strategically address homelessness.

STAFF ANALYSIS

In addition to previous meetings held by Council, the HAC and the CDGC, City staff presented the HSAP's recommended goals and actions to the Continuum of Care Board, Regional Public Managers Group, Homeless Task Force and the City Leadership Team. Collective feedback from these leadership groups and other key stakeholders has been the driving influence to the development of the proposed implementation plan and funding priorities; both of which are based on need, timing, funding, and ability to complete the proposed actions in the current biennium. As presented in Exhibit B, **2019-21 Council Goals**, implementation of the HSAP and funding priorities for the current biennium seek to accomplish the following:

- Develop 100 housing units affordable to households with incomes up to 120% of AMI
- Increase the supply of supportive housing
- Address unsheltered homelessness and encampments
- Increase temporary housing programs that lead to permanent housing placements
- Increase collaboration with nonprofits, faith-based organizations, businesses and other government agencies
- Coordinate efforts with the Continuum of Care (COC)
- Expand diversion and prevention strategies through partnerships and funding

Staff recommendations are also in alignment with priorities, goals, strategies and actions taken from other key local, state and federal plans to address housing and homelessness, including the following:

- Medford 2015-19 Consolidated Plan Goals, Objectives and Strategies (Exhibit C)
- Breaking New Ground: Oregon's Statewide Housing Plan Summary (Exhibit D)
- Jackson/Josephine 2019-2022 Community Health Improvement Plan Priorities (Exhibit E)
- The Federal Strategic Plan to Prevent and End Homelessness (Exhibit F)

The HSAP has served as a tool to help develop clarity and focus on specific actions that are appropriate for the City to implement and/or support through funding, partnerships and policy. Strong consensus has landed on the following priorities, which are reflected in the recommended implementation tasks in Exhibit A:

- Support the City's Livability Team with outreach and housing resources for individuals along the Greenway
- Support development of permanent and transitional housing options
- Provide assistance to rapidly rehouse homeless individuals and families
- Coordinate distribution of services
- Increase resources for homelessness diversion and prevention
- Establish City roles to address homelessness and oversee the HSAP
- Establish priorities for City funding programs including the HOF, CDBG, GFG and HSAP implementation fund

FINANCIAL AND/OR RESOURCE CONSIDERATION

Combined biennial funding consideration is estimated at \$2.65 million, with \$800 thousand from the HOF; \$1.4 million from CDBG; \$300 thousand from the GFG; and \$150 thousand from HSAP implementation funds. This consideration does not include non-competitive GFG biennial funding.

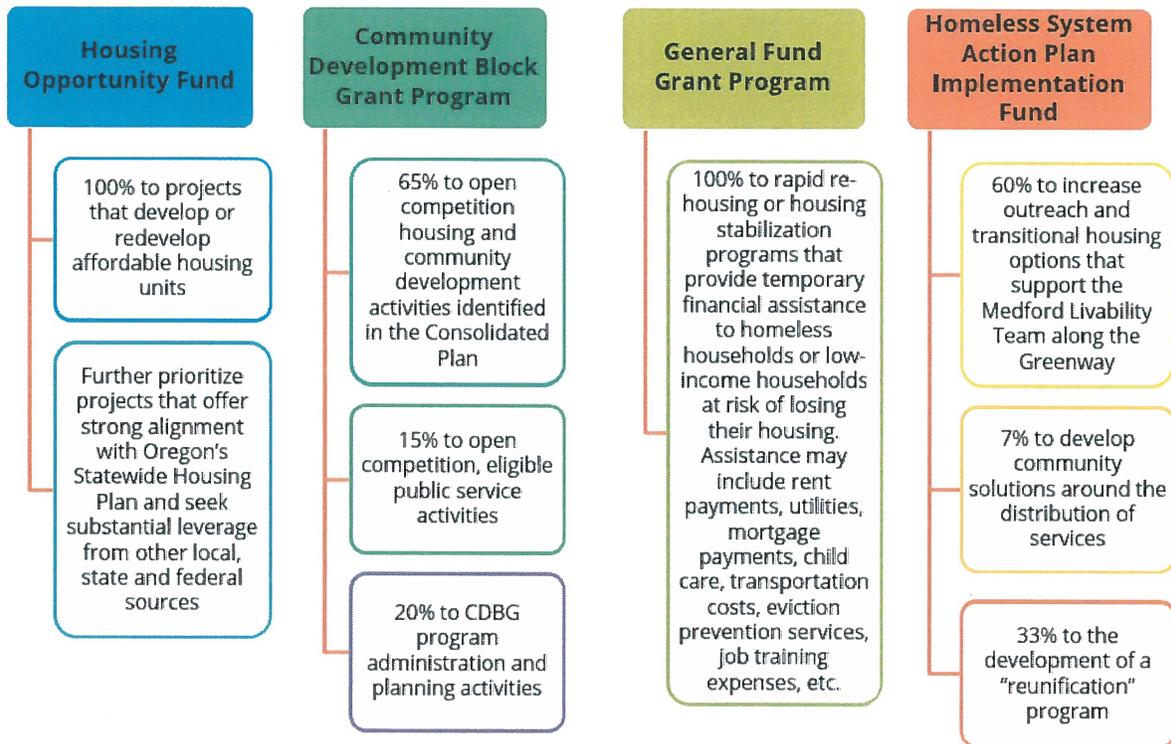
FUNDING PRIORITIES RECOMMENDATION

Extensive analysis and collection of community feedback inspires a concise funding priorities recommendation that not only provides a roadmap for strategic community investment of City resources, but also establishes a certain level of efficiency that may expand the City's capacity to develop new programs and capture additional resources. Given the regulatory complexities and nondiscretionary funding schedule of the CDBG program; which is over 50% of the City's combined resources, staff is recommending the HOF and GFG be more narrowly focused toward housing development and stabilization activities that demand

more flexible, discretionary administration. This strategy may help the City more efficiently reach housing production and homeless prevention goals. Furthermore, staff recommends the City establish specific measurable housing related goals in alignment with Oregon's Statewide Housing Plan.

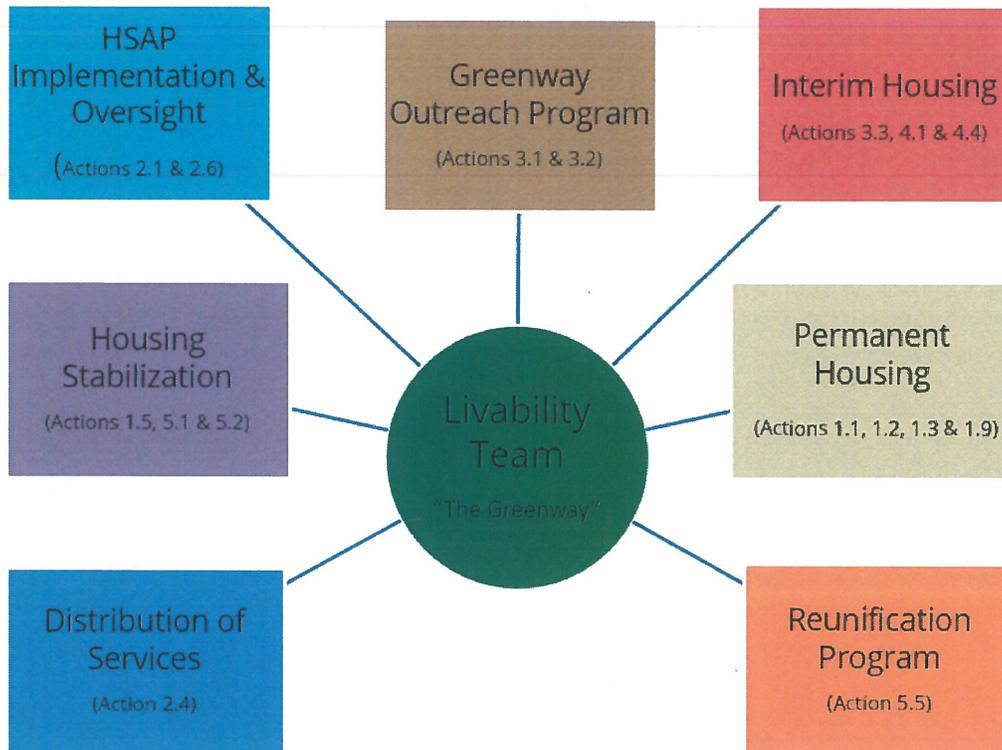
The following chart summarizes recommendations for funding priorities under each program.

City of Medford Funding Priorities Recommendation



The chart to follow illustrates seven categories, including 16 priority actions from the HSAP that are recommended for implementation and/or funding during the first year of the current biennium.

2019-20 HSAP Implementation Plan (Priority Actions)



The highlighted list below further describes the seven recommended categories by providing specific next steps, which are also described in Exhibit A:

Greenway Outreach Pilot Program

- Enhance outreach through the new Medford Livability Team and volunteer partnerships
- Target 10-15 chronically homeless individuals along the Greenway as a pilot study
- Develop a committee similar to the existing Neighborhood Livability Team to track individuals
- Research Department of Justice and other funding opportunities to sustain program funding

Interim Housing

- Provide funding to the new year-round shelter in exchange for 5-8 dedicated beds to support the Livability Team's Greenway Outreach Program

- Lease existing housing unit to provide an interim, co-housing resource for the Livability Team's Greenway Outreach Program
- Secure partners to support the interim housing resource with integrated services including case management, mental health and addiction recovery, jobs training and housing placement
- Seek leverage resources from foundations, hospitals and coordinated care organizations
- Solicit 1-2 churches interested in the safe parking program to analyze program barriers
- Consider funding rehabilitation costs associated with safe parking program requirements
- Review Medford Municipal Code (MMC) 5.557 to consider allowing nonprofits to offer the program

Reunification Program

- Hold collaborative study session with stakeholders to develop the program
- Work with CoC to establish program criteria, best practices, and policies and procedures

Distribution of Services

- Facilitate a convening of service providers including nonprofits, faith-based organizations, individuals and businesses
- Develop solutions for issues associated with the distribution of services
- Develop recommendation regarding the need for a centralized location and potential sites

Housing Stabilization

- Establish program funding priorities under the GFG to increase direct assistance to rapidly rehouse or stabilize housing for households that are homeless or at risk of homelessness
- Establish performance goal that 85% of households served are stabilized in housing for six months or longer, which mirrors OHCS' 2019-23 homelessness goal

HSAP Implementation and Oversight

- Amend MMC 2.441 to expand the advisory capacity of the CDGC to include implementation of the HSAP and other matters associated with homelessness
- Add two members from lived experience to the CDGC to improve performance outcomes

Permanent Housing

Continue efforts to increase development of affordable housing by addressing barriers, implementing economic incentives, identifying supporting resources, and cultivating partnerships

EXHIBITS

- Exhibit A: 2019-21 Homeless System Action Plan Implementation Plan
- Exhibit B: 2019-21 Council Goals
- Exhibit C: City of Medford 2015-19 Consolidated Plan Goals, Objectives and Strategies
- Exhibit D: Breaking New Ground: Oregon's Statewide Housing Plan Summary
- Exhibit E: 2019-2022 Jackson and Josephine Counties Community Health Improvement Plan Priorities
- Exhibit F: The Federal Strategic Plan to Prevent and End Homelessness

Thank you,
Angela Durant
Housing & Community Development Division Principal Planner



AGENDA ITEM COMMENTARY

DEPARTMENT: City Manager's Office

PHONE: (541) 774-2000

STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: Ordinances and Resolutions

MEETING DATE: November 21, 2019

COUNCIL BILL 2019-123

A resolution approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district.

SUMMARY AND BACKGROUND

Council is requested to consider approval of two resolutions approving the Jackson County, Oregon, Board of Commissioners to form a county service district for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The name of the proposed district is the Jackson County Local Correctional Facility Service District (hereinafter "District"). The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County.

The territory of the City may only be included within the boundaries of the District if the City Council adopts a resolution approving the proposed Jackson County Order Initiating Formation of a Jackson County Law Enforcement Service District.

The Council is being asked to approve two resolutions to allow for an alternate plan should the City of Talent choose not to support the District which would have an effect on the property tax rate. The law only allows the creation of one service district for a particular purpose so only one proposed plan will move forward to create a service district. This agenda item is for the resolution including the City of Talent. The next agenda item is for the resolution excluding the City of Talent. If both resolutions are approved, the matter can move forward regardless of the decision of the City of Talent. If only one resolution is approved, the City of Medford's inclusion within the District would become contingent on the decision of the City of Talent.

This resolution is essentially the same information as approved at the May 2, 2019 meeting with a small rate increase due to time lapse and increases in building costs.

PREVIOUS COUNCIL ACTIONS

On May 10, 2018, a study session was held where Jackson County Sheriff Nathan Sickler presented a history of the local jail. This information included an initial study on the amount of space that is needed for a new facility.

On May 2, 2019, Council approved Resolution 2019-33 consenting to the inclusion of all the territory of the City within the boundaries of the proposed Jackson County Local Correctional Facility Service District. Had it been placed on the November ballot as originally planned, Jackson County voters would have been asked to establish a tax rate of \$0.8353 per \$1,000 of assessed value.



ANALYSIS

The current jail facility was built in 1981 and was designed to hold 176 people. The facility has been expanded over the years hold 300 with a night time maximum of 315. Information presented at the May 2018 study session included:

- Inmate numbers impact workload for staff, mental health issues for inmates, as well as officer and inmate safety.
- The current lack of jail space impacts multiple other agencies in the area due to increased crime, offenders not being held accountable and often reoffend, lack of availability of mental health services and drug/alcohol treatment.
- Existing building would be difficult to modify or remodel to add extra rooms.

Due to the increase in the population of Jackson County since the opening of the current Jackson County Jail and other factors, the current Jackson County Jail is insufficient for the needs of the County; and in 2017, the Jackson County Jail was required to release approximately 7,000 inmates prior to their first court appearance solely due to a lack of capacity.

Forced releases of inmates due to lack of capacity in the Jackson County Jail have impacted the entire criminal justice system in Jackson County including, in 2017 alone, over 10,000 warrants being issued for criminal defendants failing to appear for required court appearances and over 7,000 lodgings into the jail for repeat offenders.

The current Jackson County Jail, due to its design and limited capacity, is not conducive to providing comprehensive services to inmates suffering from mental health issues or addiction.

Council approval of this resolution does not establish a position on the ballot measure for the formation of the District to the voters. Council may choose to develop such a position in the event that the Board of Commissioners refer this item to the voters.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There are no financial resources committed by the City or residents as a result of approving the resolutions.

Jackson County voters will be asked to establish a permanent property tax rate limit per \$1,000 of assessed value for the District as authorized by ORS 451.547. The rate to include all county territory (including the City of Talent) within the boundaries of the proposed District would be \$0.8547 per \$1,000 of assessed value. That is the applicable rate for this resolution, which includes the City of Talent. To compare, without the City of Talent, the rate would be \$0.8719 per \$1,000 of assessed value. Rate increases from the first resolution approved at the May 2, 2019 are due to time lapse and increases in building costs.



Service District Territory	Tax Rate Per \$1000 Assessed Value
All county territory approved under Resolution 2019-33	\$0.8353
New Ask for All county territory	\$0.8547
New Ask for All county territory except City of Talent	\$0.8719
Difference w/o City of Talent	\$0.0172

TIMING ISSUES

Council is requested to consider these resolutions in order for the Board of Commissioners to complete their necessary approvals for consideration of placement on the May 2020 ballot.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the resolution as presented.

SUGGESTED MOTION

I move to approve the resolution approving a Jackson County Order to initiate formation of a Jackson County Law Enforcement Service District to include all of Jackson County, including the City of Talent, and consenting to the inclusion of City territory within the boundaries of the district.

EXHIBITS

- Resolution to include all of Jackson County
- Jackson County Proposed Order to Initiate Formation of a Law Enforcement Service District to include all of Jackson County

RESOLUTION NO. 2019-123

A RESOLUTION approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district.

WHEREAS, the Jackson County, Oregon, Board of Commissioners intends to form a county service district for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The name of the proposed district is the Jackson County Local Correctional Facility Service District (hereinafter "District"). The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County;

WHEREAS, the Jackson County Board of Commissioners may initiate the formation of the District by adopting an order under authority of ORS 198.835. The Board proposes to include all county territory within the boundaries of the proposed District;

WHEREAS, Jackson County voters will be asked to establish a permanent property tax rate limit of \$0.8547 per \$1,000 of assessed value for the District as authorized by ORS 451.547;

WHEREAS, the territory of the City may only be included within the boundaries of the District if the City Council adopts a resolution approving the proposed Jackson County Order Initiating Formation of a Jackson County Law Enforcement Service District. The proposed Order is attached hereto; and

WHEREAS, the City Council believes that a law enforcement service district for the construction, operation, and maintenance of a local correctional facility in Jackson County is in the best interests of the citizens of the City.

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

The City of Medford, Oregon, hereby consents to the inclusion of all the territory of the City within the boundaries of the proposed Jackson County Local Correctional Facility Service District, and approves the Jackson County Board of Commissioners' proposed Order Initiating the Formation of a Jackson County Law Enforcement Service District in substantially the form attached hereto.

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

Attest: _____
City Recorder

Mayor

BEFORE THE BOARD OF COUNTY COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF INITIATING THE) ORDER NO. _____
FORMATION OF A JACKSON COUNTY LAW)
ENFORCEMENT SERVICE DISTRICT)

WHEREAS, when the current Jackson County Jail opened in 1981, the population of Jackson County was approximately 134,500 residents; and

WHEREAS, due to the increase in the population of Jackson County since the opening of the current Jackson County Jail and other factors, the current Jackson County Jail is insufficient for the needs of the County; and

WHEREAS, in 2017, the Jackson County Jail was required to release approximately 7,000 inmates prior to their first court appearance solely due to a lack of capacity; and

WHEREAS, forced releases of inmates due to lack of capacity in the Jackson County Jail have impacted the entire criminal justice system in Jackson County including, in 2017 alone, over 10,000 warrants being issued for criminal defendants failing to appear for required court appearances and over 7,000 lodgings into the jail for repeat offenders; and

WHEREAS, the current Jackson County Jail, due to its design and limited capacity, is not conducive to providing comprehensive services to inmates suffering from mental health issues or addiction; and

WHEREAS, Chapter 451 of the Oregon Revised Statutes (ORS) provides for the establishment of a county service district for law enforcement services which includes authority for the construction, maintenance, and operation of installations, works, or services provided for the purpose of law enforcement services; and

WHEREAS, the construction, maintenance, and operation of a local correctional facility is a law enforcement service purpose; and

WHEREAS, without the establishment of a county service district for law enforcement services, Jackson County will not be able to construct, operate, and maintain a new local correctional facility which adequately meets the needs of the County; and

WHEREAS, ORS 451.435 provides that all county service districts shall be initiated, conducted, and completed as provided by ORS 198.705 to 198.955; and

WHEREAS, ORS 198.835 authorizes the county board of commissioners to initiate the formation of a district by an order and sets forth the requirements of that order including setting the date, time, and place of a public hearing on the proposal to form the district; and

WHEREAS, ORS 198.840 requires that notice of the public hearing on the proposal be given in the manner set forth in ORS 198.800, except that the notice shall state that the County Board has entered an Order declaring its intention to initiate the formation of a county service district.

Now, therefore,

The Board of County Commissioners of Jackson County ORDERS:

1. The Board intends to initiate formation of a county service district for law enforcement services in Jackson County as authorized pursuant to ORS 451.010(1)(n) and ORS Chapter 451, which is the principal Act governing the formation of such a district, for the purpose of constructing, operating, and maintaining a local correctional facility in Jackson County.
2. The name of the proposed district is the Jackson County Local Correctional Facility Service District (District).
3. The boundaries of the District shall include all territory within Jackson County as described in ORS 201.150 including the territories of the incorporated cities within Jackson County.
4. As required by ORS 198.835(3), certified copies of City Council Resolutions of each city approving this Initiation Order and formation of the District are attached.
5. The Jackson County Board of Commissioners will serve as the governing body of the District as required pursuant to ORS 451.485; and
6. The District will have all of the general powers granted by ORS Chapter 451 (the principal Act) necessary and convenient for providing law enforcement services as permitted by ORS 451.010(1)(n).
7. The District will be authorized to construct, maintain, and operate a law enforcement service facility, specifically a local correctional facility, pursuant to ORS 451.420.
8. Jackson County voters will be asked to establish a permanent property tax rate limit of \$.8547 per \$1,000 of assessed value for the District as authorized by ORS 451.547. The District will have authority to levy and collect general property taxes up to the approved rate limit.
9. Pursuant to ORS 198.800 and 198.835, a public hearing on the formation of the Jackson County Local Correctional Facility Service District shall be held at the Board's regular meeting on February 5, 2020, beginning at 9:30 a.m., in the Auditorium of the Jackson County Courthouse, 10 South Oakdale, Medford, Oregon 97501. All interested persons may appear and be heard. At this hearing, the Board will hear testimony and receive written comment on the proposed formation of this District, including information about the services to be provided by the District, the economic feasibility of the District, and the permanent tax rate limit. At the conclusion of the hearing, the Board shall determine, in accordance with criteria described in ORS 198.805, whether Jackson County could be benefited by the formation of the county service district and whether the County should continue with the formation process.
10. Notice of the hearing shall be provided to interested persons in accordance with ORS 198.800.

DATED this __ day of _____, 2020, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS

Bob Strosser, Chair

Colleen Roberts, Commissioner

Rick Dyer, Commissioner

I:\Admin\BoClz_LocalCorrectionalFacilitySvcDist\Drafts\OrderToInitiateFormation_FrmCounsel_DRAFT_rev.docx

PROPOSED



AGENDA ITEM COMMENTARY

DEPARTMENT: City Manager's Office

PHONE: (541) 774-2000

STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: Ordinances and Resolutions

MEETING DATE: November 21, 2019

COUNCIL BILL 2019-124

A resolution approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district, except for the City of Talent.

SUMMARY AND BACKGROUND

Council is requested to consider approval of two resolutions approving the Jackson County, Oregon, Board of Commissioners to form a county service district for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The name of the proposed district is the Jackson County Local Correctional Facility Service District (hereinafter "District"). The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County.

The territory of the City may only be included within the boundaries of the District if the City Council adopts a resolution approving the proposed Jackson County Order Initiating Formation of a Jackson County Law Enforcement Service District.

The Council is being asked to approve two resolutions to allow for an alternate plan should the City of Talent choose not to support the District which would have an effect on the property tax rate. The law only allows the creation of one service district for a particular purpose so only one proposed plan will move forward to create a service district. This agenda item is for the resolution excluding the City of Talent. The prior agenda item is for the resolution including the City of Talent. If both resolutions are approved, the matter can move forward regardless of the decision of the City of Talent. If only one resolution is approved, the City of Medford's inclusion within the District would become contingent on the decision of the City of Talent.

Except for the removal of the City of Talent, this resolution is essentially the same information as approved at the May 2, 2019 meeting with a small rate increase due to time lapse and increases in building costs.

PREVIOUS COUNCIL ACTIONS

On May 10, 2018, a study session was held where Jackson County Sheriff Nathan Sickler presented a history of the local jail. This information included an initial study on the amount of space that is needed for a new facility.

On May 2, 2019, Council approved Resolution 2019-33 consenting to the inclusion of all the territory of the City within the boundaries of the proposed Jackson County Local Correctional Facility Service



District. Had it been placed on the November ballot as originally planned, Jackson County voters would have been asked to establish a tax rate of \$0.8353 per \$1,000 of assessed value.

ANALYSIS

The current jail facility was built in 1981 and was designed to hold 176 people. The facility has been expanded over the years hold 300 with a night time maximum of 315. Information presented at the May 2018 study session included:

- Inmate numbers impact workload for staff, mental health issues for inmates, as well as officer and inmate safety.
- The current lack of jail space impacts multiple other agencies in the area due to increased crime, offenders not being held accountable and often reoffend, lack of availability of mental health services and drug/alcohol treatment.
- Existing building would be difficult to modify or remodel to add extra rooms.

Due to the increase in the population of Jackson County since the opening of the current Jackson County Jail and other factors, the current Jackson County Jail is insufficient for the needs of the County; and in 2017, the Jackson County Jail was required to release approximately 7,000 inmates prior to their first court appearance solely due to a lack of capacity.

Forced releases of inmates due to lack of capacity in the Jackson County Jail have impacted the entire criminal justice system in Jackson County including, in 2017 alone, over 10,000 warrants being issued for criminal defendants failing to appear for required court appearances and over 7,000 lodgings into the jail for repeat offenders.

The current Jackson County Jail, due to its design and limited capacity, is not conducive to providing comprehensive services to inmates suffering from mental health issues or addiction.

Council approval of this resolution does not establish a position on the ballot measure for the formation of the District to the voters. Council may choose to develop such a position in the event that the Board of Commissioners refer this item to the voters.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There are no financial resources committed by the City or residents as a result of approving the resolutions.

Jackson County voters will be asked to establish a permanent property tax rate limit per \$1,000 of assessed value for the District as authorized by ORS 451.547. The rate would be \$0.8719 per \$1,000 of assessed value without the City of Talent. That is the applicable rate for this resolution, which excludes the City of Talent. To compare, with all of Jackson County including the City of Talent, the



AGENDA ITEM COMMENTARY

rate would be \$0.8547 per \$1,000 of assessed value. Rate increases from the first resolution approved at the May 2, 2019 are due to time lapse and increases in building costs.

Service District Territory	Tax Rate Per \$1000 Assessed Value
All county territory approved under Resolution 2019-33	\$0.8353
New Ask for All county territory	\$0.8547
New Ask for All county territory except City of Talent	\$0.8719
Difference w/o City of Talent	\$0.0172

TIMING ISSUES

Council is requested to consider these resolutions in order for the Board of Commissioners to complete their necessary approvals for consideration of placement on the May 2020 ballot.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the resolution as presented.

SUGGESTED MOTION

I move to approve the resolutions approving a Jackson County Order to initiate formation of a Jackson County Law Enforcement Service District to include all of Jackson County except for the City of Talent, and consenting to the inclusion of City territory within the boundaries of the district.

EXHIBITS

- Resolution to include all of Jackson County without the City of Talent
- Jackson County Proposed Order to Initiate Formation of a Law Enforcement Service District to include all of Jackson County except the City of Talent

RESOLUTION NO. 2019-124

A RESOLUTION approving a Jackson County order to initiate formation of a Jackson County Law Enforcement Service District and consenting to the inclusion of City territory within the boundaries of the district, except for the City of Talent.

WHEREAS, the Jackson County, Oregon, Board of Commissioners intends to form a county service district for law enforcement services under the authority of Oregon Revised Statute (ORS) 451.010(1)(n). The name of the proposed district is the Jackson County Local Correctional Facility Service District (hereinafter "District"). The proposed District would have authority to construct, operate, and maintain a local correctional facility in Jackson County;

WHEREAS, the Jackson County Board of Commissioners may initiate the formation of the District by adopting an order under authority of ORS 198.835. The Board proposes to include all county territory within the boundaries of the proposed District, except for the City of Talent, as effective July 1, 2020;

WHEREAS, Jackson County voters will be asked to establish a permanent property tax rate limit of \$0.8547 per \$1,000 of assessed value for the District as authorized by ORS 451.547;

WHEREAS, the territory of the City may only be included within the boundaries of the District if the City Council adopts a resolution approving the proposed Jackson County Order Initiating Formation of a Jackson County Law Enforcement Service District. The proposed Order is attached hereto; and

WHEREAS, the City Council believes that a law enforcement service district for the construction, operation, and maintenance of a local correctional facility in Jackson County is in the best interests of the citizens of the City.

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

The City of Medford, Oregon, hereby consents to the inclusion of all the territory of the City within the boundaries of the proposed Jackson County Local Correctional Facility Service District, and approves the Jackson County Board of Commissioners' proposed Order Initiating the Formation of a Jackson County Law Enforcement Service District in substantially the form attached hereto.

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

Attest: _____
City Recorder

Mayor

BEFORE THE BOARD OF COUNTY COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF INITIATING THE) ORDER NO. _____
FORMATION OF A JACKSON COUNTY LAW)
ENFORCEMENT SERVICE DISTRICT)

WHEREAS, when the current Jackson County Jail opened in 1981, the population of Jackson County was approximately 134,500 residents; and

WHEREAS, due to the increase in the population of Jackson County since the opening of the current Jackson County Jail and other factors, the current Jackson County Jail is insufficient for the needs of the County; and

WHEREAS, in 2017, the Jackson County Jail was required to release approximately 7,000 inmates prior to their first court appearance solely due to a lack of capacity; and

WHEREAS, forced releases of inmates due to lack of capacity in the Jackson County Jail have impacted the entire criminal justice system in Jackson County including, in 2017 alone, over 10,000 warrants being issued for criminal defendants failing to appear for required court appearances and over 7,000 lodgings into the jail for repeat offenders; and

WHEREAS, the current Jackson County Jail, due to its design and limited capacity, is not conducive to providing comprehensive services to inmates suffering from mental health issues or addiction; and

WHEREAS, Chapter 451 of the Oregon Revised Statutes (ORS) provides for the establishment of a county service district for law enforcement services which includes authority for the construction, maintenance, and operation of installations, works, or services provided for the purpose of law enforcement services; and

WHEREAS, the construction, maintenance, and operation of a local correctional facility is a law enforcement service purpose; and

WHEREAS, without the establishment of a county service district for law enforcement services, Jackson County will not be able to construct, operate, and maintain a new local correctional facility which adequately meets the needs of the County; and

WHEREAS, ORS 451.435 provides that all county service districts shall be initiated, conducted, and completed as provided by ORS 198.705 to 198.955; and

WHEREAS, ORS 198.835 authorizes of the county board of commissioners to initiate the formation of a district by an order and sets forth the requirements of that order including setting the date, time, and place of a public hearing on the proposal to form the district; and

WHEREAS, ORS 198.840 requires that notice of the public hearing on the proposal be given in the manner set forth in ORS 198.800, except that the notice shall state that the County Board has entered an Order declaring its intention to initiate the formation of a county service district.

Now, therefore,

The Board of County Commissioners of Jackson County ORDERS:

1. The Board intends to initiate formation of a county service district for law enforcement services in Jackson County as authorized pursuant to ORS 451.010(1)(n) and ORS Chapter 451, which is the principal act governing the formation of such a district, for the purpose of constructing, operating, and maintaining a local correctional facility in Jackson County.
2. The name of the proposed district is the Jackson County Local Correctional Facility Service District (District).
3. The boundaries of the District shall include all territory within Jackson County as described in ORS 201.150 including the territories of the incorporated cities within Jackson County except for the incorporated area of the City of Talent effective July 1, 2020.
4. As required by ORS 198.835(3), certified copies of City Council Resolutions of each city approving this Initiation Order and formation of the District are attached.
5. The Jackson County Board of Commissioners will serve as the governing body of the District as required pursuant to ORS 451.485; and
6. The District will have all of the general powers granted by ORS Chapter 451 (the Principal Act) necessary and convenient for providing law enforcement services as permitted by ORS 451.010(1)(n).
7. The District will be authorized to construct, maintain, and operate a law enforcement service facility, specifically a local correctional facility, pursuant to ORS 451.420.
8. Jackson County voters will be asked to establish a permanent property tax rate limit of \$0.8719 per \$1,000 of assessed value for the District as authorized by ORS 451.547. The District will have authority to levy and collect general property taxes up to the approved rate limit.
9. Pursuant to ORS 198.800 and 198.835, a public hearing on the formation of the Jackson County Local Correctional Facility Service District shall be held at the Board's regular meeting on February 5, 2020, beginning at 9:30 a.m., in the Auditorium of the Jackson County Courthouse, 10 South Oakdale, Medford, Oregon 97501. All interested persons may appear and be heard. At this hearing, the Board will hear testimony and receive written comment on the proposed formation of this District, including information about the services to be provided by the District, the economic feasibility of the District, and the permanent tax rate limit. At the conclusion of the hearing, the Board shall determine, in accordance with criteria described in ORS 198.805, whether Jackson County could be benefited by the formation of the county service district and whether the County should continue with the formation process.
10. Notice of the hearing shall be provided to interested persons in accordance with ORS 198.800.

DATED this __ day of _____, 2020, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS

Bob Strosser, Chair

Colleen Roberts, Commissioner

Rick Dyer, Commissioner

I:\Admin\BoClz_LocalCorrectionalFacilitySvcDist\Drafts\OrderToInitiateFormation_FrmCounsel_DRAFT_rev.docx

PROPOSED



with its GI GLUP designation, with an I-00 (Limited Industrial) overlay, however, would allow the parcel to be developed prior to its facility adequacy being tested.

Per MLDC 10.348(E), parcels zoned I-L with an I-00 overlay are prohibited from certain specified uses until facility adequacy is tested, but are allowed to develop with those light industrial uses not expressly prohibited. Such developments could potentially pose capacity issues to City facilities and the transportation system. Given these concerns, Public Works has recommended that the property be annexed with the SFR-00 zone, which will allow any potential capacity issues to be addressed at the time of zone change for any future development of the property. It should also be noted that the applicant has submitted a zone change application from SFR-00 to I-L (ZC-19-019).

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The property currently contains a single-family home that was built in 1949. The property's total assessed value is \$138,210, which would be subject to annual property taxes and utility fees to the City upon its annexation. The future redevelopment of the property as an industrial use would generate additional City revenue via property taxes, System Development Charges (SDCs) and user fees.

TIMING ISSUES

The applicant has submitted a zone change application, requesting to change the subject parcel's zoning designation to I-L (Light Industrial). The request is tentatively scheduled before the Planning Commission on December 12, 2019. The issue of infrastructure adequacy will be addressed at that time.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the annexation.

SUGGESTED MOTION

I move to adopt the ordinance authorizing the annexation of the single 0.96-acre parcel located at 3558 Table Rock Road.

EXHIBITS

- Ordinance
- City Council Report, including Exhibits A through M
- Vicinity Map

ORDINANCE NO. 2019-125

AN ORDINANCE proclaiming annexation to the City of Medford of an approximate 0.966-acre tract of land (previously listed as 1.086 acres, which included the associated right-of-way), including a single parcel located at 3558 Table Rock Road. The property will be removed from Medford Rural Fire Protection District #2, effective pursuant to State law. (A-19-001)

WHEREAS, the owners of the land in the territory to be annexed have consented in writing to the annexation, said consent having been heretofore filed with the City Recorder in the manner prescribed by law; and

WHEREAS, the City Council by Resolution No. 2019-109, adopted October 17, 2019, dispensed with submitting the question of the proposed annexation to the electors of the city and set 6:00 p.m. on the 21st day of November, 2019, in the Council Chambers of the City Hall in said city as the time and place of hearing thereon, at which time and place the registered voters of the city and other interested parties were given an opportunity to be heard on the question; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and the public hearing was duly held by and before the City Council as provided by law and by the terms of said resolution and the published notice, and it appears to be in the best interest of the city and of the area involved that it be annexed to the City of Medford and the area be withdrawn from Medford Rural Fire Protection District #2.

WHEREAS, the City Council finds and determines that the facts and conclusions in the Staff Report dated November 7, 2019, on file in the Planning Department, are true and correct and are hereby adopted as the findings of the council; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. The area described in Exhibit A, attached hereto, shall be annexed to the City of Medford, Oregon.

Section 2. The above-described property annexed to the City of Medford is hereby withdrawn from Medford Rural Fire Protection District #2.

Section 3. The City Recorder shall submit to the Secretary of the State of Oregon a copy of this Ordinance. The City Recorder shall also, within ten days of the effective date of this annexation,



Project Name:

Alvarez Real Estate LLC

Map/Taxlot:

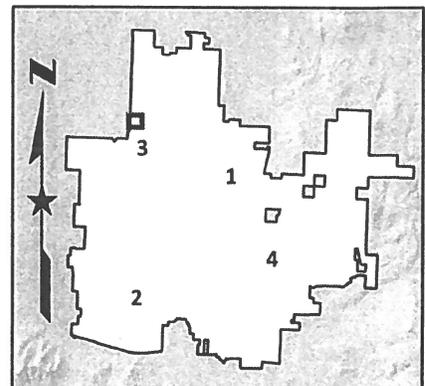
372W12A TL 800



Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

09/9/2019



TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

LEGAL DESCRIPTION

Commencing at the East-Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian said point being on the existing City of Medford Boundary per Ordinance No. 1970-777 passed January 16, 1970; thence along said City boundary, South 89°32'35" West, (record South 89°52' West), 93.5 feet to the Southwest corner of said City boundary; thence continue along said City boundary, North 00°16'40" West (record North 00°03' East), 1103.77 feet to the Southwest corner of that tract set forth in Document No. 2019-015888, Official Records of Jackson County, Oregon and the true point of beginning; thence leaving said City boundary along the South line of said tract, South 89°43'27" West (record North 89°57' West), 341.32 feet to the East right-of-way line of the Table Rock Road set forth in Document No. 2016-039641, said Official Records; thence along said East right-of-way line, North 01°14'17" West, 122.97 to the North line of that tract set forth in Document No. 2019-015888, said Official Records, said point also being on the existing City boundary per Ordinance No. 1980-4047 passed May 1, 1980; thence along the North line of said tract and along said City Boundary, North 89°43'27" East, 343.38 feet (record South 89°57' East) to the Northeast corner of said tract; thence along the East line thereof and along said City boundary per Ordinance No. 1970-777 passed January 16, 1970, South 00°16'40" East, 122.95 (record South 00°03' West, 122.71 feet) to the true point of beginning. Containing 42093 square feet or 0.966 acre, more or less.

TRACT TO BE ANNEXED/REZONED
372W12A TL800
CSA Planning
19-194
October 17, 2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

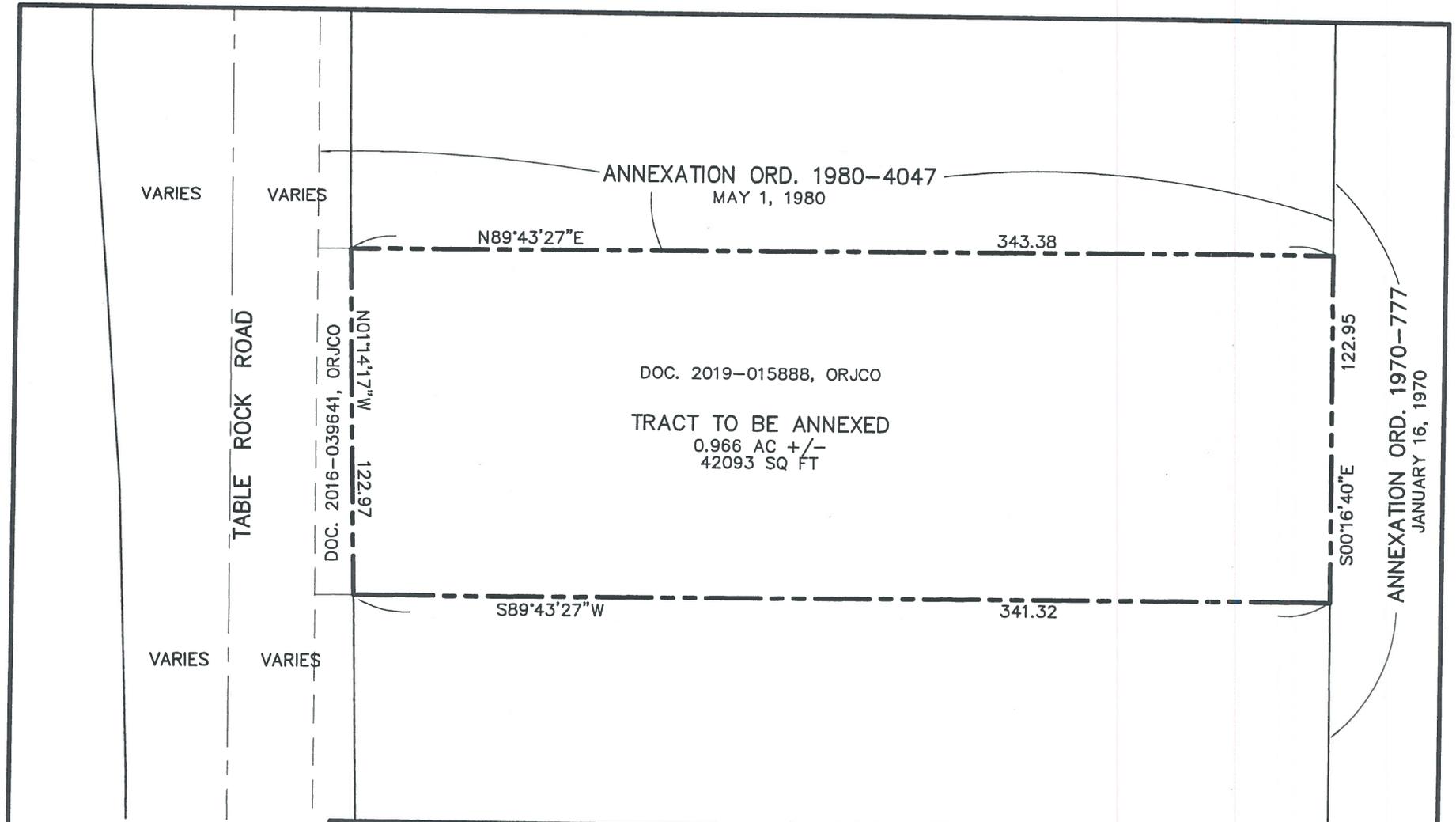
James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE : 6-30-21

CITY OF MEDFORD
EXHIBIT # A
FILE # A-19-001

Exhibit A



<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 6-30-21</p> <p>© L.J. FRIAR & ASSOCIATES, P.C. 2019</p>	<p>TITLE: TRACT TO BE ANNEXED</p> <p>ASSESSOR'S MAP #: 372W12A TL800</p>	<p>DATE: 17 OCT 2019</p>
	<p>FOR: CSA PLANNING 4497 BROWNRIDGE, SUITE 101 MEDFORD, OR 97504</p>	<p>SCALE: 1 inch : 50 feet</p>
<p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Phoenix, OR 97535 Phone: (541) 772-2782 ljfriarandassociates@charter.net</p>	<p>DRAWN BY: JEH CHK BY:</p>	<p>ORIGIN:</p>
		<p>ROTATION: 0° JOB#: 19194FM</p>
		<p>Sheet 1 of 1.</p>



COUNCIL REPORT

for a Type IV Legislative decision: Annexation

Project Alvarez Real Estate – Annexation

File no. A-19-001

To Mayor and City Council

for November 21, 2019 hearing

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

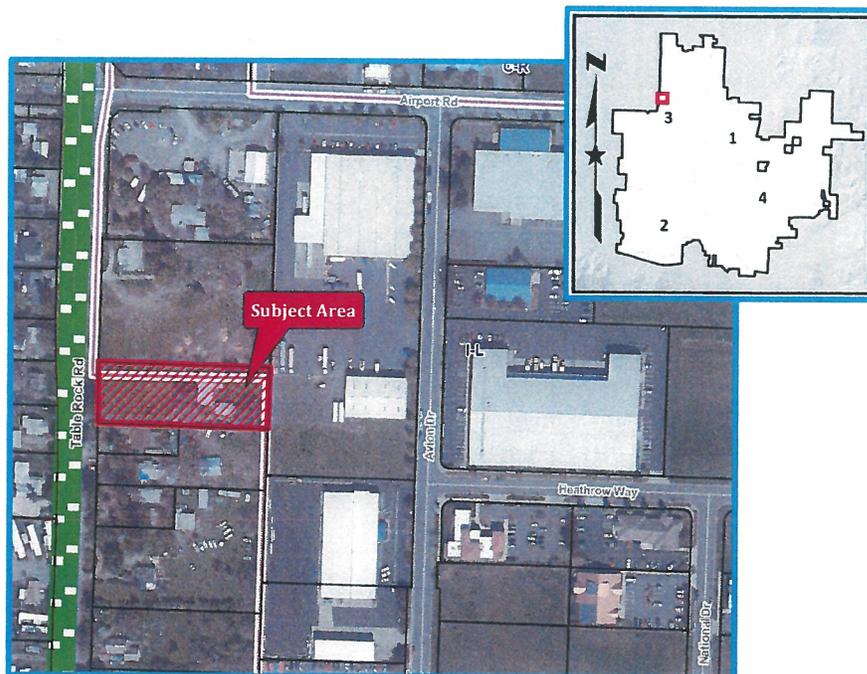
Date November 7, 2019

BACKGROUND

Proposal

Council is requested to consider the annexation to the City of Medford a single 0.96 acre parcel located at 3558 Table Rock Road. The current County zoning designation of RR-2.5 will be changed to the City SFR-00 (Single Family Residential, one dwelling unit per existing lot) zoning district. The property will be removed from Medford Rural Fire Protection District #2. (372W12A TL 800). Applicant, Alvarez Real Estate LLC; Agent, CSA Planning; Planner, Dustin Severs.

Vicinity Map



History

On October 17, 2019, Council approved Council Bill 2019-109 establishing a hearing date of November 21, 2019, for consideration of the matter.

Authority

This proposed plan authorization is a Type IV Legislative decision. City Council is authorized to approve annexations under Medford Municipal Code 10.214.

Analysis

The subject parcel's General Land Use Plan (GLUP) designation is GI (General Industrial); however, its current County zoning designation is Rural Residential (RR-2.5). MLDC 10.216(D) reads as follows:

At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-00 (Limited Industrial Overlay) shall be applied.

Per MLDC 10.307, the primary purpose of the SFR-00 zoning district is to provide a holding zone for properties that are changing from County to City zoning and have not yet been tested for facility adequacy to allow development to urban level densities and intensities. Changing the subject parcel's zoning to SFR-00—the most comparable zone to its previous County zoning—will ensure that the property is not developed to urban intensities prior to being tested for facility adequacy, a process performed at the time of zone change. Changing the zoning to I-L—the compatible zoning with its GI GLUP designation—with an I-00 (limited Industrial) overlay, however, would allow the parcel to be developed prior to its facility adequacy being tested.

Per MLDC 10.348(E), parcels zoned I-L with an I-00 overlay are prohibited from certain specified uses until facility adequacy is tested, but are allowed to develop with those light industrial uses not expressly prohibited. This could potentially pose capacity issues to City facilities and the transportation system. Given these concerns, Public Works has recommended that the property be annexed with the SFR-00 zone, which will allow any potential capacity issues to be addressed at the time of zone change for any future development of the property.

The applicant has submitted a zone change application, requesting to change the subject parcel's zoning designation to I-L (Light Industrial). The request is tentatively scheduled before the Planning Commission on December 12, 2019.

FINDINGS AND CONCLUSIONS

Criteria

MLDC 10.216(C)

The City Council must find that the following State requirements are met in order to approve an annexation:

- 1. The land is within the City Urban Growth Boundary.*
- 2. The land is contiguous to the current city limits.*
- 3. Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.*

Findings

- The land is located within the City's Urban Growth Boundary.
- The land is contiguous with the City limit.
- The applicant/owner has submitted the request for annexation and has consented in writing in accordance with the applicable state statutes.

Staff finds that all three of the above criteria are satisfied.

Conclusions

The property under consideration meets the applicable criteria for annexation.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and approve the ordinance for the annexation per the staff report dated November 7, 2019, including Exhibits A and M.

EXHIBITS

- A Legal description and Exhibit Map, dated October 17, 2019.
- B Applicant's Findings of Fact and Conclusions of Law, received August 30, 2019.
- C Applicant's Concept Site Plan, received August 30, 2019.
- D Applicant's Vicinity Map, received August 30, 2019.
- E Applicant's Zoning on aerial, received August 30, 2019.
- F Applicant's proposed zoning on Aerial, received August 30, 2019.
- G Applicant's Roadway Functional Classification map, received August 30, 2019.
- H Applicant's Airport Overlays map, received August 30, 2019.
- I Applicant's GLUP map, received August 30, 2019.
- J Public Works report, received November 6, 2019.
- K Medford Water Commission report and map, November 6, 2019.
- L Jackson County Roads memo, October 4, 2019.
- M Rogue Valley Sewer Services (RVSS) memo, October 3, 2019.
Vicinity Map

CITY COUNCIL AGENDA:

NOVEMBER 21, 2019

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS



L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

LEGAL DESCRIPTION

Commencing at the East-Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian said point being on the existing City of Medford Boundary per Ordinance No. 1970-777 passed January 16, 1970; thence along said City boundary, South 89°32'35" West, (record South 89°52' West), 93.5 feet to the Southwest corner of said City boundary; thence continue along said City boundary, North 00°16'40" West (record North 00°03' East), 1103.77 feet to the Southwest corner of that tract set forth in Document No. 2019-015888, Official Records of Jackson County, Oregon and the **true point of beginning**; thence leaving said City boundary along the South line of said tract, South 89°43'27" West (record North 89°57' West), 341.32 feet to the East right-of-way line of the Table Rock Road set forth in Document No. 2016-039641, said Official Records; thence along said East right-of-way line, North 01°14'17" West, 122.97 to the North line of that tract set forth in Document No. 2019-015888, said Official Records, said point also being on the existing City boundary per Ordinance No. 1980-4047 passed May 1, 1980; thence along the North line of said tract and along said City Boundary, North 89°43'27" East, 343.38 feet (record South 89°57' East) to the Northeast corner of said tract; thence along the East line thereof and along said City boundary per Ordinance No. 1970-777 passed January 16, 1970, South 00°16'40" East, 122.95 (record South 00°03' West, 122.71 feet) to the true point of beginning. Containing 42093 square feet or 0.966 acre, more or less.

TRACT TO BE ANNEXED/REZONED
372W12A TL800
CSA Planning
19-194
October 17, 2019

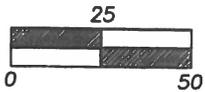
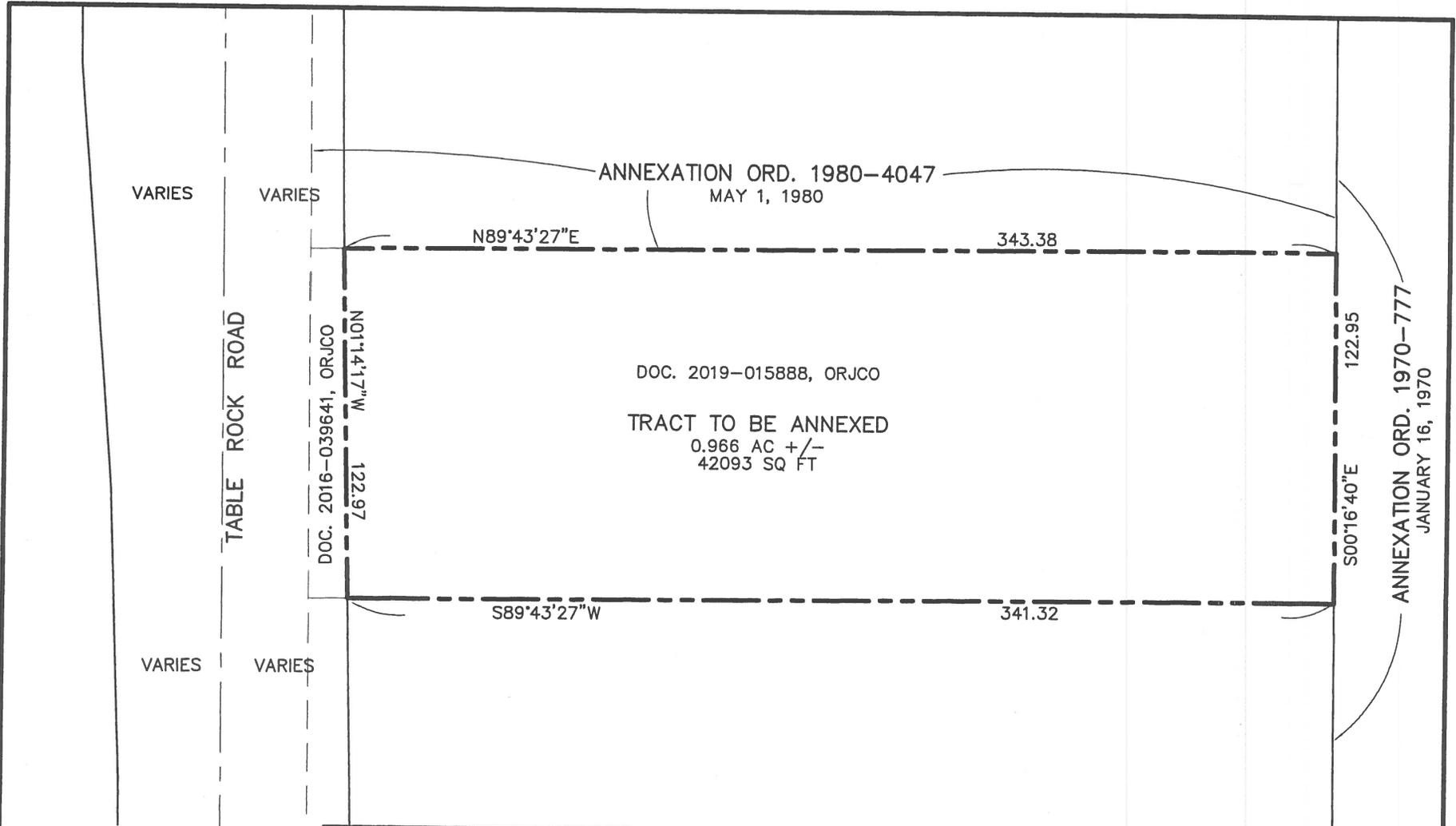
REGISTERED
PROFESSIONAL
LAND SURVEYOR

James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE : 6-30-21

CITY OF MEDFORD
EXHIBIT # A
FILE # A-19-001



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE 6-30-21</p> <p>© L.J. FRIAR & ASSOCIATES, P.C. 2019</p>	<p>TITLE: TRACT TO BE ANNEXED</p> <p>ASSESSOR'S MAP #: 372W12A TL800</p>	<p>DATE: 17 OCT 2019</p>
	<p>FOR: CSA PLANNING 4497 BROWNRIDGE, SUITE 101 MEDFORD, OR 97504</p>	<p>SCALE: 1 inch : 50 feet</p>
<p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Phoenix, OR 97535 Phone: (541) 772-2782 ljfriarandassociates@charter.net</p>	<p>ORIGIN:</p>	<p>DRAWN BY: JEH CHK BY:</p>
	<p>ROTATION: 0° JOB#: 19194FM</p>	<p>Sheet 1 of 1.</p>

- Exhibit 6:** Proposed Zoning Map
- Exhibit 7:** Prospective Draft Site Plan
- Exhibit 8:** Airport Overlays Map
- Exhibit 9:** Roadway Functional Classification
- Exhibit 10:** Summary of Preliminary Utility Analysis, Thornton Engineering, August 13, 2019
- Exhibit 11:** Water Availability Correspondence
- Exhibit 12:** Sanitation Availability Correspondence
- Exhibit 13:** Transportation Impact Analysis Correspondence
- Exhibit 14:** 200-Foot Mailing Notice Map and Labels
- Exhibit 15:** Jackson County Assessor's Plat Map 37-2W-12A
- Exhibit 16:** Jackson County Assessor Information for Assessment Year 2019
- Exhibit 17:** Current deed of record for parcel.
- Exhibit 18:** Legal description of area to be annexed and zone changed
- Exhibit 19:** Signed and Notarized Irrevocable Annexation Consent; and Signed and Notarized Restrictive Covenant Form

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

ANNEXATION

The regulations under which annexation applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.216, the Medford Comprehensive Plan, and Oregon Revised Statutes (ORS) 222.111 through 222.183.¹ The zoning of land annexed to the City of Medford is governed by MLDC 10.216(D).

The *approval criteria* for annexations are in MLDC 10.216(C), relevant policies in the Medford Comprehensive Plan, and ORS 222.125. The approval criteria are recited verbatim below and in Section V where each is addressed with conclusions of law based upon the findings of fact set forth in Section IV:

MEDFORD LAND DEVELOPMENT CODE (MLDC)

10.216 Annexation

- (A) Annexation is the action taken to incorporate land into a city. The state requires annexation of property that is contiguous to city limits and within the city's Urban Growth Boundary.

¹ Public health hazard annexations are governed by ORS

- (B) Application for Annexation. Except for the annexation of unincorporated territory surrounded by the city as provided in Subsection (E) below, applications for annexation shall, in addition to requirements contained in the application form, be subject to the provisions of ORS 222.111 to 222.180 or 222.840 to 222.915.
- (C) Annexation Approval Criteria. The City Council must find that the following State requirements are met in order to approve an annexation:
 - (1) The land is within the City's Urban Growth Boundary,
 - (2) The land is contiguous to the current city limits, and
 - (3) Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.
- (D) Zoning of Annexed Property. At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-OO (Limited Industrial Overlay) shall be applied.

MEDFORD COMPREHENSIVE PLAN - URBANIZATION ELEMENT

2.1 ANNEXATION POLICIES

The following are the policies of the City of Medford with respect to annexation:

2.1.1. General Policy

The City of Medford has planned to provide areas within the Urban Growth Boundary with public sewer and water service, zoning and development services, police and fire protection, and with all other municipal services required to support urban places. Therefore, the City does hereby encourage such areas to annex and receive the benefits offered by the City, and shall facilitate the process whereby such areas may become a part of the City.

2.1.2. City Services Outside City Limits

The City of Medford has acquired and holds its various service facilities for the benefit of residents and taxpayers within the city, and owes them a basic and primary duty to preserve the capacity of the facilities for their benefit, and to refrain from any excess use which would unnecessarily impose upon the residents and taxpayers the financial burden of increases in such capacity. Therefore, the City shall not extend or furnish municipal services to areas beyond the city limits, except in the performance of contracts with other incorporated cities. The City will honor presently existing contracts with special districts, but only to the extent of their present boundaries. However, because fire and emergency medical services are a critical need for all citizens, when, in the opinion of the Fire Chief, other satisfactory means are not available to non-city taxpayers for this service, the City shall continue to allow the Medford Rural Fire District No. 2 to annex beyond their present boundaries.

2.1.3. City's Participation in the Annexation Proposal

The City of Medford shall continue to require that residents of the area initiate, and assume the task of promoting, any annexation proposal, except that in areas that have been surrounded by the city limits, the City may initiate and promote the annexation.

2.1.4. Annexations shall comply with the requirements of the Oregon Revised Statutes, Chapter 222

The City Council must find that the following State requirements are met in order to approve an annexation:

1. The land is within the City's Urban Growth Boundary;
2. The land is contiguous with the current City limits;
3. The land is accessible via a public street right-of-way; and
4. Unless the land being considered for annexation is unincorporated territory surrounded by the incorporated boundary under ORS 222.750 or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

2.1.5. Zoning District Change Required

Upon annexation, the City will assign a city zoning district designation to the annexed area according to the following rules:

1. There is a city district that is comparable to the area's former county designation and corresponds to the General Land Use Plan map
2. If there is no comparable designation, the SFR-00 zone or I-00 overlay district will be applied, which will act as a holding zone until the area receives urban zoning; or
3. The landowner has requested a designation that has the approval of the City. This typically occurs when the owner has made an application for a zone change concurrently with the annexation application.

2.1.6. Withdrawal from Special Districts

For any areas hereafter annexed to the City of Medford and withdrawn from the Rogue Valley Sewer Services (RVS), or from any sanitary, rural fire protection, domestic water, or other special service district with existing general obligation indebtedness, the city shall, pursuant to ORS 222.520, assume and agree to pay the bonded indebtedness attributable to such area in the manner provided by ORS 222.520, and will thereby relieve the real property in such areas from further district taxation for such bonded indebtedness.

The following policies guide the administration of the Medford Urban Growth Boundary:

1. An Urban Growth Boundary adopted herein, or hereinafter amended, for the Medford area will establish the limits of urban growth to the year 2029.
 - a. Annexation to the City of Medford shall occur only within the adopted urban area.

OREGON REVISED STATUTES: CHAPTER 222 - CITY BOUNDARY CHANGES; MERGERS; CONSOLIDATIONS; WITHDRAWALS

ORS 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation.

The legislative body of a city need not call or hold an election in the City or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the City, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

* * * * *

ZONE CHANGE CRITERIA

The regulations under which zone change applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.204. Relevant sections are quoted verbatim below:

MEDFORD LAND DEVELOPMENT CODE (MLDC)

10.204 Zone Change

(A) Zone Change Initiation.

A zoning district boundary change may be initiated by the Planning Commission either on its own motion or at the request of the City Council, or by application of the property owner(s) in the area subject to the zone change.

(B) Zone Change Approval Criteria.

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.
- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.



- (d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:
- (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (2)(e) below.
- (e) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one or more of the following criteria:
- (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one zone;
 - (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;
 - (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or
 - (iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.
- (3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.
- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
 - (c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

- (i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

IV

FINDINGS OF FACT

The City Council (“Council”) and Planning Commission (“Commission”) finds the following facts to be true with respect to this matter:

1. **Property Location:** The annexation and zone change territory (subject property) consists of one privately held parcel described in the Jackson County Assessment records as Township 37 South, Range 2 West, Section 12A, Tax Lot 800) and adjacent public rights-of-way. The subject private property is situated on the east side of Table Rock Road approximately 530 feet south of the intersection of Table Rock Road and Airport Way. The property is inside Medford's urban growth boundary (UGB) and is contiguous to the corporate limits of the City of Medford along its northerly and easterly boundaries. See, Exhibits 3 and 4.
2. **Description, Zoning, Acreage, Assessed Value, and Ownership of Annexation Territory:** The following Table 1 sets forth factual information obtained through the records of the Jackson County Assessor concerning privately held property to be annexed and the same is further supported by Exhibits 15 and 16.² The portion of Table Rock Road Right-of-way area to be annexed includes approximately .17 acres, bringing the total annexation area to approximately 1.13 acres.

² Table 1 does not include information with respect to public rights-of-way included in the annexation territory. Pursuant to ORS 222.170 (4), the Council's action on this annexation petition does not require the consent of the owners of publicly owned property within the annexation territory. ORS 222.170 (4) provides:

“Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.”

TABLE 1
Jackson County Assessment Data
 Source: Jackson County Department of Assessment and Taxation

Assessor Map No.	Tax Lot	Tax Code	County Zoning	Acres ³	Assessed Value Land	Assessed Value Impvmts	Total Assessed Value	Owner of Record
372W12A	800	49-03	RR-2.5	.96. ¹	\$67,480	\$70,730	\$138,210	Alvarez Real Estate, LLC

3. **Medford Comprehensive Plan Map:** According to the City of Medford Comprehensive Plan, the annexation territory is covered by a General Industrial comprehensive plan map designation. The General Industrial plan designation comports with Medford’s Light Industrial (I-L) and General Industrial (I-G) zoning districts. See, Exhibit 4.
4. **Current Zoning:** Subject Tax Lot 800 is currently zoned County RR-2.5. See, Exhibit 5.
5. **Proposed Zoning:** Applicant is proposing rezoning the subject property upon annexation to I-L, Light Industrial, zoning to match the adjacent zoning on the north and east. See, Exhibit 6.
6. **Overlays:** According to Medford and Jackson County GIS data, the subject property is within the City of Medford Airport Notice Overlay and the Jackson County Horizontal Surface Overlay. Upon annexation, the Jackson County Airport - Horizontal Surface Overlay will not be applicable to the property. See, Exhibit 8.
7. **Land Uses on Abutting Properties and Surrounding Area:**
 Overview of area: The area has been slowly transitioning from large lot rural residential to industrial uses over the past 20 years. Table Rock Road is a busy collector street that makes residential living on the road difficult. With the addition of the Costco to the north, traffic is going to continue to increase.

East: The subject property’s rear property line abuts the Pepsi-Cola distribution center in the Navigator’s Landing development. Other adjacent parcels in this portion of Navigator’s Landing house a roofing distributor, a stone and tile distributor and other similar distribution and warehousing companies

North: To the north is a large lot that contains one single-family house. The majority of the property is used for storage of construction equipment. The parcel beyond to the north at the corner with Airport Road has a variety of automobile uses including used car and tire sales.

West: To the west across Table Rock Road are primarily large lot rural residential properties and a mobile home park that back up to the Bear Creek floodplain.

South: To the south are properties housing a variety of residential uses including mobile homes, older residences that are in fair to poor condition. Beyond are vacant lots

³ Acreage in Table 1 does not include land within adjacent public right-of-way which is to be included in the annexation territory.

and parcels with small business uses.

8. **Existing Land Uses:** Subject Tax Lot 800 is occupied by an existing residence and garage. They are located on the easterly portion of the property. Applicant has repurposed the residence for office use and intends to remove the garage structure.
9. **Proposed Use:** Applicant proposes to use the subject property to house his general contracting business. Uses will include materials and equipment storage, on-site assembly of items for construction projects and the project management offices.
10. **Public Facilities and Services:** The annexation territory is served by the following public facilities and services:
 - a. **Water Distribution:** A new 12" line is located in Table Rock Road adjacent to the property and is available for connection. See, Exhibit 11. There is a legacy well on the property that is only to be used for on-site irrigation.
 - b. **Sanitary Sewer Collection:** The annexation territory is under the authority of Rogue Valley Sewer Services (RVSS). An 8" sewer line is available in Table Rock Road with a stub-out service line extending to the subject property. See, Exhibit 12. Currently the property is on a septic system. The Applicant plans to abandon and remove the septic system upon approval of annexation and to then connect to the RVS sanitary sewer system.
 - c. **Storm Drainage:** A new 18" storm line was recently installed along the property frontage and is available for connection. Applicant plans to connect onsite bioswale storm water treatment and detention area to this line. See, Exhibit 10.
 - d. **Transportation / Streets:** The subject property fronts on Table Rock Road, which is listed in the Medford TSP as a Minor Arterial. The current residence has a road approach on Table Rock Road. See, Exhibits 9 and 13. This section of Table Rock Road was recently reconstructed and is fully developed with center turn lane, curb, gutter and sidewalk.

Southern Oregon Transportation Engineer's (SOTE) requested a Transportation Impact Analysis (TIA) scoping letter from the City of Medford Public Works to which a response was provided at Exhibit 13. SOTE is in the process of collecting the requisite data to respond to the City's TIA Scoping Request. However, both SOTE and City of Medford Public Works correspondence indicate compliance with TIA requirements is feasible. Applicant herewith commits to having SOTE complete the requisite data gathering and analysis. Additional correspondence with Jackson County Roads is provided at Exhibit 13. Pursuant to Medford Land Development Code Section 10.550⁴, at time of Site Plan Review, the property will be obligated to provide cross-access easements for adjacent lands to the north, south and east – to which the Applicant has

⁴ 10.550 Driveway Spacing and Locational Standards
a. Arterial and Collector Streets

(3) Cross-Access Easement Required. Any parcel or tract granted driveway access to an Arterial or Collector Street shall grant cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street. Site design must accommodate future use of such accesses. Use of shared driveways on multiple parcels or tracts and cross-access easements shall be required when site and traffic conditions, including projections of future traffic volumes and movements, indicate that such requirements will preserve the capacity and safety of the transportation system.

agreed to do. This commitment is sufficient to address Jackson County Roads' concerns over driveway access to Table Rock Road from the subject property for the intended light industrial uses.

11. Special Districts: The annexation territory is within the 4-03 Tax Code. The subject property is currently serviced through the Medford Rural Fire Protection District 2 (MRFPD2). Commensurate with annexation, the Applicant will be withdrawing the property from that district so that it can be serviced directly by Medford Fire-Rescue.

V

**CONCLUSIONS OF LAW
ANNEXATION**

The Council reaches the following conclusions of law and ultimate conclusions with respect to each of the relevant substantive criteria applicable to annexations:

Annexation Criterion 1

MEDFORD LAND DEVELOPMENT CODE (MLDC)

10.195 Application for Annexation

Except for the annexation of unincorporated territory surrounded by the city as provided in Section 10.199, applications for annexation shall, in addition to requirements contained herein, be subject to the provisions of ORS 222.111 to 222.180 or 222.840 to 222.915.

Discussion; Conclusions of Law: The City Council concludes that this annexation is not one where the unincorporated territory is surrounded by the city. The Council instead concludes that this annexation is properly undertaken pursuant to ORS 222.125 the requirements for which is addressed herein below as Criterion 10. The additional requirements of the Medford Land Development Code (MLDC) and Medford Comprehensive Plan are addressed below as Criterion 2 through 9. The Findings of Fact and Conclusions of Law for Criterion 1 through 10 are herewith incorporated and adopted and the Council concludes that this annexation is consistent with Criterion 1.

Annexation Criterion 2

(C) Annexation Approval Criteria. The City Council must find that the following State requirements are met in order to approve an annexation:

- (1) The land is within the City's Urban Growth Boundary,
- (2) The land is contiguous to the current city limits, and
- (3) Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

Discussion; Conclusions of Law: The City Council concludes as follows with respect to the three requirements in Criterion 2:

1. Based upon Exhibit 4, the annexation territory, including the privately held property and

public rights-of-way, is entirely within the City of Medford Urban Growth Boundary.

2. Based upon Exhibit 4, the annexation territory is contiguous to the current corporate limits of the City of Medford.
3. Exhibit 16 evidences that the sole property owner (representing 100% of ownership) has given their consent to the annexation and the same is before the Council at the specific request of this owner. The Council further concludes from the evidence that there are no electors which reside within the annexation territory. Therefore, consent for the annexation is limited solely to the consent of the owner which is unanimous.

Based upon the foregoing findings of fact and conclusions of law, the City Council concludes that the application is consistent with the requirements of Criterion 2.

Annexation Criterion 3

- (D) Zoning of Annexed Property. At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-00 (Limited Industrial Overlay) shall be applied.

Discussion; Conclusions of Law: Based on the evidence in Section III, the City Council observes that the property has County rural residential zoning. If the property were to be rezoned when annexed to a comparable residential zone as recommended above, the property would not be consistent with the underlying existing GLUP designation of General Industrial. The City Council concludes that the I-00 overlay is appropriate and could be applied instead to meet Criterion 3. However, the Council further understands that an application has been submitted to rezone the property to the I-L zone (also consistent with the underlying GI GLUP designation) concurrently with this annexation application and the same is allowed and contemplated commensurate with annexation pursuant to Medford Comprehensive Plan (Comp Plan) Section 2.1.5(3) addressed under Criterion 5 herein below.

Further and as concluded under Criterion 5 herein below, the commensurate application to rezone the property to the zone preferred by the Applicant at the time of annexation is allowed. Therefore, the Council concludes that Criterion 3 is overruled by Criterion 5 in that it recognizes the option posed by Criterion 3, but allows a choice between the automatic zone application and the application of a zone requested by the property owner. The conclusions under Criterion 5, along with supporting facts and evidence are herewith incorporated and adopted.

Therefore, the City Council concludes this Criterion 3 is met.

MEDFORD COMPREHENSIVE PLAN

2.1 ANNEXATION POLICIES

The following are the policies of the City of Medford with respect to annexation:

Annexation Criterion 4

2.1.4. Annexations shall comply with the requirements of the Oregon Revised Statutes, Chapter 222

The City Council must find that the following State requirements are met in order to approve an annexation:

1. The land is within the City's Urban Growth Boundary;
2. The land is contiguous with the current City limits;
3. The land is accessible via a public street right-of-way; and
4. Unless the land being considered for annexation is unincorporated territory surrounded by the incorporated boundary under ORS 222.750 or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

Discussion; Conclusions of Law: As above concluded under Criterion 2, the annexation territory lies within the City of Medford Urban Growth Boundary; the parcel is contiguous with the current City limits; it is accessible via Table Rock Road, a public street right-of-way; and the owner of the subject property has consented and requests this annexation is be considered under the official annexation policies of the City of Medford, which are addressed herein below and supported by the findings of fact and conclusions of law for the City's annexation policies and the same are herewith incorporated and adopted. Based on the above, the Council concludes that this annexation is consistent with Criterion 4.

Annexation Criterion 5

2.1.5. Zoning District Change Required

Upon annexation, the City will assign a city zoning district designation to the annexed area according to the following rules:

1. There is a city district that is comparable to the area's former county designation and corresponds to the General Land Use Plan map
2. If there is no comparable designation, the SFR-00 zone or I-00 overlay district will be applied, which will act as a holding zone until the area receives urban zoning; or
3. The landowner has requested a designation that has the approval of the City. This typically occurs when the owner has made an application for a zone change concurrently with the annexation application.

Discussion; Conclusions of Law: As above concluded under Criterion 2, the City of Medford does not have a rural residential zone nor is a residential zone appropriate as the underlying GLUP designation is General Industrial. Criterion allows either the application of an automatic I-00 zone or an owner requested designation. The Council recognizes that the Applicant/Owner has made application for a zone change to I-L concurrently with this annexation application, and thereby Criterion 5 is satisfied based on compliance with Comp Plan subsection 2.1.5(3).

Annexation Criterion 6

***OREGON REVISED STATUTES: CHAPTER 222
CITY BOUNDARY CHANGES; MERGERS; CONSOLIDATIONS; WITHDRAWALS***

ORS 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation.

The legislative body of a city need not call or hold an election in the City or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. upon receiving written consent to annexation by owners and electors under this section, the legislative body of the City, by



resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Discussion; Conclusions of Law: Based upon the evidence, the City Council concludes that the property owner has given their written irrevocable consent to this annexation and the annexation is properly before the Council at the specific request of this owner. The Council further concludes from the evidence that there are no electors who reside within the annexation territory. Therefore, consent for the annexation is limited solely to the consent of the owner which is unanimous. Therefore, the City Council concludes that this annexation is proper and consistent in all respects with the requirements of ORS 222.125 and thereby meets Criterion 6.

VI

**CONCLUSIONS OF LAW
ZONE CHANGE**

The Planning Commission reaches the following conclusions of law and ultimate conclusions with respect to each of the relevant substantive criteria applicable to zone changes:

ZONE CHANGE CRITERIA

The regulations under which zone change applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.204. Relevant sections are quoted verbatim below:

Zone Change Criterion 1

MEDFORD LAND DEVELOPMENT CODE (MLDC)

10.204 Zone Change

(A) Zone Change Initiation.

A zoning district boundary change may be initiated by the Planning Commission either on its own motion or at the request of the City Council, or by application of the property owner(s) in the area subject to the zone change.

Discussion; Conclusions of Law: Based upon the evidence, the Planning Commission concludes that the zone change has been initiated by the sole property owner through this application. Criterion 1 has been met.

Zone Change Criterion 2

(B) Zone Change Approval Criteria.

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

Discussion; Conclusions of Law: Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that the area proposed for zone change has a General Industrial designation and that it had that designation when the most recent Transportation System Plan was approved and acknowledged. Thereby the Commission

concludes that the proposed zone is consistent with Criterion 2.

Zone Change Criterion 3

- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
- (d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:
 - (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (2)(e) below.

Discussion; Conclusions of Law: Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that the area proposed for zone change abuts only County residential and Medford I-L zoning. Therefore, the Commission concludes that the proposed change to the I-L zone is consistent with the locational standards for the I-L zone and meets Criterion 3.

Zone Change Criterion 4

- (e) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one or more of the following criteria:
 - (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one zone;
 - (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;
 - (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or
 - (iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

Discussion; Conclusions of Law: Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that 50% of the subject property boundaries abut the I-L zone which is allowed under the criteria in 2(d). The Commission therefore concludes that the proposed change meets the criteria under this subsection (e)ii and thereby satisfies Criterion 4.

Zone Change Criterion 5

- (3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.



- (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

Discussion; Conclusions of Law: Category A facilities include transportation, storm drainage, sanitary sewer and water facilities. Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds the following:

- (a) That the storm drainage, sanitary sewer, and water facilities are adequate in condition, capacity, and location to serve the property. Water and sanitary sewer are currently stubbed out to the property awaiting connection. A major storm sewer line runs adjacent to the property and is available for connection. See, Section IV Findings of Fact Item x and Section II Attached Evidence Exhibits 10-12. That per section (i) Table Rock Road that has recently been reconstructed is adequate and has sufficient capacity to support the inclusion of the subject property. See, Section IV Findings of Fact Item x and Section II Attached Evidence Exhibit 13.

Therefore, the Commission concludes that the Applicant has demonstrated that adequate services and facilities can be provided to serve the subject property. Criteria 4 is therefore met.

Zone Change Criterion 5

- (c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:
 - (i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the



Transportation Planning Rule;

- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

Discussion; Conclusions of Law: Based upon the evidence in Section II and the findings in Section IV, the Planning Commission concludes that since adequate facilities are available to the subject property and no unusual impacts are anticipated, no special development conditions are needed. Criterion 5 is therefore inapplicable.

VII

ULTIMATE CONCLUSIONS

Based upon the preceding, the City Council ultimately concludes that the case for annexation under the applicable substantive criteria has been established on the basis of facts and evidence contained in the whole record.

Based upon the preceding, the Planning Commission ultimately concludes that the case for changing the zone to I-L for the subject property under the applicable substantive criteria has been established on the basis of facts and evidence contained in the whole record.

Dated: August 30th, 2019.

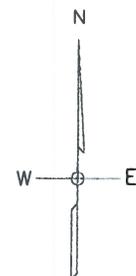
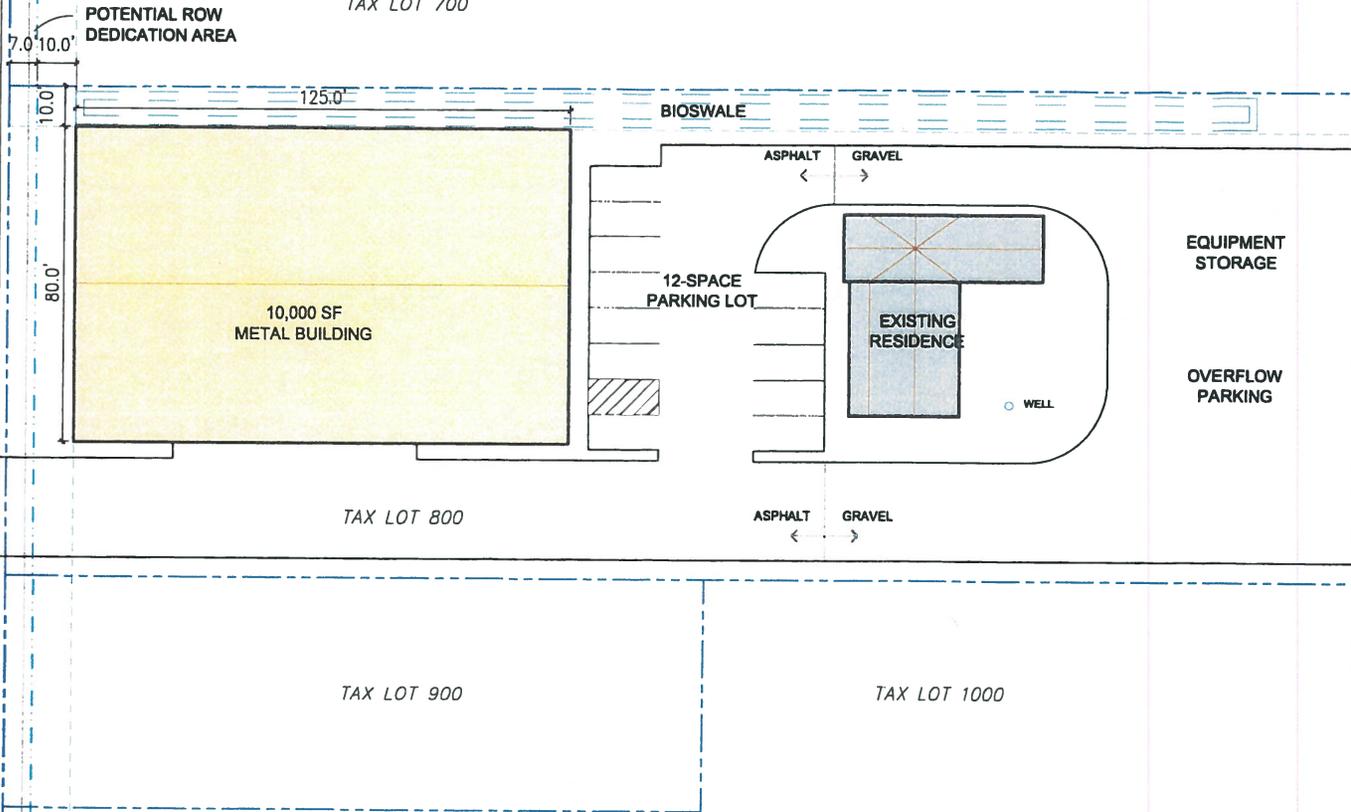
Respectfully submitted on behalf of Applicant Alvarez Real Estate LLC:

CSA PLANNING, LTD.



Mike Savage
Senior Associate

TABLE ROCK ROAD



Page 92

NEW INDUSTRIAL BUILDING
3558 TABLE ROCK ROAD MEDFORD, OR

Concept Site Plan



Owner: Alvarez Real Estate, LLC

MAP: 37 2W 12A
TAX LOT: 800

SCALE: 1:30
DATE: 8/20/19

CSA Planning, Ltd.
4487 Groverwidge Terrace
Medford, OR 97504
541.778.0588
CSAplanning.net

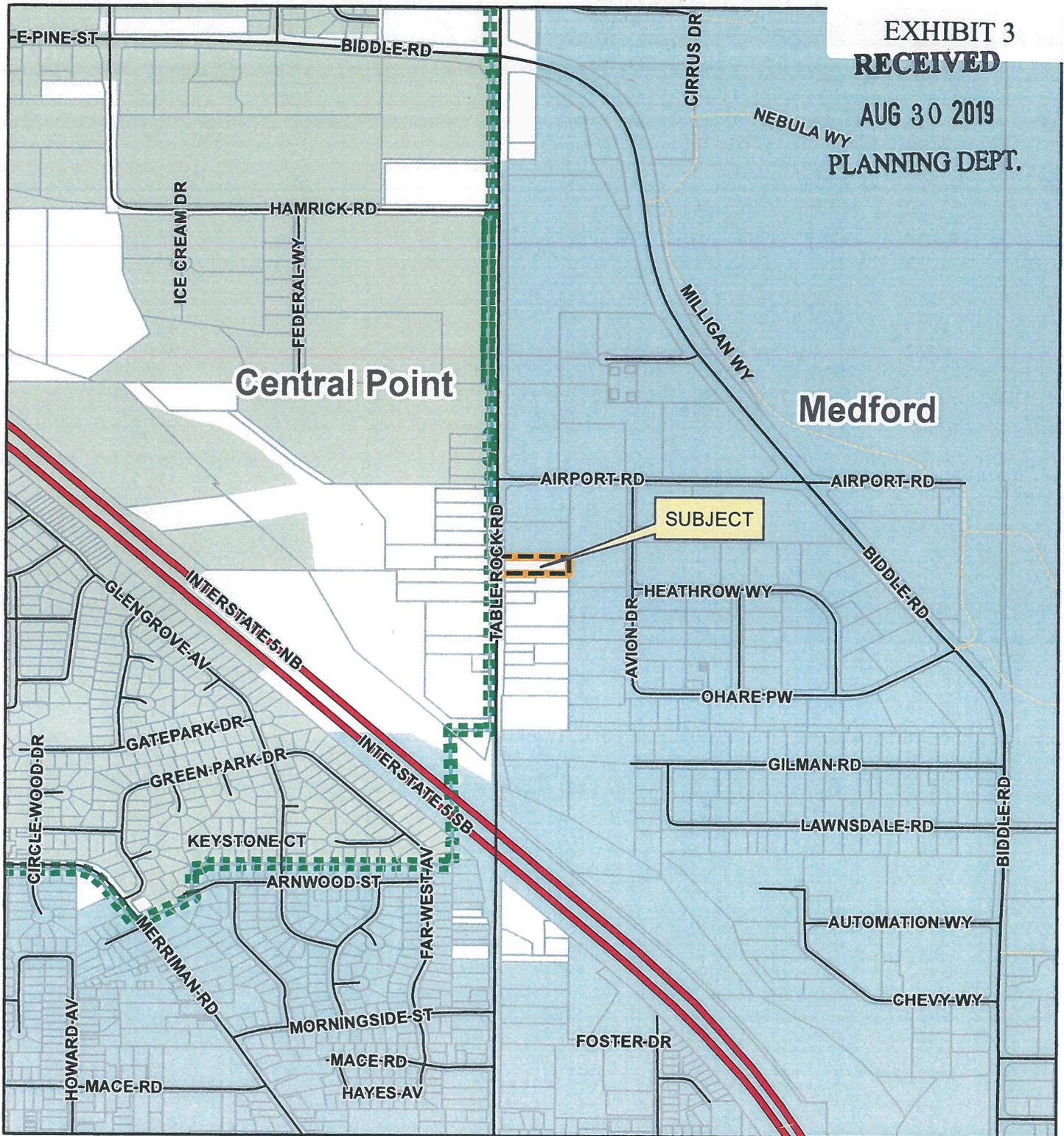
CITY OF MEDFORD
EXHIBIT # _____
FILE # A-19-001

CITY OF MEDFORD
EXHIBIT # C
FILE # A-19-001

27

EXHIBIT 3
RECEIVED

AUG 30 2019
PLANNING DEPT.



-  Proposed Area To Annex
-  Tax Lots
-  Urban Growth Boundary
-  Central Point City Limits
-  Medford City Limits

Vicinity Map

Alvarez Real Estate LLC
Annexation / Zone Change / Site Plan Review
37-2W-12A tax lot 800

CITY OF MEDFORD
EXHIBIT # D
FILE # A-19-001

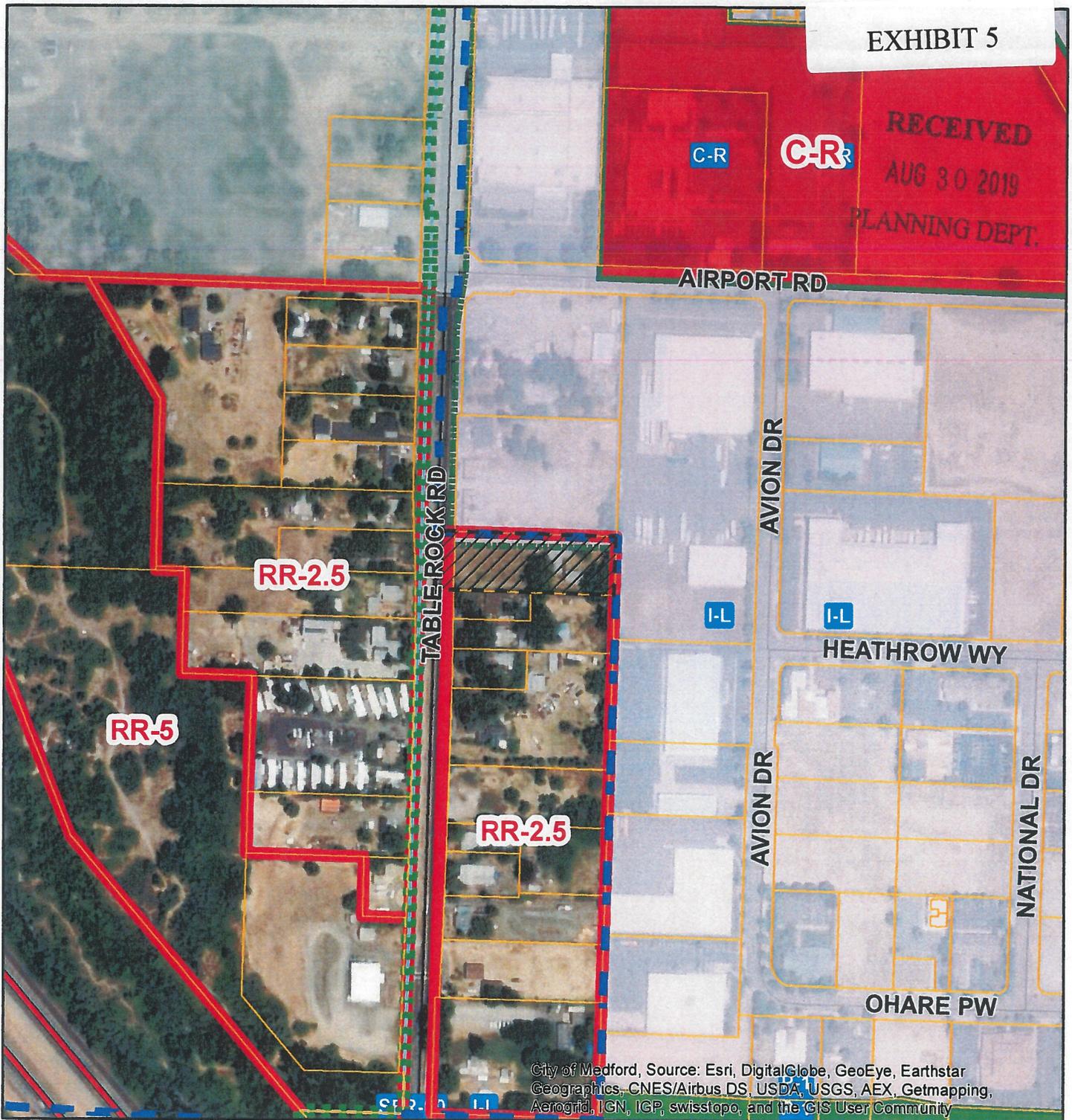
0 500 1,000 Feet



CSA Planning, Ltd.

16

RECEIVED
AUG 30 2019
PLANNING DEPT.



City of Medford, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

 Subject	City of Medford Zone
 Medford City Limits	 Public Park
 Tax Lots	 Regional Commercial
 Urban Growth Boundary	 Light Industrial District
 County Zoning	
 Central Point City Limits	

2018 Aerial 

Zoning on Aerial

Alvarez Real Estate LLC
Annexation / Zone Change
& Site Plan Review
37-2W-12A tax lot 800

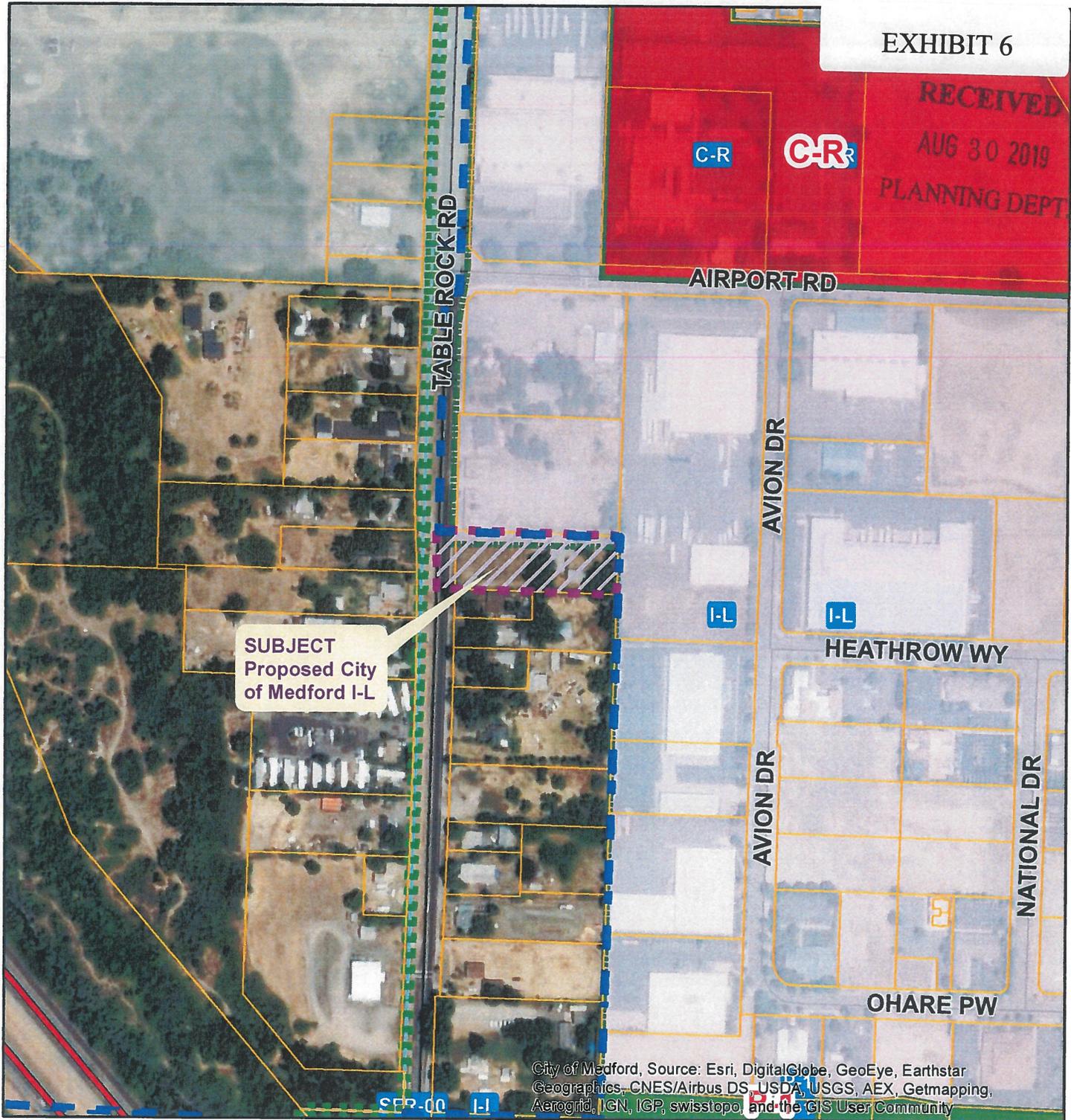
CITY OF MEDFORD
EXHIBIT # E
FILE # A-19-001

300

300 Feet



RECEIVED
AUG 30 2019
PLANNING DEPT



City of Medford, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

 City Limits (Prior to Annexation)	City of Medford Zone
 Tax Lots	 Public Park
 Urban Growth Boundary	 Regional Commercial
 Central Point City Limits	 Light Industrial District
 CSA Planning, Ltd.	 Proposed I-L & Area to Annex

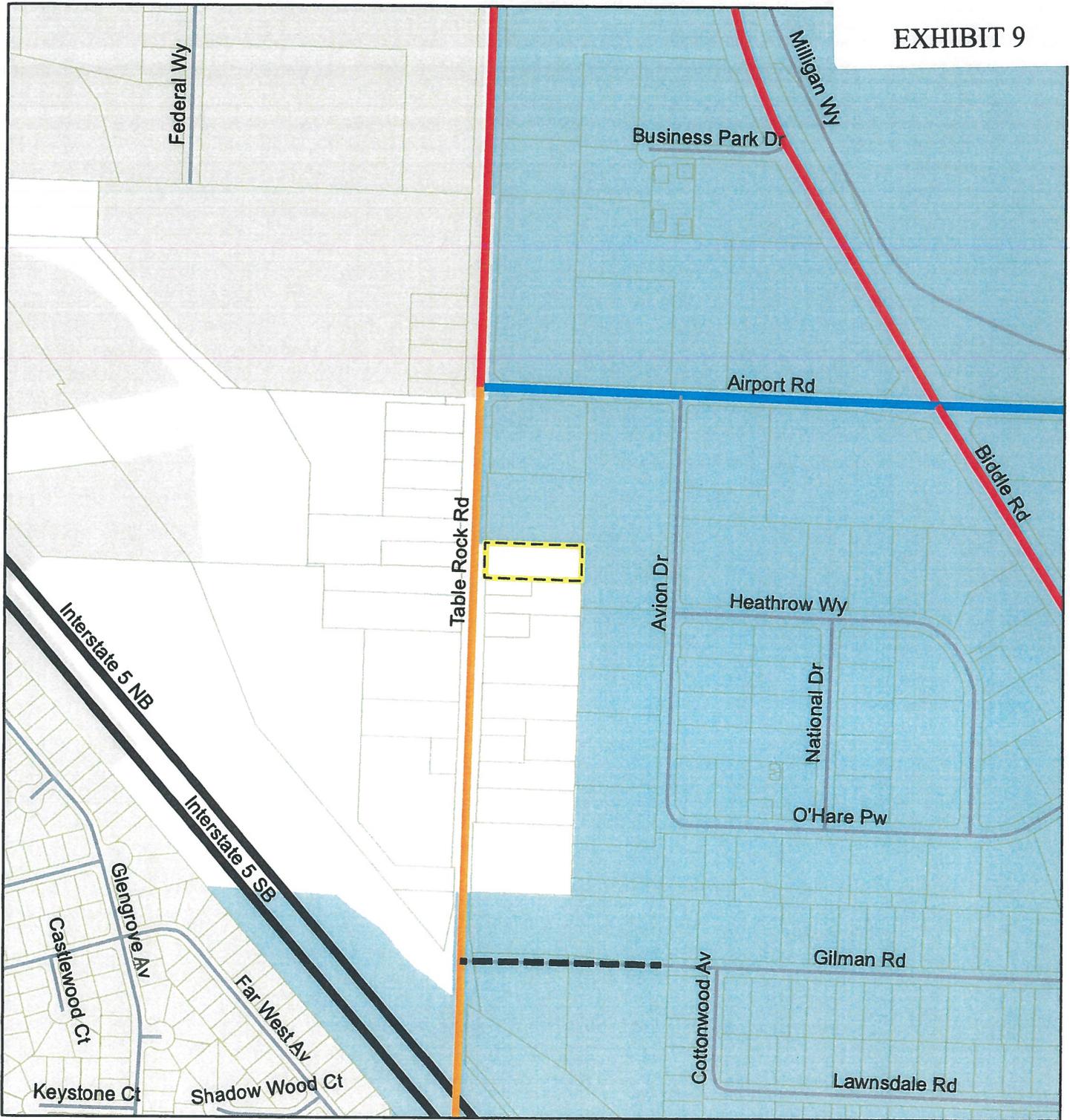
Proposed Zoning on Aerial

Alvarez Real Estate LLC
Annexation / Zone Change
& Site Plan Review
37-2W-12A tax lot 000

CITY OF MEDFORD
EXHIBIT # F
FILE # A-19-001

300 150 0 300 Feet





	Interstate		Subject
	Major Arterial		Tax Lots
	Minor Arterial	City Limits	
	Minor Collector		Central Point
	Local Streets		Medford
	Future Street		

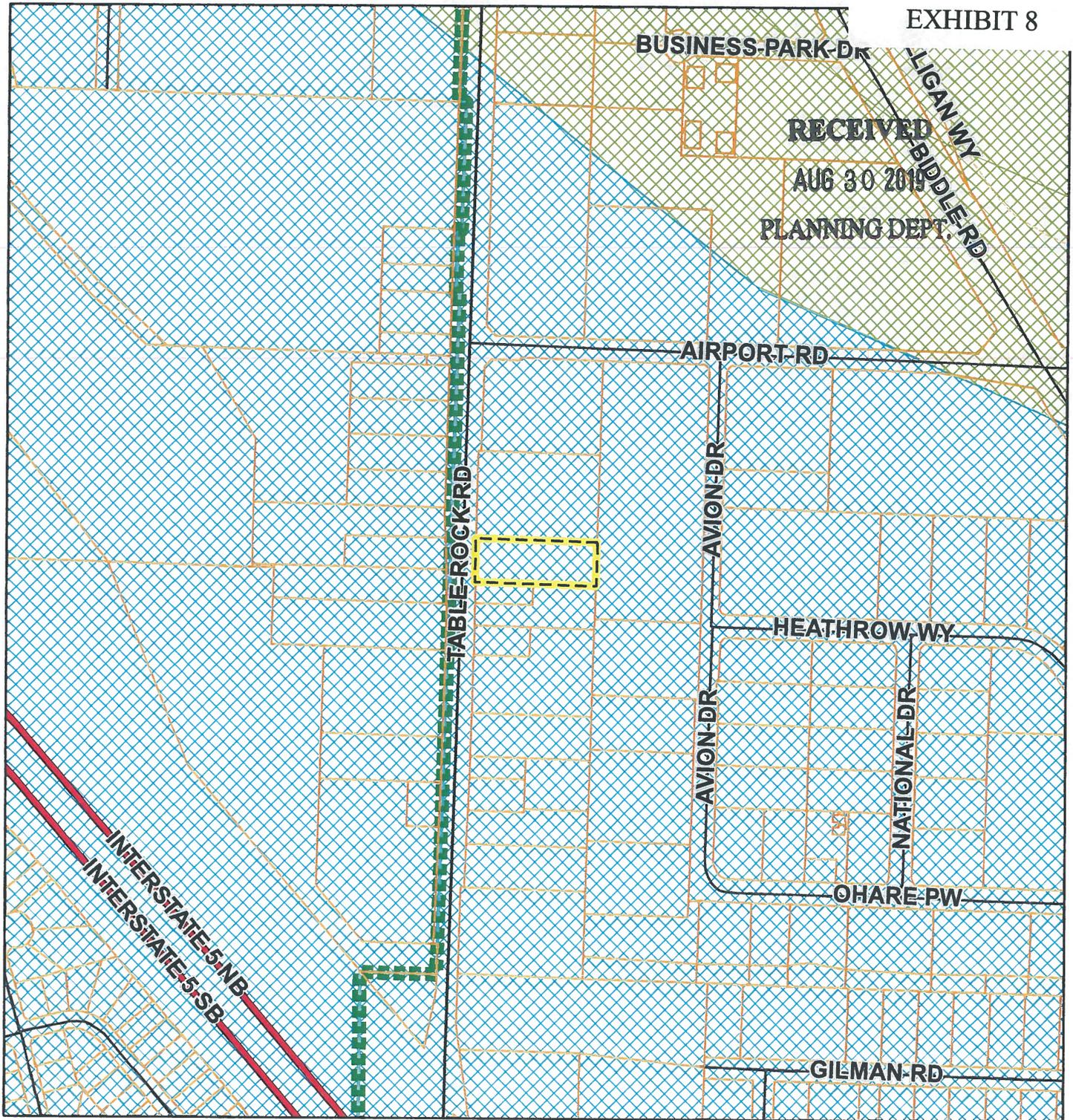
CSA Planning, Ltd.

Roadway Functional Classification

Alvarez Real Estate LLC
Annexation / Zone Change / Site Plan Review
37-2W-12A tax lot 800

CITY OF MEDFORD
EXHIBIT #
FILE # A-19-001

500 250 0 500 Feet



RECEIVED
AUG 30 2019
PLANNING DEPT.



Subject



Tax Lots



Urban Growth Boundary

Airport Overlays



Horizontal Surface (Plane)



Transitional Surface (7:1)

Airport Overlays

Alvarez Real Estate LLC

Annexation / Zone Change / Site Plan Review

37-2W-12A tax lot 800



CSA Planning, Ltd.



CITY OF MEDFORD

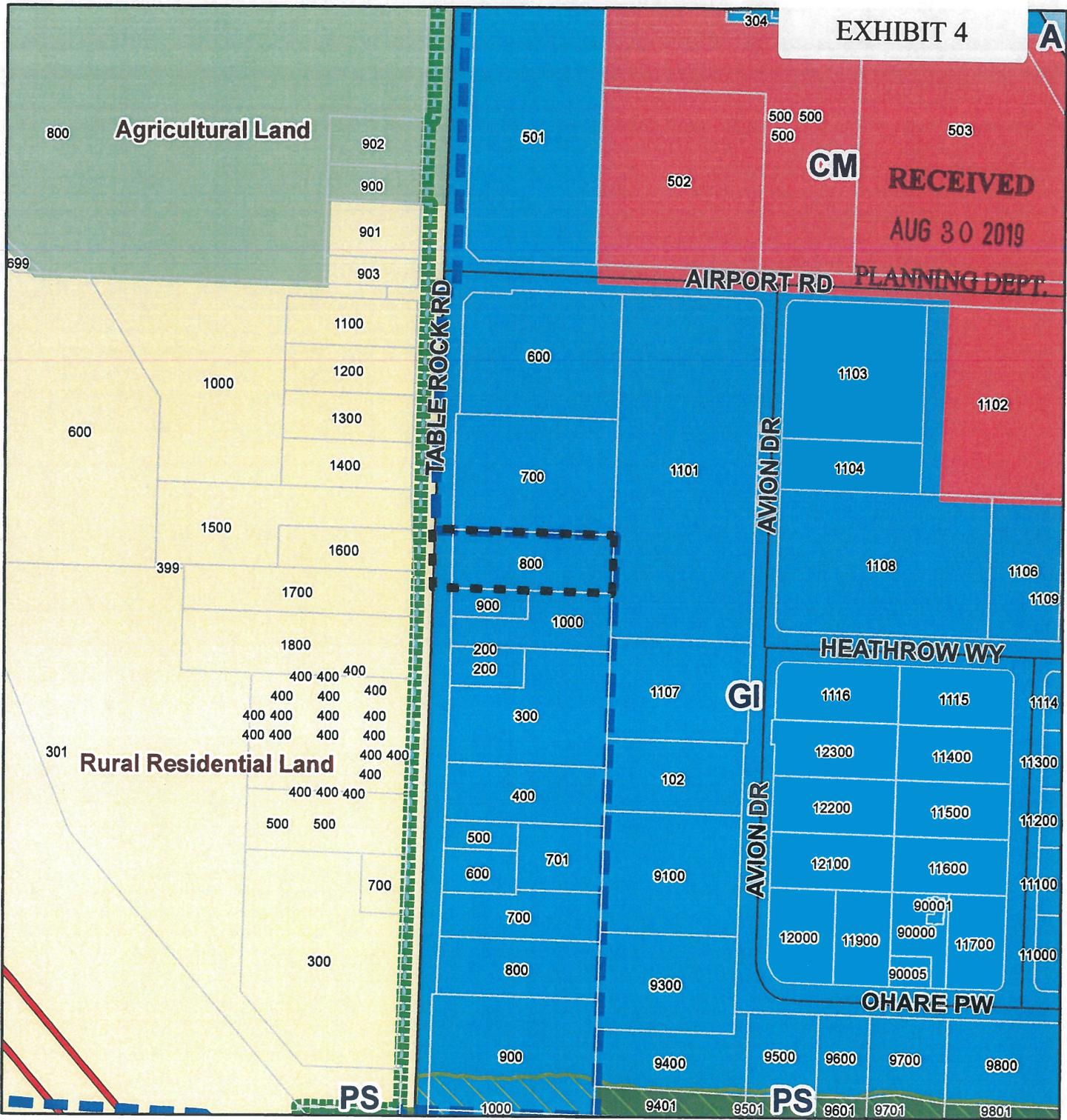
EXHIBIT # 1A

FILE # A-19-001

400 200 0 400 Feet



70



	Subject		Medford GLUP A
	Tax Lots		CM
	Medford City Limits		GI
	Urban Growth Boundary		PS
	Greenways		
County Comp Plan			
	Agricultural Land		
	Rural Residential Land		

General Land Use Plan (GLUP) Map

Alvarez Real Estate LLC
Annexation / Zone Change / Site Plan Review
37-2W-12A tax lot 800

CITY OF MEDFORD
EXHIBIT # I
FILE # A-19-001



CSA Planning, Ltd.





PUBLIC WORKS DEPARTMENT STAFF REPORT

3558 Table Rock Road (TL 800)

Alvarez Real Estate, LLC

Project: Consideration of a request for annexation to the City of Medford of a single 0.96-acre parcel located at 3558 Table Rock Road. The current County zoning designation of RR-2.5 will be changed to the SFR-00 (Single-family residential, one dwelling unit per lot) zoning district. The property will be removed from Medford Rural Fire Protection District #2 (372W12A TL 800).

Applicant: Applicant, Alvarez Real Estate LLC; Agent, CSA Planning

Planner: Dustin Severs, Planner III

A. STREETS

Table Rock Road is classified as a Minor Arterial street and is maintained by Jackson County. Table Rock Road is paved with curb and gutter and sidewalks. Table Rock Road will continue to be maintained by Jackson County. The proposed annexation shall not include any portion of the public right-of-way along this frontage.

B. SANITARY SEWERS

The area of this proposed annexation lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer accessibility and capacity adequacy.

C. STORM DRAINAGE

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

The traffic generation of land I-L zoning with an I-00 overlay is not comparable to RR-2.5 county zoning. Public Works recommends that the property be annexed with SFR-00 zoning.

Transportation facility adequacy will be addressed at the time of a zone change.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject systems development charges (SDC). These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges. A portion of the storm drain system development charge shall be collected at the time of the approval of the final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: A-19-001

PARCEL ID: 372W12A TL 800

PROJECT: Consideration of a request for annexation to the City of Medford of a single 0.96-acre parcel located at 3558 Table Rock Road. The current County zoning designation of RR-2.5 will be changed to the SFR-00 (Single-family residential, one dwelling unit per lot) zoning district. The property will be removed from Medford Rural Fire Protection District #2 (372W12A TL 800). Applicant, Alvarez Real Estate LLC; Agent, CSA Planning; Planner, Dustin Severs.

DATE: November 6, 2019

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. Applicant shall come into Medford Water Commission office for payment of fees for new water service to be installed to serve your property at 3558 Table Rock Road.
3. Static water pressure is expected to be 95 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

COMMENTS

1. Access to MWC water lines is available. There is an existing 12-inch water line on the east side of Table Rock Road.



Water Facility Map
City of Medford
Planning Application:
A-19-001
(372W12A800)
Nov 6, 2019

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Cops
- 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 Lines
- Tax Lots
- MWC Facilities:**
- Control Station
- Pump Station
- Reservoir





JACKSON COUNTY

Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

October 4, 2019

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

RE: Annexation of portions of the
Table Rock Road rights-of-way - a County maintained road
Planning File: A-19-001

Dear Dustin:

Thank you for the opportunity to comment on consideration of a request for annexation to the City of Medford of an approximate 0.96 acre parcel, located at 3558 Table Rock Road. The current County zoning designation of RR-2.5 will be changed to the City I-L-00 (Light Industrial/Limited Industrial Overlay). The property will be removed from the Medford Rural Fire Protection District 2 (37-2W-12A TL 800). Jackson County Roads has the following comments:

1. A traffic study that addresses impacts at the site accesses is in progress. If mitigations are recommended they shall be required and be study shall be reviewed and approved by Jackson County Roads.
2. A Commercial Road Approach Permit from Jackson County Roads is required for any new or improved driveways off Table Rock Road.
3. Utility Permits are required from Roads for any utility work within the county road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.
4. Table Rock Road is a County Urban Minor Arterial and is maintained by the County. The Average Daily Traffic count was 13,500 on the City of Medford's 2016 Traffic Volumes Map

5. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
6. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.
7. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.
8. Please contact Roads for a pre-construction meeting.

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

Sincerely,



Chuck DeJanvier, PE
Construction Engineer



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

October 3, 2019

City of Medford Planning Department
411 West 8th Street
Medford, Oregon 97501

Re: A-19-001, Alvarez Real Estate LLC, Tax Lot 800, Map 372W12A

ATTN: Dustin,

The subject property is within the RVSS service area. There is a newly constructed 8 inch sewer main along Table Rock Road and 4 inch service stubbed to the subject property. This sewer system was constructed via Reimbursement District and has adequate capacity for the proposed development.

Sewer service for the proposed development will require connection to the existing 4 inch service stub. The sewer connection permit will be issued by the City of Medford. However, there will be system development charges and associated Reimbursement District connection charges owed to Rogue Valley Sewer Services. The existing property owner has been notified of the costs associated with sewer connection via letter dated March 5th 2019. Please have the applicant contact RVSS with any questions regarding their connection.

Rogue Valley Sewer Services requests that approval of this development and application be subject to the following conditions:

1. The applicant must provide RVSS with a plumbing fixture plan for the determination of system development charges.
2. The applicant must pay associated sewer system development charges and reimbursement district charges to RVSS prior to issuance of a building permit.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, PE
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\ANNEXATION\2019\A-19-001_ALVAREZ REAL ESTATE LLC.DOC



Project Name:

Alvarez Real Estate LLC

Map/Taxlot:

372W12A TL 800



Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

09/9/2019

