



REVISED

CITY COUNCIL

April 1, 2014

Council Chambers • 777 SW Deschutes Avenue

COUNCIL MEMBERS

George Endicott
Mayor

Tory Allman
Councilor

Joe Centanni
Councilor

Camden King
Councilor

Ginny McPherson
Councilor

Ed Onimus
Councilor

Jay Patrick
Councilor

APRIL 1, 2014

SPECIAL MEETING AGENDA

6:30 P.M.

I. CALL TO ORDER / ESTABLISH A QUORUM

II. EXECUTIVE SESSION

Oregon Law permits public bodies to meet in executive session to discuss specific matters which are not open to the public. Final actions or decisions on these matters will be made during regular session.

- A. Labor Negotiations – ORS 192.660(2)(d) authorizes executive sessions “to conduct deliberations with persons designated by the governing body to carry on labor negotiations.”

Under the provisions of the Oregon Public Meetings Law, the proceedings of this executive session are for background information only for media attending and not for publication or broadcast.

III. MOTIONS AS A RESULT OF EXECUTIVE SESSION

IV. ORDINANCES

- A. **Continued – Second Reading** of Ord. #2014-03 – An ordinance amending the Redmond Development Code Chapter 8, Article I, Zoning Standards, to add a new section prohibiting land uses that are in violation of state or federal law. *[Status: Public hearing was opened, public comment taken and the hearing closed. Council approved the first reading of the ordinance by title only. The remaining action is to approve/disapprove the second reading by title only and to approve/disapprove the ordinance]* Exhibit 1
- B. **Continued – Vote** on Ord. #2014-08 – An ordinance of the City of Redmond declaring a moratorium on medical marijuana facilities, and declaring an emergency. *[Status: Public comment was taken and the public comment period was closed. Council approved the first and second reading of the ordinance by title only. The remaining action is to approve/disapprove the ordinance.]* Exhibit 2

V. ACTION ITEMS

- A. DUIL Enforcement Grant Acceptance Exhibit 3
- B. Oregon Parks and Recreation Department Certified Local Government Grant Acceptance Exhibit 4

VI. PRESENTATIONS

- A. 5-Year Capital Improvement Plan

VII. OTHER BUSINESS

VIII. ADJOURN

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:30 p.m. on the 2nd and 4th Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:30 p.m.

Anyone needing accommodation to participate in the meeting must notify Mike Viegas, ADA Coordinator, at least 48 hours in advance of the meeting at 541-504-3032, or through the Telecommunications Relay Service (TRS) which enables people who have difficulty hearing or speaking in the telephone to communicate to standard voice telephone users. If anyone needs Telecommunications Device for the Deaf (TDD) or Speech To Speech (STS) assistance, please use one of the following TRS numbers: 1-800-735-2900 (voice or text), 1-877-735-7525 (STS English) or 1-800-735-3896 (STS Spanish).

The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities



CITY OF REDMOND
Community Development Department

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STAFF REPORT

DATE: April 1, 2014
TO: Mayor and City Council Members
THROUGH: Keith Witcosky, City Manager
THROUGH: Heather Richards, Community Development Director
FROM: James Lewis, Planning Manager
SUBJECT: Ordinance No. 2014-03, development code amendment to adopt a new code section that prohibits land uses that are in violation of state or federal laws (City Land Use File #TA-14-1).

Addresses Council Goals:

Goal 5. Comprehensive Planning. Enhance the quality of life in the City through adoption of programs, policies, and standards that balance growth while maintaining the city's unique character.

Background

Ordinance No. 2014.03 (Attachment A), amends the Redmond Development Code, by adding a new section to the code, Section 8.0026. Section 8.0026 requires that all land uses in the City of Redmond be compliant with state and federal law. In context, these standards will follow Section 8.0025 which establishes the legal requirement for land uses to comply with the Development Code, and precede Section 8.0030 which discusses the need for permits necessary to ensure compliance with the Development Code.

The Redmond City Council conducted a public hearing at its meeting on March 25, 2014 to consider the approval of this ordinance. No public testimony was given at that time.

A first reading of the ordinance was conducted that night. This action is to conduct a second reading of the ordinance and consider approval of the ordinance.

Discussion

By adding the proposed text to the Development Code, the City will have the legal ability to regulate land uses on the basis that they may violate state or federal law. Without such text, the City could be subject to legal challenges from private parties that uses which may violate state or federal laws must be permitted in the City under the existing Development Code. Conversely, if the City were to allow uses that violate state or federal laws, the City could be subject to legal action from state and/or federal authorities, depending on the nature of the violation. Further, such regulations are consistent with regulations the City has currently had in place in the municipal code since 1989 governing business licenses. Thus, in order to eliminate the potential legal actions against the City (by either public or private entities), and for consistency with other City code provisions, the attached text is proposed.

The Planning Commission discussed this amendment in two work sessions in February 2014, and at a public hearing on March 3, 2014. At all meetings, the Planning Commission agreed for the need for such text based on the premise that the City cannot allow land uses that violate either state or federal laws on the basis that it could put the City at risk for legal actions from either public or private parties.

At their public hearing on March 3, 2014, the Planning Commission voted to recommend the proposed amendment to the Redmond City Council.

As required by City Charter, notices regarding this ordinance coming before the Council were posted in three public places (the Library, the Police Department, and the Redmond Chamber of Commerce) in addition to City Hall on March 18, 2014, and three copies of the ordinance were available for review at City Hall.

Fiscal Impact:

There is no fiscal impact for this amendment to the Development Code.

Alternative Courses of Action:

1. Vote to approve Ordinance No. 2014-03.
2. Request additional information.
3. Vote not to approve Ordinance No. 2014-03.

Recommendation/Suggested Motion:

"I move to have a second reading of Ord. #2014-03, by title only." (Voice vote)

(City Attorney will read ordinance by title only.)

"I move to approve Ord. #2014-03." (Roll call vote)

James Lewis
Planning Manager

**CITY OF REDMOND
ORDINANCE NO. 2014-03**

AN ORDINANCE AMENDING THE REDMOND DEVELOPMENT CODE CHAPTER 8, ARTICLE I, ZONING STANDARDS, TO ADD A NEW SECTION PROHIBITING LAND USES THAT ARE IN VIOLATION OF STATE OR FEDERAL LAW.

WHEREAS, the City of Redmond has adopted zoning and planning regulations in accordance with Oregon Revised Statutes Chapter 227 that regulate and control the development of land within the City; and

WHEREAS, the City of Redmond City Council has an adopted set of goals that includes: “Enhance the quality of life in the City through the adoption of programs, policies and standards that balance growth while maintaining the city’s unique character”; and,

WHEREAS, the Urban Area Planning Commission held a public hearings on March 3, 2014, and, after reviewing the record and gathering public testimony, has recommended that the Redmond City Council adopt the proposed text amendments to the Redmond Development Code as set forth in Exhibit A; and

WHEREAS, the Redmond City Council held a public hearing on March 25, 2014, to consider the recommendation of the Urban Area Planning Commission, review the existing record and gather additional evidence and public testimony; and

WHEREAS, the City Council has received the Planning Commission’s recommendation and, after receiving additional evidence and testimony, determined that the requested Development Code amendments would contribute to the Redmond Comprehensive Plan goal to “establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions; and

WHEREAS, the City Council finds that the findings set forth in Exhibit B for the development code amendments have fully addressed the City’s Comprehensive Plan, the applicable state law, the Statewide Planning Goals and the City’s standards and criteria for an amendment to the Redmond Development Code; and,

WHEREAS, the City Council finds that the attached code amendments are necessary to further these interests.

NOW, THEREFORE, THE CITY OF REDMOND ORDAINS AS FOLLOWS:

SECTION ONE: The City of Redmond hereby amends the Redmond City Code, Chapter 8 – Article I, to add a new section that prohibits land uses that are in violation of state or federal law. The amendments and adopted text are attached hereto as “Exhibit A.”

SECTION TWO: In support of the Development Code text amendments in Section One, the City of Redmond hereby adopts the findings which are attached hereto as “Exhibit B” which were prepared by City staff and demonstrate compliance with the Redmond Development Code, Section 8.0760 – Criteria for Amendments, the City’s Comprehensive Plan, and the applicable Statewide Planning Goals.

SECTION THREE: SEVERABILITY. The provisions of this Ordinance are severable. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given without such invalid part or parts.

PASSED by the City Council and **APPROVED** by the Mayor this 1st day of April, 2014.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

Exhibit A (Ordinance No. 2014-03)

Proposed Development Code Amendment – Violation of State or Federal Law

City of Redmond Development Code, Chapter 8, Article I, Zoning Standards, Section 8.0026, only (new code highlighted in red text) – code sections immediately preceding and following the new text are provided for reference and placement purposes only.

8.0025 Compliance with Zoning Provisions.

1. A lot may be used and a structure or part of a structure may be constructed, reconstructed, altered, occupied, or used only as these standards permit.
2. No dimensional requirement of these standards shall be violated after its terms become effective unless specifically provided for herein.
3. No lot area, yard, or other open space which is required by these standards for one use shall be used as the required lot area, yard, or open space for another use.

8.0026 Consistency with Plans and Laws. Actions initiated under this Code shall be consistent with applicable state and federal laws and regulations as these laws and regulations may now or hereafter provide. No parcel of land or structure may be used for, or in conjunction with, an activity that violates any state or federal law.

8.0030 Zoning Permit. Prior to the construction, alteration or change of use of any structure or lot for which a zoning permit but not a building permit, is required, a zoning permit for such construction, reconstruction, alteration, or change of use of any structure or lot shall be obtained from the Planning Department.

Exhibit B (Ordinance No. 2014-03)

File No: TA 14-1: Development Code Text Amendment

Applicant: City of Redmond Community Development Department
716 SW Evergreen Avenue
P O Box 726
Redmond, OR 97756
Phone: (541) 923-7710
Fax: (541) 548-0706

Request: Adopt findings in support of an amendment to the City of Redmond Development Code to amend Chapter 8, Article I – Zoning Standards, to add new text prohibiting uses which violate state or federal laws.

Location: The proposed amendment is not property specific. Rather, the text of the amendment would prohibit any uses that violate state or federal laws on any property within the City of Redmond.

FINDINGS OF THE REDMOND CITY COUNCIL:

The following narrative provides findings in support of the proposed amendments with respect to Redmond Development Code Section 8.0760 - Criteria for Amendments:
“The applicant shall show the proposed change is:”

1. “In conformity with all applicable State statutes:”

ORS 197.610(1): *“A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 35 days before the first evidentiary hearing on adoption . . .”*

Finding:

The City provided notice to the Director of the Department of Land Conservation and Development on January 28, 2014, which is 35 days before the Planning Commission’s March 3, 2009, public hearing regarding adoption of the proposed Ordinance.

Conclusion:

Based on the findings above, the proposed Code amendment conforms to the applicable State of Oregon statute.

2. “In conformity with the State-wide planning goals whenever they are determined to be applicable:”

Only State-wide Goals 1 and 2 are addressed herein. Goals 3 through 14 (which are typically applicable within Urban Areas), are not applicable to this proposal as it does not include a specific type of land use or a specific zoning designation.

Goal 1- Oregon’s Statewide Planning Goals: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted public hearings before the Redmond Planning Commission on March 3, 2014, and the Redmond City Council on March 25, 2014. In addition, the City provided public notices and agendas for the public hearings where the proposed amendment was discussed. All documents were available on the City’s website and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. The City provided ample public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendment. Lastly, the Urban Area Planning Commission serves as the City’s required citizen advisory committee and is made up of Redmond area residents.

Goal 2- Oregon's Statewide Planning Goals: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The proposed amendment only affects those uses which are in violation of either state or federal law (now or in the future). Thus, as either state or federal laws change, the City of Redmond will have a basis by which land uses that violate either, can be regulated within the realm of this Goal. In this regard, the Planning Commission and City Council received testimony from staff and citizens during the review and recommendation / decision making process regarding the applicability of such Code text. Based on this input, the City Council believes this change to Article I is necessary to prevent potential legal challenges to the City from either public or private sources, and that enough factual and policy basis exists to support the proposed Code amendment.

Conclusion:

Based on the findings above, the proposed amendments conform to the Statewide Planning Goals where the Plan's policies and objectives are found to be applicable.

3. "In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and"

Only Chapters 1 and 2 are addressed herein. Chapters 3 through 14 are not applicable to this proposal.

Chapter 1 – Redmond Comprehensive Plan: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The proposed amendments serve the following policies of Chapter 1 of the Redmond Comprehensive Plan.

1. The City shall establish a citizen involvement program to provide for widespread citizen involvement.
2. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
3. The City shall assign the Redmond Urban Area Planning Commission as its officially recognized committee for citizen involvement (CCI).

4. The City shall establish mechanisms to assure two-way communications between citizens and elected and appointed officials.
5. The City shall provide the opportunity for citizens to be involved in all phases of the planning process.
6. The City shall assure that technical information is available to citizens in an understandable form.
7. The City shall assure that recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers.
8. The City shall allocate adequate human, financial and informational resources for the citizen involvement program.

The City conducted public hearings before the Redmond Planning Commission on March 3, 2014, and the Redmond City Council on March 25, 2014. In addition, the City provided public notices and agendas for the public hearings where the proposed amendment was discussed. All staff reports and documents related to this proposal were available on the City's website and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. The City provided ample public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendment. Lastly, the Urban Area Planning Commission serves as the City's required citizen advisory committee and is made up of Redmond area residents.

Chapter 2 – Redmond Comprehensive Plan: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The proposed amendment serves the following policies of Chapter 2 of the Redmond Comprehensive Plan.

1. All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents.

2. The plan shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governments.
3. All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan.
4. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revisions of plans and implementing ordinances

The proposed amendment only affects those uses which are in violation of either state or federal law (now or in the future). Thus, as either state or federal laws change, the City of Redmond will have a basis by which land uses that violate either, can be regulated within the realm of these Policies. In this regard, the Planning Commission and City Council received testimony from staff and citizens during the review and recommendation / decision making process regarding the applicability of such Code text. Based on this input, the City Council believes this change to Article I is necessary to prevent potential legal challenges to the City from either public or private sources, and that enough factual and policy basis exists to support the proposed Code amendment.

Conclusion:

Based on the findings above, the proposed amendments conform to the Redmond Comprehensive Plan where the Plan's policies and objectives are found to be applicable.

4. **“That there is a change of circumstances or further studies justifying the amendment or mistake in the original zoning.”**

Finding:

When reviewing the Development Code text, it appears that the omission of the text adopted through this ordinance was a mistake that left the City vulnerable to legal challenges/actions from either state/federal jurisdictions, or private parties. By adding the proposed text to the Development Code, the City will have the legal ability to regulate land uses on the basis that they may violate state or federal law. Without such text, the City could be subject to legal challenges from private parties that uses which may violate state or federal laws must be permitted in the City under the existing Development Code. Conversely, if the City were to allow uses that violate state or federal laws, the City could be subject to legal action from state and/or federal authorities, depending on the nature of the violation. Further, such regulations are consistent with regulations the City has currently had in place in the municipal code

since 1989 governing business licenses. Thus, in order to eliminate the potential legal actions against the City (by either public or private entities), and for consistency with other City code provisions, the attached text is proposed.

Conclusion:

The above findings demonstrate that the proposed code amendment to adopt a new code section that prohibits land uses that are in violation of state or federal laws meets RDC section 8.0760 -Criteria for Amendments to the Development Code. Additionally, the proposed amendment is compliant with the applicable Statewide Planning Goals and state law.



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STAFF REPORT

DATE: April 1, 2014
TO: Mayor and City Council Members
THROUGH: Keith Witcosky, City Manager
FROM: Heather Richards, Community Development Director
SUBJECT: Ordinance No. 2014-08, Establishing a Moratorium on Medical Marijuana Dispensaries

Addresses Council Goals:

Goal 5. Comprehensive Planning. Enhance the quality of life in the City through adoption of programs, policies, and standards that balance growth while maintaining the city's unique character.

Background

In March 2014, the Oregon Legislature passed Senate Bill 1531, allowing local governments to enact a moratorium on medical marijuana facilities until May 1, 2015. The moratorium needs to be passed via Ordinance and the local government needs to notify the Oregon Health Authority of the moratorium by May 1, 2014.

On March 25, 2014, the Redmond City Council considered Ordinance No. 2014-08 and listened to public testimony. At that meeting the City Council voted unanimously to have the first and second reading of the ordinance. However the vote to approve the ordinance was not unanimous. Council voted 5 – 1 in favor, therefore per Redmond City Charter it could not be approved the same night as the first and second reading.

This action is to approve Ordinance No. 2014-08.

Discussion

Since 1989 the Redmond City Code has not allowed businesses in the City of Redmond that are not compliant with federal, state and local laws. Currently the use or dispensing of marijuana is considered a violation of federal law.

As required by City Charter, notices regarding this ordinance coming before the Council were posted in three public places (the Library, the Police Department, and the Redmond Chamber of Commerce) in addition to City Hall on March 19, 2014, and three copies of the ordinance were available for review at City Hall.

Fiscal Impact:

There is no fiscal impact anticipated at this time.

Alternative Courses of Action:

1. Vote to approve Ordinance No. 2014-08.
2. Request additional information.
3. Vote not to approve Ordinance No. 2014-08.

Recommendation/Suggested Motion:

"I move to approve Ord. #2014-08."

Heather Richards
Community Development Director

**CITY OF REDMOND
ORDINANCE NO. 2014-08**

AN ORDINANCE OF THE CITY OF REDMOND DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Redmond requires that businesses operating within the city limits comply with all state and federal laws; and

WHEREAS, the Oregon Legislature enacted Senate Bill 1531, which expressly permits local jurisdictions to impose a moratorium on medical marijuana dispensaries within their jurisdiction; and

WHEREAS, the City Council believes it is in the best interest of the health, safety and welfare of the citizens of Redmond to enact such a moratorium.

NOW THEREFORE, THE CITY OF REDMOND ORDAINS AS FOLLOWS:

SECTION 1:

- A. MORATORIUM IMPOSED.** The City of Redmond hereby prohibits the operation of any medical marijuana facility in any area subject to the jurisdiction of the City. As used in this section, "medical marijuana facility" includes any facility that dispenses marijuana pursuant ORS 475.314, or any other provision of Oregon law.
- B. APPLICATION OF MORATORIUM.** The moratorium imposed by this ordinance shall apply to any decision, action, or recommendation by the City of Redmond, including but not limited to the issuance of building permits, land use permits, business or other regulatory licenses, or any other form of approval. This moratorium extends to any decision by the Oregon Health Authority acting under ORS 475.314.
- C. PENALTY.** Notwithstanding ORS 475.309(1)(b), a person who is responsible for or employed by a registered medical marijuana facility located in an area subject to the jurisdiction of the City is not exempt from state and federal criminal laws for possession or delivery of marijuana, aiding and abetting another in the possession or delivery of marijuana or any other criminal offense in which possession or delivery of marijuana is an element.
- D. SEVERABILITY.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 2: EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

PASSED by the City Council and **APPROVED** by the Mayor this 1st day of April, 2014.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder



STAFF REPORT

DATE: April 1, 2014
TO: Mayor and Members of City Council
THROUGH: Keith Witcosky, City Manager
FROM: Dave Tarbet, Chief of Police
SUBJECT: DUII Enforcement Grant – Second Half

Addresses Council Goal:

1. Sustain Operations
 - C. Explore opportunities to augment revenues to support existing operations
 - ii) Seek grant funding offered through various state and federal programs

Report in Brief:

In September 2013 the Redmond Police Department submitted an \$8,000 grant application to Oregon Impact, the organization coordinating the Oregon Department of Transportation DUII Grant funding for the 2013/2014 grant year. The grant provides resources for DUII focused enforcement. Both overtime costs as well as enforcement during specific high visibility enforcement (HVE) periods are eligible activities under the grant. Last fall the Council approved applying for and acceptance of \$4000 from Oregon Impact. The acceptance of additional funding offered by Oregon Impact must be approved by Council.

Discussion:

The Redmond Police Department has been notified by Oregon Impact that our application has been approved for the amount of \$5,000 for the remaining six (6) months of the grant year. This brings the total grant award amount to \$9,000 (includes the \$4000 previously approved by Council in 2013). This grant follows the Federal fiscal year: October 1, 2013, through September 30, 2014. The \$5,000 is only for overtime grant funding beginning April 1, 2014, through September 30, 2014. The increase of \$1,000 over the previous six (6) months is based on the Redmond Police Department's high level of activity during grant funded overtime shifts during the first half of the grant period and the agreement to conduct an HVE campaign on August 1, 2014, during Fair week. Accepting this grant will allow the Redmond Police Department to continue to work overtime hours in the enforcement of DUII and related laws.

Fiscal Impact:

This grant was budgeted for in the current year budget. There is no fiscal impact to the City. There is no match component for this grant. The City is reimbursed by Oregon Impact quarterly after Oregon Impact receives a grant report/reimbursement request each month. The claim forms are submitted at the rate of \$50 per hour worked by Officers.

Recommendation/Suggested Motion:

"I move to authorize the City Manager to accept the Oregon Impact DUII Enforcement grant award in the amount of \$5,000."

David E. Tarbet
Chief of Police



March 21, 2014

Redmond Police Department is the recipient of **an additional \$5000.00** (100 hours) of DUII HVE OT Grant funds. These funds are in addition to the original \$4000.00 that was awarded to your department for the first 6 months of the 2013-2014 DUII HVE OT Grant.

There are three required DUII HVE OT events that require participation in the second half of the grant year. They are Memorial Day (May 24-27), July 4th (July 3-7) and Labor Day (August 30- September 2) **OR** the events you were approved to participate in your area on, your original application. If you have questions please let me know.

Your media pre & post releases are mandatory. If the media does run your story copies should be submitted with your claim.

Claims are still due on the 10th of the following month. If you do not have a claim for a specific month; please let us know via email or a claim form with only stats and match completed.

Thanks for all of your efforts, everything you do every day to keep us safe!

Yvonne McNeil
Community Traffic Safety Program Coordinator
Yvonne@oregonimpact.org
(503) 303-4954 x 105

PO Box 220010, Milwaukie, OR 97269 www.OregonImpact.org Phone: (503) 303-4954

Making roadways safer for all Oregonians



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STAFF REPORT

DATE: April 1, 2014
TO: Mayor and Council Members
THROUGH: Keith Witcosky, City Manager
FROM: Heather Richards, Community Development Director
SUBJECT: Grant Acceptance – Oregon Parks and Recreation Department

Addresses Council Goal:

4. Community Enhancement – Create an image and identity that generates a sense of community pride, ensuring the high quality of life and safety of our citizens, attracting new residents and businesses and facilitating their success and safety as well.

Report in Brief:

This action authorizes the City Manager to sign a Grant Agreement with the Oregon Parks and Recreation Department for a \$12,000 2014 Certified Local Government Grant. This grant will fund the development of a historic preservation plan for Redmond and the research needed to nominate a downtown historic district to the National Register of Historic Places. In order to accept the award, a Grant Agreement needs to be signed and returned to the State Historic Preservation Office by April 19, 2014.

Background:

The City of Redmond established the Redmond Historic Landmarks Commission in 2011 to preserve and promote Redmond's history and culture by identifying, evaluating, and designating historic and cultural resources in the City of Redmond as landmarks.

The first landmarks commission meeting was in September, 2011. At that time, the commission established a goal of applying to be designated as a Certified Local Government by the National Park Service, a program that recognizes municipalities for their efforts in historic preservation. The National Park Service designated the City of Redmond as a Certified Local Government in April, 2012.

With the designation, the City of Redmond's historic preservation program became eligible for grant funds to support its efforts in historic preservation.

A potential historic district in downtown Redmond was identified by Michael Houser, Deschutes County's historic preservation planner, in 1995. Since then it has been included as an implementation action in subsequent downtown action plans. There are several financial incentive programs available for historic commercial properties on the National Register of Historic Places, including a 20% Federal Tax Credit for rehabilitation projects, and a 10-year Special Tax Freeze in the State of Oregon. These financial incentive programs have been leveraged effectively in many Oregon communities towards downtown revitalization and redevelopment efforts. They are only available to properties listed on the National Register of Historic Places.

Listing on the National Register of Historic Places is strictly an honorific program and is not associated with any restrictive regulations. Regulations governing design and development standards for historic properties is a local decision. The City of Redmond's Development Code does regulate additions, alterations and demolitions of local historic landmarks. All properties listed on the National Register of

Historic Places are automatically considered a local historic landmark per the City of Redmond's Development Code. Currently there are fourteen properties on the City of Redmond's local landmarks inventory, of those three are on the National Register of Historic Places – the Redmond Hotel, the Presbyterian Church and the Milton Odem House.

Per the Redmond Development Code, all property owners need to agree to be designated as a local historic landmark including a National Register of Historic Places designation.

Discussion:

The purpose of the 2014 Certified Local Government Grant will be to prepare a Redmond Historic Preservation Plan and to research and evaluate the validity of a National Register of Historic Places Commercial Historic District in downtown Redmond. The grant will pay for an approved consultant to survey the properties and document the appropriate criteria. Concurrently City staff and the Redmond Historic Landmarks Commissioners will initiate an educational campaign about the opportunities and constraints associated with a National Register designation so that property owners can choose whether or not to participate.

Due to a couple of high-profile historic preservation projects that were confrontational in Redmond, there are many property owners with misconceptions regarding the regulatory restrictions of designation and lack of awareness of the financial incentives associated with designation. Many communities utilize historic preservation as an economic development tool to stimulate private investment and redevelopment of historic properties, to establish a sense of identity and to employ local craftsman and artisans in historic preservation projects. Some successful examples in Oregon are Albany, Baker City, and McMinnville. This grant project will initiate a dialogue to explore whether or not a historic preservation program in Redmond is appropriate.

Fiscal Impact:

The 2014 Certified Local Government grant requires a fifty percent local match. The \$12,000 local match will be applied from the Community Development Department's receipt of revenue for administering the Neighborhood Stabilization Program, Round III grant that the City of Redmond received in 2011. Thus far, over \$40,000 has been allocated to the Community Development Department from this grant to reimburse for staff time to administer the program. This grant and project were anticipated in the City of Redmond Community Development Department FY 13/14 budget.

Fund	GL Account	Amount
CDD Long Range Planning	22452-02-000-06-00-98	\$12,000

Alternative Courses of Action:

1. Authorize the City Manager to sign the Grant Agreement.
2. Do not authorize the City Manager to sign the Grant Agreement.

Recommendation/Suggested Motion:

"I move to authorize the City Manager to sign the 2014 Certified Local Government Grant with the Oregon Parks and Recreation Department in the amount of \$12,000."

Heather Richards,
Community Development Director



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE, Ste C

Salem, OR 97301-1266

(503) 986-0690

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March 19, 2014



Heather Richards
City of Redmond
716 SW Evergreen Ave
Redmond, OR 97756

Dear Heather:

Congratulations! Your application for a 2014 Certified Local Government Grant has been funded for the amount and purpose listed below.

Grant Amount: \$12,000

Grant No.:

Start Date: 4/1/2014

End Date: 8/31/2015

Summary: Complete Reconnaissance Level Survey of 70 properties in Redmond's Downtown. Complete Intensive level survey of 10 properties from the RLS. Publish and distribute a Redmond Historic Preservation plan. Attendance at in-state and out-of-state historic preservation conferences for training for staff and commissioners.

Enclosed are two copies of your grant agreement. Carefully review the scope of work and requirements for each category to be sure they are summarized correctly. Have the authorized person sign both copies and return both copies to us. The signed agreements must be returned to our office within 30 days; if not returned in that period, it will be assumed that you are not accepting the grant award. We will return a signed copy and grant reporting information at that time.

I am looking forward to working with you. Please let me know if you have any questions, and, again, congratulations and best wishes for a successful project.

Sincerely,

Sarah L Emery
For

Kuri Gill

Grant and Outreach Coordinator

(503) 986-0685

Kuri.Gill@oregon.gov

Enclosures

