



REVISED

CITY COUNCIL

June 29, 2021

Council Chambers • 411 SW 9th Street

**COUNCIL
MEMBERS**

George Endicott
Mayor

Jay Patrick
Council President

Jon Bullock
Councilor

Krisanna
Clark-Endicott
Councilor

Clifford Evelyn
Councilor

Ed Fitch
Councilor

Shannon
Wedding
Councilor

JUNE 29, 2021

SPECIAL MEETING AGENDA

6:00 PM

I. CALL TO ORDER / ESTABLISH A QUORUM

II. CONSENT AGENDA

- A. Minutes of January 19, 2021, Council Workshop
- B. Minutes of February 2, 2021, Council Workshop
- C. Minutes of February 9, 2021, Joint Workshop with Deschutes County

III. ORDINANCES

- A. Ordinance #2021-07 - An ordinance declaring a State of Emergency due to extreme weather conditions.
- B. Continued: Ordinance #2021-04 - An ordinance amending the Redmond City Code Chapter 2, changing Redmond Committee for Art in Public Places to Redmond Commission for Art in Public Places, and Chapter 7, Sections 7.400 through 7.420, adding a Mural Code.

IV. ADJOURN

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:00 p.m. on the 2nd and 4th Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:00 p.m.

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@ci.redmond.or.us. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting.

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

SPECIAL CITY COUNCIL WORKSHOP OF THE CITY OF REDMOND WAS HELD JANUARY 19, 2021, VIA GOTOMEETING.

COUNCIL MEMBERS PRESENT: Jon Bullock – Krisanna Clark-Endicott – George Endicott – Clifford Evelyn – Ed Fitch – Shannon Wedding

COUNCIL MEMBERS EXCUSED: Jay Patrick

MEDIA PRESENT: None

Mayor Endicott called the workshop to order at 6:00 p.m.

DISCUSSTIONS / PRESENTATIONS

A. Current Events

Redmond Fire & Rescue Fire Chief Ken Kehmna provided an update on the COVID-19 vaccination clinic at the Deschutes County Fairgrounds. The cooperative effort involves Deschutes County Health Services and St Charles Medical Center. The clinic will take place Wednesday, January 20 through Thursday, January 21. The current category of vaccinations is for 1A (health care responders, law enforcement, first responders, and medically fragile children). Deschutes County currently ranks #1 in Oregon for the highest number of vaccines per capita.

Police Captain Devin Lewis discussed the local outlook on the nation's civil unrest. Police staff have been in constant contact with local offices of the Federal Bureau of Investigation. There is currently no direct information affecting Redmond or Deschutes County. Police Chief Dave Tarbet also commented on the department's assistance at the vaccine clinic. Police Officer Bob Duff is retiring after 30 years with the department.

Bethlehem Inn Executive Director Gwynn Wysling provided an update on Bethlehem Inn and a potential shelter in Redmond. She stated that due to the COVID-19 pandemic they were able to apply for a grant through the Oregon Community Foundation called "Project Turnkey" with the hope of establishing a shelter in Redmond through the purchase of a motel. Ms. Wysling elaborated on the Bethlehem Inn's business model, their dedication to work with neighboring businesses, the goal setting and accountability that are required of residents, and the clean and sober environment they maintain. She requested the Council's support in any way possible; at present, this could entail a "stamp of approval" and future support could be in cooking and serving a meal. Ms. Wysling addressed questions from the Council.

B. Online Meeting Management

Mayor Endicott shared the following tips and tricks on how to have successful online meetings:

- Arrive 10 minutes early
- Add your name to GoToMeeting
- Silence your phone
- Use wired internet connection if at all possible
- Use a headset (the City will provide one if needed)
- Have adequate lighting so that your face can be seen
- Ask if you need help in setting up your space
- Raise your hand and wait to be recognized then turn on your microphone to speak.

Mayor Endicott added he needs to follow rules regarding when people speak and will rotate among all members before anyone can speak a second time.

C. Diversity, Equity, and Inclusion Discussion led by Erika McCalpine, OSU-Cascades

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Mayor Endicott shared Oregon State University-Cascades Diversity, Equity and Inclusion (DEI) Laboratory Director Erika McCalpine's background. Ms. McCalpine provided the Council with an introduction to DEI which included understanding vocabulary terms such as bias, cultural appropriation, privilege and social justice; identifying the strength of various climates; and honoring history and progression. Ms. McCalpine explained how to examine inclusive climates and understanding the dynamics.

D. Organization Staffing/Needs in the Context of the 2021/2022 Budget

This item was postponed.

OTHER BUSINESS

There being no further business, the workshop was adjourned at 7:45 p.m.

Prepared by Kelly Morse, City Recorder

APPROVED by the City Council and SIGNED by the Mayor this 29th day of June 2021.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

SPECIAL CITY COUNCIL WORKSHOP OF THE CITY OF REDMOND WAS HELD FEBRUARY 2, 2021, VIA GOTOMEETING.

COUNCIL MEMBERS PRESENT: Jon Bullock – Krisanna Clark-Endicott – George Endicott – Clifford Evelyn – Ed Fitch – Jay Patrick – Shannon Wedding

MEDIA PRESENT: None

Mayor Endicott called the workshop to order at 6:00 p.m.

Mayor Endicott explained the difference between regular meetings, workshops, and joint workshops. He said the Council will plan to meet every week for the foreseeable future and asked for feedback to determine if that schedule presents an undue burden on anyone.

Councilor Fitch raised the issue of the Council communicating with each other and suggested if a Councilor has a topic to introduce, that they send a memo or letter to the others that will be included in the meeting packet. Mayor Endicott stated he inquired about this process and it does meet ethics requirements. City Manager Witcosky asked that any potential memos or letters be submitted no later than midnight on Wednesdays in advance of packets being sent out on Thursdays.

Mr. Witcosky shared that citizens can make comments to the Council either verbally at a public meeting or in writing. Citizens should make their request to comment by contacting City Recorder Kelly Morse to get on the schedule or submit their written comments for the packet. Citizens can also send written comments directly to the Council. Councilor Clark-Endicott clarified that if an email is directed to the entire Council and a Councilor responds with "Reply All," doing so creates a meeting of the Council. She said the Council is welcome to respond as an individual.

CURRENT EVENTS

There was no update given.

GOALSETTING PART 2

A. Review Policy Topics for 2021/2022

Mr. Witcosky presented a list of Policy Issues along with the timing of when those would be brought to Council, and whether these issues will require multiple sessions to discuss. He explained the importance of spreading out the issues throughout the year due to the work load they require of staff and coordination of panelists.

B. Council Operations/Protocols

In order of their priority, Mayor Endicott listed the three ways protocols are memorialized: the Charter, germane parts of the City Ordinances, and the Council Rules. Councilor Fitch opined the Council should be given the opportunity to voice their interests and recommend items for the agenda. Councilor Clark-Endicott spoke to agenda items only being those that are supported by the majority of Council members. Mayor Endicott stated that he thinks the flexibility already exists for the Council to raise agenda items.

C. Committees/Commissions/Liaisons

Mayor Endicott provided information about these groups, stating that the Committees and Commissions work for the Council, not staff. He has received feedback that it is helpful for a Councilor to be present at meetings in order to bring any necessary comments back to the Council. Mayor Endicott reiterated that at least once per year the chair of each Committee and Commission is asked to provide the Council with a report on their work. Councilor Fitch noted the work of the Urban Area Planning Commission (UAPC) is very important, and he is concerned that the UAPC might work on ideas independent of the Council such that when those ideas are brought to the Council, the Council does not approve of their proposals. He

recommended two or three joint meetings of the Council and Planning Commission and perhaps a few other key Commissions. In response to a request for clarification from Councilor Evelyn on the process Commissions and Committees appoints, Mayor Endicott referred to the specific direction of the Charter which says that the Mayor appoints, and the Council approves. He elaborated by describing the process for interviewing applicants adding that at times he does it alone if there is short notice or time constraints, but oftentimes a staff person and/or the Council liaison is involved. His preference is when a staff person and the Council liaison are both involved. Councilor Fitch suggested asking for the Council's recommendations for any potential candidates. Councilor Patrick suggested that the Council packet include the applications of everyone who applied for a committee/commission. Councilor Fitch recommended having several joint meetings with committees/commissions each year, so the entire Council is involved rather than having only the liaisons attend. Mayor Endicott asked Mr. Witcosky to work with him to reach out to the committee/commission chairs to get their input on these ideas.

WRITTEN COMMENTS FROM CITY COUNCIL MEMBERS

A. Councilor Fitch

Councilor Fitch commented he will be submitting a memo for the next packet regarding his concerns with St Charles and its reduction in trauma level status in Redmond. He said it is time to decide whether to step up and take action regarding Redmond's needs or let St Charles continue doing what they want with the local hospital.

OTHER BUSINESS

There being no further business, the workshop was adjourned at 6:56 p.m.

Prepared by Kelly Morse, City Recorder

APPROVED by the City Council and SIGNED by the Mayor this 29th day of June 2021.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

SPECIAL CITY COUNCIL JOINT WORKSHOP OF THE CITY OF REDMOND AND DESCHUTES COUNTY BOARD OF COMMISSIONERS WAS HELD FEBRUARY 9, 2021, VIA GOTOMEETING.

COUNCIL MEMBERS PRESENT: Jon Bullock – Krisanna Clark-Endicott – George Endicott – Clifford Evelyn – Ed Fitch – Jay Patrick – Shannon Wedding

COMMISSIONERS PRESENT: Patti Adair – Phil Chang – Tony DeBone

MEDIA PRESENT: None

Mayor Endicott and Chair DeBone called the workshop to order at 6:00 p.m. Introductions were made.

PRESENTATIONS / DISCUSSIONS

A. COVID/Vaccination Update

Deschutes County Health Services Director Dr. George Conway provided the Council and Board of Commissioners with a public health update. Data was presented on the number of weekly cases in Redmond and countywide, hospitalizations, affected cases by age, gender and ethnic group, school metrics and related cases, statewide risk categories, and Redmond's Oregon State University's TRACE community COVID-19 sampling. As of February 8, Deschutes County has fully vaccinated 10,484 people and 18,182 are currently in the vaccination process. Dr. Conway answered questions from the Council and Board.

B. Affordable Housing at the Regional Level/Local Roles

Deputy City Manager John Roberts stated that the purpose of this presentation is to heighten awareness of the scale of the regional and local affordable housing needs, including recent initiatives as well as examples of tools. He addressed the topics of population growth in the City of Redmond and Deschutes County, housing cost and demand, the definition of "affordable" housing, and current projects.

Deschutes County Community Development Director Nick Lelack addressed population growth in Deschutes County and cities and rural areas within it, noting that the numbers are based on projections by Portland State University.

Mr. Roberts explained that current data shows Redmond's population growth is exceeding the projections and is likely to hit 50,000 by 2023. He said the median sales price for single family homes in Redmond have increased 40 percent in the past four years with no end in sight. He gave additional information about the Area Median Income and the availability of homes for those in working class jobs.

Deschutes County Administrator Tom Anderson made a presentation about current affordable housing projects within the County including two in La Pine: Putney Place (constructed by Habitat for Humanity on land donated by the County) and Hawks Views Estates (developed by Housing Works). Mr. Anderson stated that the County has partnered with Bend Heroes Foundation and Central Oregon Veterans Outreach to create Veterans Village, a transitional housing model for veterans.

Mr. Roberts presented information about current affordable housing projects within the City of Redmond. The City approved its first property tax exemption for Bridge Meadows, an intentional intergenerational living community aimed at elders and foster care. A second project, Midtown Place, is under development by Housing Works. Mr. Roberts reported on Skyline Village (land donated by Deschutes County) where half of the units will be designated as affordable housing. He noted four Housing Works projects that have added 235 units over the past four years: Liberty Lodge, Canyon Edge, Reindeer Meadows, and Spencer Court.

Mr. Lelack provided a presentation on the County's housing strategies, stating there are currently about 6,000 rural residential lots available. The Board of Commissioners' top priority is to support rural Accessory Dwelling Units legislation which would amount to nearly 7,000 eligible properties in the rural county.

Mr. Roberts discussed Displacement Mitigation tools such as: no net loss policies, preference policy, dedicated funding for preservation and displacement mitigation, and community organizing. He mentioned other tools used by other cities: tax increment financing district for housing, property tax abatement, System Development Charges (SDC) exemptions, construction excise tax, inclusionary zoning, and land banking/community land trusts. Mr. Roberts explained the City's initiatives which include Community Development Block Grants, SDC buydowns within Urban Renewal Districts, property acquisition/land banking/surplus land, and an Affordable Housing Loan Fund.

In response to questions from Councilor Fitch on how Bend is addressing affordable housing issues, Mr. Lelack stated he did not know, but state legislation requires cities with a population over 10,000 to address the regional need for affordable housing.

Councilor Patrick asked for the number of people in Redmond who are paying over 30 percent for housing. Mr. Roberts estimated less than 6,000 households of the 12,000 households in Redmond fall into that category of paying over 30 percent for housing.

C. Homelessness at the Regional and Local Level

City Manager Keith Witcosky provided an update on Bethlehem Inn's steps to open a permanent shelter in Redmond on 5th Street. A site has identified for the facility and the City is currently going through the Conditional Land Use Permit process for that property.

Councilor Fitch was contacted by both Jericho Road and Shepherd's House, both of which stated they want to move toward more permanent shelter facilities in Redmond. Mr. Witcosky added their services are an important part of the continuum of services for homeless persons since not everyone can meet the "clean and sober" criteria which Bethlehem Inn requires.

Commissioner Chang stated that at a recent strategic planning meeting, he and Commissioner Adair suggested the possibility of using a portion of the Fairgrounds RV Park for temporary or transitional housing for those living in their RVs without a permanent home or place to park. He asked the Council to consider the idea and provide feedback, etc. since the Fairgrounds are situated within the City of Redmond. Commissioner Chang suggested this could provide stability on an on-going basis for those individuals.

Mayor Endicott shared that a year ago, he proposed a regional summit on the topic of homelessness, but the summit was postponed due to COVID-19. He hopes they can move forward with addressing the issue once in-person meetings are held again. Mayor Endicott reiterated that homelessness is a regional problem.

Councilor Fitch expressed support for Commissioner Chang's idea and is in favor of trying it on an experimental basis.

D. Redmond Industrial Land/UGB Expansion

Redmond Economic Development, Inc. Senior Director Jon Stark provided an update on the Department of State Lands (DSL) property located south of the fairgrounds. Mr. Stark showed a map delineating several properties including 140 acres for the Fairgrounds expansion, 20 acres for the Oregon Military Department, and over 600 acres annexed into the City for the development of large lot industrial (LLI) projects. He has been marketing the property for some time and has received information on types of potential users: large scale manufacturing, distribution, and tech companies. In response to a question from Mayor Endicott about whether this will be for light or heavy industrial, Mr. Stark stated that the property falls under a new zoning code, LLI, which allows for both light and heavy industrial, specifically aimed at employment and the creation of jobs.

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Mr. Stark addressed the addition of infrastructure needs adding the hope is to have a future developer partner in providing additional road and underground utilities with funding assistance from the South 97 Urban Renewal District and the state. Potential businesses will likely need access to southbound Highway 97 to deliver goods to Bend and further to California. Discussion took place on a needed industrial connection at Quarry Avenue. Mr. Stark noted that without one, it is not financially feasible for businesses to locate at the new industrial site and attempt to distribute items locally. Mr. Stark asked the County to consider being a part of addressing these infrastructure needs.

Commissioner Adair commented that she regularly speaks with Nick Strader, Chief of Staff for Congressman Cliff Bentz, about the need for the completion of 19th Street. She pointed out the volume of traffic to and from the Fairgrounds pre-COVID-19 noting that when gatherings resume at the facility once after the lifting of the pandemic restrictions, this will be another reason to have an alternate route to access the Fairgrounds.

Mr. Anderson stated that the County is in the process of updating its Transportation System Plan and that it is likely that the Quarry interchange will be in that plan.

Councilor Fitch reported that there is a high likelihood that a transportation bill will be passed by Congress either this year or next year and opined it would be prudent for the City and Deschutes County to work together to obtain some of those funds for the Quarry Avenue project.

Commissioner DeBone addressed the proposed Quarry Avenue to Maple Avenue arterial connection as a viable option to get heavy traffic off Highway 97. Mayor Endicott and Mr. Stark pointed out the advantages of having an arterial connection for heavy truck traffic.

OTHER BUSINESS

There being no further business the workshop was adjourned at 7:39 p.m.

Prepared by Kelly Morse, City Recorder

APPROVED by the City Council and SIGNED by the Mayor this 29th day of June 2021.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder



CITY OF REDMOND

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STAFF REPORT

DATE: June 29, 2021
TO: Redmond City Council
THROUGH:
FROM: Keith Witcosky, City Manager
SUBJECT: Ordinance #2021-07 - An ordinance declaring a State of Emergency due to extreme weather conditions.

Alternative Courses of Action:

1. Approve Ord. #2021-07
2. Do not approve Ord. #2021-07.
3. Request more information

Recommendation / Suggested Motion:

"I move to have a first read of Ord. #2021-07 in its entirety and then a second reading by title only." (Voice Vote)

(City Attorney Keith Leitz will read the ordinance first in its entirety then by title only)

"I move to approve Ord. #2021-07." (Roll Call Vote)

From: Andrew McLaughlin
Sent: Tuesday, June 29, 2021 2:16 AM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: Fireworks

The inevitability of fireworks deemed illegal being used is an unavoidable fact... The best course of action is to allow for all fireworks to be used but to apply a hefty tax on any fireworks currently deemed illegal, and for the proceeds of said tax to go to the fire department to fight any fires that occur and to identify those who started said fires with their firework misuse

-Andrew McLaughlin, SW Juniper Avenue, Redmond Oregon

From: Lair, Debbie
Sent: Tuesday, June 29, 2021 8:13 AM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: FIREWORKS IN REDMOND

I cannot attend the city council meeting but would like to express my serious concern regarding fireworks in Redmond this year. The fact that they cause severe anxiety to pets, wildlife, and some humans, we now have a drought and record heat. Please be responsible humans and ban them this year. Thank you.

MY LAST DAY AT RENEWAL IS 7/1. TERESA MCPHERSON IS MY REPLACEMENT. tmcpherson@medline.com

Debbie Lair



Reorder Buyer

1500 NE Hemlock Avenue

Redmond, OR 97756

office: 541-516-4103

fax: 541-923-3375

dlair@medline.com

www.medlinerenewal.com

From: Steve Meyer
Sent: Tuesday, June 29, 2021 10:02 AM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: Ban Fireworks this year

Hi and thank you all for considering a ban on non-professional fireworks this year. If Dry Canyon or any outlying area burns, it would devastate the entire community. I'm a native Oregonian and love fireworks. This year, it's just too dangerous. Later, perhaps a discussion on a permanent solution everyone can live with.

Also, I know RPD is really busy, however, how can we get a response to illegal fireworks? I rarely see a response. As I'm sure you all know, it's in the evening and late at night already.

Thank you again,

Steve Meyer

From: kristy buck
Sent: Tuesday, June 29, 2021 1:16 PM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: ban fireworks due to weather

Hello, I would like to address our fire danger this weekend. I am in favor of banning all fireworks and let the experts at the fairgrounds let them off. I also would like the fines to be doubled considering our fire risk and temperatures. We need to protect our great city.

Thank You,

Kristy Buck

541-728-4785

SW 33rd St

Redmond Oregon 97756

Concerned resident

From: Eli Conlee

Sent: Tuesday, June 29, 2021 1:50 PM

To: Public Testimony <publictestimony@redmondoregon.gov>

Subject: Written comments for June 29th meeting: RE: Fireworks

Dear City Councilors -

In regard to Item III, part C of today's agenda (Fireworks and Fireworks Bans), I would like to submit the following written public comment as I am unable to attend during the public testimony time slot.

As a resident of NE Redmond, I recognize the difficult situation that faces the council, local businesses (especially fireworks stands), and fellow community members during this intense heat wave and extreme fire danger. In light of the present circumstances and extremely hazardous conditions, I would ask the council to measure public safety and potential hazards over the temporary disappointment of a diminished celebration of our nation's birthday. The charred remains of communities in southern and western Oregon are a grim reminder of what fires can do even in greener parts of Oregon.

If an outright ban is not enacted today, then I hope you will approve amplified efforts to enforce existing rules and increased fines & enforcement for illegal fireworks. For all of us who live in the more exposed parts of Redmond and for those currently evacuating parts of SE Redmond, we appreciate your rapid and sincere consideration of the danger we face.

Many thanks,

Eli Conlee

Redmond, OR

From: Richard Taylor
Sent: Tuesday, June 29, 2021 2:18 PM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: Fire Works Ban

Please make the right decision to ban fireworks immediately! It would be ridiculous to allow them during this intense heat.

In gratitude,

Richard Taylor and Christine Lundgren

From: Kristi Newton
Sent: Tuesday, June 29, 2021 2:50 PM
To: Public Testimony <publictestimony@redmondoregon.gov>
Subject: Fireworks

My message and concerns are short and to the point - ban fireworks as Bend, LaPine, and Portland have done. Back it up with a significant fine for violation - not just talk. The two fires active now in Redmond demonstrate how extreme fire danger is with the heatwave and drought. It's common sense to eliminate one of the biggest causes of fires this time of year - people and fireworks.

Kristi Newton

From: Morgan Haueter
Sent: Tuesday, June 29, 2021 3:57 PM
To: Kelly Morse <Kelly.Morse@redmondoregon.gov>
Subject: Re: Counsel meeting 6/28

I would like to address the council concerning the use of ban of fireworks on Independence Day. I understand the reasons Bend chose to and why Redmond may be concerning it. However I feel that banning fireworks in city limits would be a mistake. One reasoning being that I believe it will only force people to go out of city limits to light them off, and having fireworks out in the brush and dry juniper would be more of a fire danger than having fireworks on the cement, or as my family and many others have done, lighting them off in the dirt and gravel parking lot of the fairgrounds. I believe people can be responsible by watering down the area around where they have fireworks and can have buckets of water prepared in case something happens. The dry atmosphere is nothing new in Central Oregon, and has not deterred us before, nor should it now.

Fireworks have been a part of celebrating the greatest nation in the world since it began and is something we need to hold onto when so much of our nation is changing. I believe we can do that and trust the citizens of Redmond to celebrate responsibly.

Thank you,
Morgan Haueter

Date	Name	Message
06/28/21	Richelle Tanner	Ban fireworks during this extreme heat
06/29/21	male resident	Please, no fireworks
	Ben	Put a temporary ban on fireworks
	Priscilla Marcus	Stop fireworks and take consideration of the extreme heat
	Betty R Kelly	City need to place restrictions on fireworks due to extreme heat
	Richelle Tanner	City needs to be more restrictive on fireworks or place a ban on them. Homeowners are worried of fire.
	Julie Castello	City need to ban fireworks this year due to extreme heat & irresponsible people
	Pat Craulley	Please put a ban on fireworks. This dry heat and wind could be disastrous if a fire starts.
	Wallie Hathaway	The extreme heat & wind could become deadly in our neighborhood if we don't ban fireworks completely. Direct people to lit fireworks and sparklers at a controlled site like the Fairgrounds.
Note: Chamber of Commerce had received over 15 - 20 calls from yesterday and this morning from residents who want fireworks banned in their neighborhood.		



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STAFF REPORT

DATE: June 29, 2021
TO: Redmond City Council
THROUGH: Keith Witcosky, City Manager
Keith Leitz, HR Director
FROM: John Roberts, Deputy City Manager
SUBJECT: Continued: Ordinance #2021-04 - An ordinance amending the Redmond City Code Chapter 2, changing Redmond Committee for Art in Public Places to Redmond Commission for Art in Public Places, and Chapter 7, Sections 7.400 through 7.420, adding a Mural Code.

Addresses Council Goal:

6. Community Enhancement and Participation: Create an image and identity that generates community pride and ensures a high level of livability.

6.E. Beautify and improve the major transportation corridors within the City.

7. Comprehensive Planning: Enhance the quality of life through adoption of programs, policies, and standards that manage growth while maintaining Redmond's small town character.

Report in Brief:

This item requests City Council approval of Ordinance 2021-04 amending Chapters 2 and 7 of the City Code to adopt regulations and standards for murals.

The vote to approve was not unanimous and therefore another vote at a second meeting is required.

Background:

At the May 11, 2021, City Council discussed a proposed Mural Code.

Seven issues/code provisions were presented to City Council at their meeting on June 22, 2021. No additional changes were made from that meeting.

Discussion:

At their June 22 meeting, City Council conducted a first and second reading of the ordinance by title only; however the vote to approve the ordinance itself was not unanimous. In order to approve the ordinance, the Charter requires that it come before the Council for consideration at a second meeting.

The vote to approve the ordinance at the second meeting is not required to be unanimous.

Fiscal Impact:

There is no fiscal impact.

Alternative Courses of Action:

1. Adopt Ordinance No. 2021-04
2. Request more information
3. Do not adopt Ordinance No. 2021-04

Recommendation / Suggested Motion:

"I move to approve Ordinance #2021-04." (Roll Call vote)

**CITY OF REDMOND
ORDINANCE NO. 2021-04**

AN ORDINANCE AMENDING THE REDMOND CITY CODE CHAPTER 2, CHANGING REDMOND COMMITTEE FOR ART IN PUBLIC PLACES TO REDMOND COMMISSION FOR ART IN PUBLIC PLACES, AND CHAPTER 7, SECTIONS 7.400 THROUGH 7.420, ADDING A MURAL CODE.

WHEREAS, the City desires to create an image and identify that generates community pride and ensures a high level of livability; and

WHEREAS, City Council has tasked the Redmond Committee for Art in Public Places (RCAPP) to make decisions regarding placement of art located within the City and to collaborate with public and private agencies to consider associated impacts and aesthetics; and

WHEREAS, the City has been approached by multiple property and business owners regarding creating murals on their business facades and in response RCAPP worked on developing a mural code tailored to the community; and

WHEREAS, the purpose of the mural code is to regulate murals to improve aesthetics, increase community identify and foster a sense of place; and

WHEREAS, the mural code provides pathways for a mural to be either approved, approved with conditions or denied in all zones except Residential; and

WHEREAS, the mural code establishes criteria and standards to review, permit and monitor mural applications; and

WHEREAS, the City Council finds that the attached mural code is necessary to further the above interests.

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

SECTION ONE: The City of Redmond hereby amends the Redmond City Code Chapter Chapters 2 and 7 Section 7.400 to Section 7.420 – Business. A copy of the code amendments is attached hereto as “Exhibit A.”

SECTION TWO: 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 29th day of June 2021.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

Exhibit A: Proposed Redmond City Code Amendments

Chapter 2 – Government and Administration

Regarding Chapter 2, new proposed text is Identified in **Red**. Proposed deleted text ~~strikethrough~~.

(***)

Redmond **Commission** ~~Committee~~ for Art in Public Places

Purpose Statement	2.440
Responsibilities / Scope	2.441
Duties and Powers	2.442
Membership	2.443
Officers	2.444
Meetings / Quorums	2.445
Expenses / Reimbursements	2.446
Special Provisions	2.447
Staff Support	2.448

(***)

COMMISSIONS, COMMITTEES, AND CONTRACT REVIEW BOARD

2.300 Commissions and Committees. Commissions and Committees of the City shall include the Urban Area Planning Commission, Budget Committee, Parks Committee, Redmond **Commission** ~~Committee~~ for Art in Public Places, Redmond Development Committee, Juniper Golf Committee, Airport Committee, Historic Landmarks Commission, Bicycle and Pedestrian Advisory Committee and Housing and Community Development Committee.

(***)

Redmond **Commission** ~~Committee~~ for Art in Public Places

2.440 Purpose Statement. The purpose of the Redmond **Commission** ~~Committee~~ for Art in Public Places is to introduce art into select public locations and situations in order to create a unique sense of place and enhance community identity throughout Redmond.

[Section 2.440 added by Ord. #2006-08 passed May 23, 2006]

[Section 2.440 amended by Ord. #2014-18 passed October 28, 2014]

2.441 Responsibilities / Scope. The Redmond **Commission** ~~Committee~~ for Art in Public Places in an advisory capacity to the City Council shall:

(***)

2.442 Duties and Powers. The Redmond ~~Commission~~ Committee for Art in Public Places shall:

(***)

2.443 Membership.

1. **Number of Members.** The Redmond ~~Commission~~ Committee for Art in Public Places shall be composed of nine members

(***)

2.444 Officers.

1. **Chairperson / Vice-Chairperson.** At its first meeting of each year, the Redmond ~~Commission~~ Committee for Art in Public Places shall elect from among its membership a chairperson and vice-chairperson. The Chairperson or vice-chairperson, acting as chairperson, shall have the right to make or correct motions and vote on all matters before the Committee. A majority of the Committee may replace its chairperson or vice-chairperson with another member at any time during the calendar year.

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2.447 Special Provisions.

1. The Redmond ~~Commission~~ Committee for Art in Public Places shall operate within the laws and guidelines of the federal government, the state government, Deschutes County and the City of Redmond.
2. The Mayor may appoint an ad-hoc committee to address issues that are not under the purview of the existing committee.

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2.473 Membership.

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4. **Composition of Members.** The members of the Redmond Development Committee shall be comprised of the chairpersons of the Redmond Urban Area Planning Commission, Redmond Historic Landmarks Commission, Redmond Airport Committee, Parks Committee, Redmond ~~Commission~~ Committee for Art in Public Places, Downtown Urban Renewal Advisory Committee, Redmond Bicycle and Pedestrian Advisory Committee, Redmond Housing and Community Development Committee, and designated representatives from the Redmond Chamber of Commerce, Redmond Economic Development, Inc., the Redmond Area Park and Recreation District, and Redmond School District. Committee representation may be adjusted by the Mayor with approval of the City Council.

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Chapter 7 – Business

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MURALS

7.400 Short Title. The provisions of Sections 7.405 to 7.420 shall be known as the City of Redmond Mural Code

7.405 Purpose and Scope.

The purpose of this title is to permit and encourage murals under certain terms and standards. Murals comprise a unique medium of expression that serves the public interest. Murals have purposes distinct from signs and confer different benefits. Such purposes and benefits include: improved aesthetics; avenues for original artistic expression; public access to original works of art; community participation in the creation of original works of art; community capacity building through the presence of, and identification with, original works of art; and a reduction in the incidence of graffiti and other crime. Murals can increase community identify and foster a sense of place and enclosure when located at heights and scales visible to pedestrians.

7.410 Definitions. For purposes of Sections 7.405 to 7.420, the following mean:

Applicant. The party that is primarily responsible for the design and installation of a mural.

Mural. A hand-painted, hand-tile, or digitally printed image on the exterior wall of a building or structure where the wall or surface is either on City-owned property, or has a mural agreement, and is viewable from another property right-of-way.

Mural agreement. An agreement granted to the City by a property owner and recorded by the City Recorder for the purposes of installing and maintaining a mural on the surface of a building or structure.

Mural committee. The Redmond Committee for Art in Public Places (RCAPP), or designee, assembled to review a mural application, based on criteria established herein.

Owner. The entity(ies) that own(s) the real property that contains the building or structure upon which a mural is installed. In the case where a mural is installed in right-of-way, the owner includes the entity(ies) with jurisdiction over that right-of-way.

Public right-of-way. As defined in Section 8.0020 of the Development Code. A strip of land acquired by dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

7.415 Violation, Notice and Enforcement.

1. It is unlawful to violate any provision of the Mural Code, any representation made, or conditions or criteria agreed to in a mural permit application. This applies to any applicant for a mural permit, the proprietor of a use or development on which a permitted mural is located, or the owner of the land on which the permitted mural is located.

2. The City Manager, or designee, must give written notice of any violation to the property owner. Failure of the property owner to receive the notice of the violation does not invalidate any enforcement action taken by the City.
3. The regulation of the Mural Code, and the conditions of mural permit approval(s), shall be enforced by the City Manager, or designee.
4. Violations of the Mural Code Sections 7.400 to 7.420 are hereby declared a nuisance and are subject to notice, abatement, removal or other remedies provided in the City Code Chapter 5 Section 5.345 to 5.351.

7.420 Murals. The following standards shall apply to all murals.

1. **Standards**

- A. **Allowed locations.** Murals are allowed on buildings or structures, as described below, in all zones except Residential zones as defined in Chapter 8 Development Code.
- B. **Historic District.** The Historic Preservation Officer shall issue a Certificate of Appropriateness for murals proposed on buildings or structures that have historic significance, are listed on the Historic Resource Survey, Local Landmark Register, National Register of Historic Places, or are located within the City's Historic District.
- C. **Exemptions.** The mural standards and review process contained herein shall not apply to RCAPP sponsored projects (e.g., electric boxes, skate park or pump track murals).
- D. **Prohibition of compensation.** No compensation will be given or received for the display of murals or for the right to place the mural on another's property. The applicant shall certify in the permit application that no compensation will be given or received for the display of the mural or the right to place the mural on the property. This does not include compensation for artist's time or materials.

2. **Ownership and Maintaining Aesthetics**

- A. **Public Ownership.** The mural must be on the surface of a building or structure that is either on property owned by the City or for which a mural agreement to the City has been granted.
- B. **Duration.** The mural shall remain in place, without alternation, for a minimum period of two (2) years.
- C. **Maintenance.** The mural shall be maintained by the property owner per the terms outlined in the mural agreement. Routine maintenance of a mural becomes the responsibility of the property owner where the mural is located. As part of the mural agreement requirements, the artist shall develop a maintenance program in cooperation with the property owner for the proper long-term care of the mural.
- D. **Alteration.** Alteration includes any change to a permitted mural, including, but not limited to, any change to the images(s), materials, colors, or size of the permitted mural. Alteration does not include naturally occurring changes to the mural caused by exposure to the elements or the passage of time. Minor changes to the permitted mural that result from the maintenance or repair of the mural shall not constitute Alteration. Such minor changes may include slight and unintended deviation from the original image, colors, or materials that occur when the permitted mural is repaired due to the passage of time or as a result of vandalism.

- E. **Removal.** The mural may be removed per the terms of the mural agreement and under any of the following circumstances:
 1. The property on which the mural is located is sold.
 2. The building, structure or property is substantially remodeled or altered in a way that precludes continuance of the mural.
 3. The property undergoes a change of use authorized by the Planning Division.
 4. Unforeseen circumstances, at the discretion of the City Manager.
3. **Physical Standards.**
 - A. **Dimensions.** Mural size shall be determined by the surface size to be covered. Smaller surfaces may be completely covered. On larger surfaces, murals should be large enough to dominate the wall surface, but not so large as to overwhelm the local streetscape. Generally, one mural will be permitted per building or structure.
 - B. **Materials.** Appropriate materials for the safety and longevity of the mural shall be used. Anti-graffiti paint is recommended to protect the mural from vandalism.
 - C. **Placement.** No mural shall obstruct the functioning of any building or structure opening, including, but not limited to windows, doors, and vents.
4. **Structural Permit.** A mural that is affixed to a building or structure and contains elements that extend above or around a wall, may require permits as deemed necessary by the City Building Official or City Engineer.
5. **Lighting.** Lighting may be required for safety or crime deterrent purposes.
6. **Application.** A mural applicant shall initiate a mural proposal by filing an application with the City. The application shall be made on forms provided by the City, for review of a mural, and include any accompanying materials deemed necessary by the City for review of the proposal (such as proposed designs, site photos, and building or structure elevation drawings). Any fees shall be in accordance with the City's fee schedule.
 - A. The mural application will be reviewed for completeness by the City.
 - B. If the application is deemed incomplete, the application will not be reviewed.
7. **Review.** RCAPP shall review the proposed complete mural application. The intent of this review is to: explore and determine the design and feasibility of the mural; assess the mural given its context and its placement; and to approve, approve with conditions, or deny.
 - A. **Review Process.** RCAPP shall meet at their next regularly scheduled committee meeting and review the complete mural application.
 - B. **Review Criteria.**
 1. **Scale.** Appropriateness of scale to the wall, or surface, upon which the mural will be painted or attached and to the surrounding physical features.
 2. **Context.**
 - i. Relevance of the mural to the City, building or structure, its values, culture, and people. Murals should be based on one or more of the following themes: natural beauty, history, regional

commerce, local agriculture, local landscape or other relevant themes.

- ii. Brand logo's, advertising, or business associated logos are not allowed. Only City of Redmond specific logos are allowed.
- iii. Artist may sign the mural in a small area.

- 3. **Feasibility.** Demonstrated ability to complete the proposed mural on time and within budget.
- 4. **Media.** Appropriate media proposed to ensure the mural's longevity and durability.
- 5. **Structural and Surface Stability.** Commitment to prepare the mural surface as necessary before painting and a plan for mitigating graffiti through design or graffiti coating.
- 6. **Property Owner Commitment.** Commitment from the building owner to execute a mural agreement keeping the mural in place as approved for a minimum of two (2) years and to maintain the mural during that time.
- 7. **Public Accessibility, Safety and Lighting.** Compliance with all applicable City codes for public accessibility, safety and lighting.

9. **Approval**

- A. **Authority.** RCAPP shall have the authority to determine if an application for a mural meets all the applicable Mural Code review criteria and to issue a final approval, approval with conditions, or denial.
- B. **Notice of Decision.** The City Manager, or designee, shall issue the notice of decision in writing. The decision shall include the following:
 - 1. A brief summary of the proposal.
 - 2. A sufficient description of the subject property.
 - 3. A statement describing the decision to approve, approve with conditions, or deny the mural application.
 - 4. The date upon which the decision shall become final.
 - 5. A statement that the complete mural application file is available for review, including the decision.

10. **Appeals.** A decision regarding the approval, approval with conditions, or denial of the mural application may be appealed by filing a written request to the City Manager, or designee, within fifteen (15) days of the date on the notice of decision. The City Manager can decide to uphold or modify RCAPP's decision on the basis of the mural application review criteria under Section 7.420(7). The City Manager shall notify the appellant in writing of the decision. The notice shall state the reason(s) for upholding or modifying RCAPP's decision.

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