

**MAYOR'S NEWSLETTER**

**ATTENTION – IMPORTANT LOCAL NEWS**

**JEFF BELLAH, MAYOR**

**541-535-1955 EXT 305**



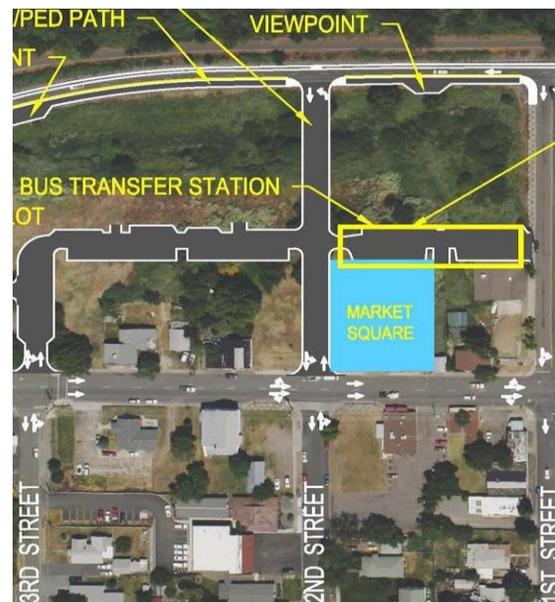
**FELLOW PHOENIX CITIZENS,**

As seen in the paper and on television, there has been plenty happening in Phoenix the last few months. Some are new issues and others are from the past that we are trying to fix. Please be assured the city staff and City Council are working diligently to represent your best interests. In this newsletter, I want to focus on two issues at the top of our priority list for the near future. The first is the Phoenix Urban Renewal Agency, and the second is Medical Marijuana Facilities (MMF).

**PHOENIX URBAN RENEWAL (UR) AGENCY:** Other than buying a large city center property for the Market Square project, the Urban Renewal Program moved slowly between 2005 and 2009, in part because it did not begin to collect partial year tax revenues until December 2007. The City Council designated UR as a separate agency in early 2010, to be comprised of a Director and a citizen/business dominated board. Two Councilors were appointed to the board as members but it was apparently unclear that they should represent the Council's interests and serve as primary communications liaisons to and from the Agency. This structure has not proven satisfactory or effective as Council continually identifies issues with communication and being unable to determine priorities. It is reportedly unusual for a City Council to not retain control of UR and it is unclear why Phoenix acted in this direction.

Since designating the separate agency board, plans have been developed to address the long desired City Center Project on Main Street across from City Hall. Accomplishments other than in planning; include sign and facade grants for paint, awnings and the like for several privately owned buildings in the UR District. Recently, the largest grant (\$40,000) was approved for a substantial facade improvement to the former Roscoe's BBQ (the original Furry Hotel).

While the Urban Renewal Agency as it is presently configured is doing a good job of design and planning, there have been a number of communication issues between the Agency and the City Council. Most of these, in my opinion, can be attributed to the two groups not meeting enough and the Council not understanding the reasons and implications for certain actions desired by the



**Figure 1 Market Square Project**

Agency. This includes actions related to property purchases, historic building renovations, the economic viability of plans, and the timing of Market Square projects. The majority of the City Council views its role as providing financial oversight of the UR Agency while the Agency sees itself as fully independent without oversight. Who is right doesn't matter if the program is not operating as a highly efficient team with Council. This type of conflict is why City Councils are very reluctant to give up control of UR Agencies.

The primary purpose of Urban Renewal is to eliminate blight within cities and to increase property values by developing infrastructure, attracting businesses, and improving public and private properties. Since Phoenix is a small city with one chance to do this right, the Council wants more definitive input on priorities, business development, public structures (streets, sidewalks), etc. The City Council sees itself as the elected officials chosen to represent the citizens of Phoenix for investing the \$14.7 million available through borrowing as well as the approximately \$300,000 collected annually from the city, school district, Fire District 5 and others that goes to Urban Renewal.

Since we are going into the 10<sup>th</sup> year of this 30 year program, it is the ideal (but long overdue) time to figure out how to maximize the ability of the City Council and UR Board to work together as a highly effective team. It is critical to do this before millions of dollars are borrowed for developing the City Center infrastructure.

How do we best create a HIGHLY EFFECTIVE TEAM for Urban Renewal? In a meeting scheduled for March 11, 2014, the City Council and UR Board will meet together to discuss two options. The first is to leave the Agency as is, but significantly improve cooperation and communication with the Council with the latter having greater input on priorities and timing of projects. The second is to add the 5 remaining Council members to the UR Board which would result in a 12 member that would resolve many of the current obstacles. It appears a combined board could benefit the city in important ways including:

- Improving communications and cooperation between citizen board members and council members. Representation would be roughly equal so compromise would be essential.
- Combining the Council and Board wouldn't delay plans or projects and should be largely imperceptible.
- Allowing Council members (as part of the UR Board) to ask questions, develop plans and fully understand the reasons for specific projects early in the planning cycle. This should ensure ratification by the Council in the final implementation stages and resolve past issues where proposals were not approved.
- Maximize the efficiency and value of meeting time for both groups as all board members would be in the same room to divide assignments, review reports, revise plans, etc. Projects should move more quickly.
- Reducing or eliminating the need for extra Interagency Agreements and reporting structures since all of the members would be present through all phases of a project and part of the decision making team.
- Reducing the use of high priced consultants by UR by sharing city staff expertise whenever possible.
- Improving accountability: The Council is responsible to the voters and I believe it is imperative that our UR Agency must be accountable also. Since the UR Agency is designated by Council, it makes sense that it helps measure progress, accomplishments, cost/effectiveness, etc. Combining the boards would build this in to the operational structure.

Whether we combine the boards or leave the current one as is with improvements, it is within the Council's scope of authority and only requires approval by Resolution or Ordinance. The most dramatic option of having the Council again retain full control of the UR Agency (the case in many cities) is not desirable as it could cause disruptions and delay current plans. Personally, I look at this as a positive opportunity and encourage you to share your ideas and let me know your thoughts by calling me at City Hall (541-535-1955 ext 305) or emailing me at [jeff.bellah@phoenixoregon.gov](mailto:jeff.bellah@phoenixoregon.gov). The bottom line consideration at this time is to determine how to most effectively move forward, spend your tax dollars wisely, and obtain the greatest benefits for the city of Phoenix. The UR effort is entering its 10<sup>th</sup> year with progress in planning, limited façade and signage improvements and a matching grant for a new cross-walk by Blue Heron Park. To date, close to \$2 million in tax revenues have been collected and it is conceivable we can do more if we work together as a Highly Effective Team. If the Council can help expedite progress than it is imperative that we do whatever it takes to obtain the greatest benefits for the

city. We will certainly keep you informed and continue to seek input as plans develop. I truly believe that the more we get the citizens of Phoenix involved, the more we can accomplish.

**MEDICAL MARIJUANA DISPENSARIES/FACILITIES (MMFs):** Currently we have two businesses interested in operating as MMFs as authorized by SB 3460 that was passed by the Oregon Legislature in 2013. Proposed businesses can now apply to the Oregon Health Authority for recognition. One such business is located on Main Street and another is near the I-5 Interchange. While the state has published temporary Final Rules describing operating guidelines, there are many questions the city must address before issuing business licenses. Accordingly, the City Council passed a ***Moratorium on March 3, 2014*** that will prohibit MMF's from operating in the City for up to 4 months in order to address the issues listed below:



- It is currently unclear how the city will best comply with both Federal and State Law when they conflict. The Phoenix City Charter (approved by the voters), our Business Ordinance and the Elected Officials Oath of Office require that the city and its officials abide by Federal Law.
- The State has suggested that cities may not have the right to ban such facilities. Nevertheless, the State seems to negate that argument by admitting it cannot force cities to violate Federal Law. This places Oregon cities in a difficult legal quandary between state and federal law.
- State Law prohibits MMFs from locating within 1000 feet of a school or another Dispensary. The city would like to further review zoning concerns for proximity to parks and residential areas.
- The state has assumed oversight control for MMFs with very limited staff. They have not delegated any responsibility for adequate security, complaint resolution, impact to juveniles, etc., to the cities at this point. Looking at incidents of crime in other states suggests the City should not give up all local control.

The Oregonian Newspaper reported on March 5<sup>th</sup> that there are 21 cities with regulations that effectively ban dispensaries and 14 Cities with moratoriums. Bans include Cave Junction, Clatskanie, Culver, Dallas, Fairview, Falls City, Grants Pass, Gresham, Harrisburg, Hermiston, John Day, Madras, Medford, Redmond, Sandy, Scappoose, Stayton, Toledo, Wilsonville, Winston and Wood Village. Cities with moratoriums included Baker City, Beaverton, Coos Bay, Cornelius, Dayton, Florence, Gladstone, Hillsboro, Milwaukie, North Bend, Phoenix, Tualatin, Tigard and Sherwood. The Phoenix Council approved a 4 month moratorium this week to address the issues described and conflicts between local, state and federal laws.

The reality is that the allowance of MMFs by Cities and Counties is far from settled and will probably take considerable time to work out problems. Perhaps even well in to the 2015 Legislature Session. There are well over 7000 Medical Marijuana Cardholders in Jackson County. The City Council hears testimony on a regular basis regarding the value of marijuana as a medicine. There are some people dedicated to establishing MMFs in Phoenix and their persistence and belief in what they are doing is admirable.

Despite hearing regularly from Dispensary advocates, we do not feel we have heard from the "silent" majority of people in Phoenix. **A large percentage** of those who speak at Council Meetings don't live in Phoenix. We would like to hear from more citizens either pro or con on this issue. You can **call me at (541) 535-1955 ext 305** or leave me a message. For

**Deficiencies with House Bill 3460 and the Oregon Medical Marijuana Dispensary Program**

1. Only 4 employees to run the Program. Colorado struggled to run a similar program with over two dozen employees. The Governor has called for "extraordinarily vigorous . . . enforcement of the rules."
2. Unlike others who lawfully dispense drugs and alcohol such as pharmacists and alcohol servers, those who will dispense marijuana are unlicensed and unregulated.
3. Testing facilities are unlicensed and unregulated.
4. Manufacturers are unlicensed and unregulated.
5. Packaging and marketing are unregulated (e.g., gummi bears, candy bars, etc).
6. Labeling is largely unregulated.
7. Local control issues may need to be litigated.
8. The Indoor Clean Air Act doesn't apply. Smoking on premises by employees will be allowed.

\* Excerpt from League of Oregon Counties public testimony

email send to [jeff.bellah@phoenixoregon.gov](mailto:jeff.bellah@phoenixoregon.gov). We are planning a **Town Hall Meeting at the High School Theater on May 20, 2014@6:30pm**, and I hope many of you will be able to make it. ***NOTE: At press time for this newsletter, it appears the State Legislature may amend the law to allow cities to impose up to a one year moratorium.***

**OTHER PHOENIX NEWS:** The freeway Inter-change Project has started. Much of the utility work is now completed for moving cables, wires and pipes. Be sure to remain alert for new potholes and objects in the road on Main Street and Fern Valley Rd. The challenges for drivers may be significant at times but in the end the city will reap great benefits.

**City of Phoenix  
Parks and Greenway  
Commission**

**Parks Survey  
How can we improve?**

Please take a moment to help us improve your experience at the Blue Heron, Otto Caster and Colver Road Parks. When you're done, please mail the questionnaire to City Hall, PO Box 330 or place in the drop box in front of City Hall, 112 W 2<sup>nd</sup> Street.

In a given year how often do you visit:

Blue Heron Park	Otto Caster Park	Colver Rd Park
<input type="checkbox"/> Weekly	<input type="checkbox"/> Weekly	<input type="checkbox"/> Weekly
<input type="checkbox"/> Monthly	<input type="checkbox"/> Monthly	<input type="checkbox"/> Monthly
<input type="checkbox"/> Occasionally	<input type="checkbox"/> Occasionally	<input type="checkbox"/> Occasionally
<input type="checkbox"/> Never	<input type="checkbox"/> Never	<input type="checkbox"/> Never

Use of parks: Please check all that apply

**Colver Road Park**

Walking Track   
  Picnic Shelters   
  Playground   
  Biking   
  Use of field   
  Use of BBQ  
 Horseshoe pits   
  Basketball Court   
  Ball Field   
  Other   
  Concession Stand  
 Restrooms

**Blue Heron Park**

Walking   
  Picnic shelters   
  Use of Field   
  Playground   
  Community Garden  
 Use of BBQ   
  Community Stage   
  Other   
  Restrooms

**Otto Caster Park**

Playground   
  Picnic   
  Other

What other offerings would you like to see at our parks?

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As we begin a new session in April to pass the 2014-2015 City Budgets, we are in a positive and stable financial situation. We have 3-year labor contracts with our employees, which gives them and the City stability for the future.

We are fortunate in Phoenix to have 3 good Parks with high quality playgrounds for children. We also have a fourth planned for the City Center called Bi-Centennial Park. The Parks Commission is trying to determine future features that the public most wants in our parks. To best accomplish this goal, they have included a survey in the box to the left. **After completing, please mail or drop off responses at City Hall.**

Thank you for your support and confidence. I can speak to you in person during drop-in hours at City Hall on Tuesdays and Thursdays (1-3pm) or other times by appointment. Feel free to contact any of our Council members

with ideas, concerns and local events. City Council is comprised of **Bruce Sophie (President), Karen Jones (Vice President), Stan Bartell, Carolyn Bartell, Terry Helfrich, and Chris Luz).**

A handwritten signature in black ink on a light-colored background. The signature is cursive and reads "Jeff Bellah".

**Jeff Bellah**  
**Mayor, City of Phoenix**