

Council Business Meeting

November 2, 2021

Agenda Item	Resolution to Extend the David Grubbs Reward Fun	
From	Tighe O'Meara	Police Chief
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SUMMARY

Staff is seeking the repeal of Resolution 2016-32 and the adoption of a new resolution extending the reward account for information on the murder of David Michael Grubbs.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

In January of 2012 a reward fund was established for information leading to the arrest of the person(s) responsible for the murder of David Grubbs. In December of 2016 that reward account was extended.

BACKGROUND AND ADDITIONAL INFORMATION

On November 11, 2011 David Michael Grubbs was murdered as he walked home from work. On January 17, 2012 the City authorized the establishment of a reward fund to pay anyone who came forward with information leading to the arrest and conviction of the perpetrator(s). This reward account was established pursuant to Resolution 2012-02. On December 6, 2016 Council approved Resolution 2016-32, appealing Resolution 2012-02 and extending the reward fund for an additional five years. This case remains open and staff requests that the reward fund be extended again, via Resolution, until January 1, 2027.

FISCAL IMPACTS

None

STAFF RECOMMENDATIONS

Staff recommends that Council vote to approve of this resolution.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move to approve the resolution and extend the David Grubbs reward fund for another five years.

REFERENCES & ATTACHMENTS

Resolution

RESOLUTION NO. 21-_____

**A RESOLUTION EXTENDING THE TERMS OF THE REWARD FUND FOR DAVID
MICHAEL GRUBBS FOR AN ADDITIONAL FIVE YEARS AND REPEALING
RESOLUTION 2016-32**

RECITALS:

- A. On January 17, 2012, the City Council adopted Resolution No. 2012-02, establishing a committed account within its general fund for the deposit of money contributed by persons who wish to reward persons providing new information essential to the apprehension and conviction of those responsible for the fatal attack on David Michael Grubbs on November 19, 2011.
- B. The City of Ashland adopted Resolution no. 2016-32 on December 6, 2016 extending this account until January 1, 2022 and repealing Resolution No. 2012-02.
- C. The City of Ashland continues to support law enforcement officials in their ongoing efforts to apprehend and bring to justice anyone involved in perpetrating this heinous act.
- D. As the scheduled termination date of January 1, 2022 of the David Michael Grubbs Reward fund approaches, the City of Ashland, the victim's family and concerned citizens, wish to extend the termination date for an additional five years and maintain the publicly managed fund to encourage and reward person who provide law enforcement officials information that results in the arrest and conviction of the person(s) responsible for the death of David Michael Grubbs.
- E. The David Michael Grubbs Reward fund balance is currently \$22,235.00

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. Reward account. The City's David Michael Grubbs Reward account shall be maintained and extended for an additional five years to terminate on January 1, 2027. The account is the City's David Michael Grubbs Reward Account and is to be used exclusively for such reward, except as specifically provided below. Any interest accrued on funds in this committed account will be paid to the City as partial reimbursement for the cost of administering the account and the issuance of rewards from it.

SECTION 2. Issuance of Rewards. The City shall pay all funds deposited in this reward account to the person or persons who submit information to law enforcement officials determinatively resulting in the apprehension and conviction of those responsible for the murder of David Michael Grubbs. Issuance of rewards from this account shall be subject the following conditions:

- A. No reward shall be paid until the perpetrator(s) is legally convicted under a judgement which is final, if for any reason the case is not tried or is otherwise

disposed of, upon proof the perpetrator(s) committed or participated in the commission of the aforesaid crime.

- B. In no event shall the reward or combination of rewards exceed the amount deposited in the account established for such purpose, regardless of the number of perpetrators involved in the act and regardless of the number of people who supply information leading to the apprehension and conviction of such perpetrators.
- C. Officers and employees of the City of Ashland, officers of state and local police agencies and officers of the federal government shall not be eligible to receive any reward from this account.
- D. A reward may be apportioned between two or more persons who give information leading to the apprehension and conviction of the perpetrators(s).
- E. The County Commission of Jackson County shall be the sole and final judge of the right of any claimant to the reward.
- F. In the event a person(s) is convicted in this matter, to the extent allowed under ORS 131.897, any reimbursement the convicted person(s) is required to make to the City for funds paid out of reward accounts will be used to first pay back rewards issued by family members of David Michael Grubbs from their separate account, and thereafter the remaining reimbursements, if any, will be paid to the donors to the City's reward account in the proportionate share of their individual donations, and finally to the City for its costs to administer the account and issuance of rewards from it.

SECTION 3. Termination Extension and Refund. This account may be terminated at anytime upon determination in a City Council resolution that continuation of the account and reward offer are not likely to serve the purpose for which they were established. By repealing Resolution 2016-32 and adopting the Resolution herein, this account and reward fund shall be maintained and extended for an additional five years to terminate on January 1, 2027, If for any reason rewards are not made, the money in this account shall be refunded, upon request, to those who donated fifty dollars or more. All money not refunded shall be deposited in the City's general fund for use by the Ashland Police Department.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 2021, and takes effect upon signing by the Mayor.

Mellissa Hutula, City Recorder

SINGED and APPROVED this _____ day of _____, 2021.

Julie Akins, Mayor

Reviewed as to form:

Katrina Brown, City Attorney