

ROSEBURG CITY COUNCIL AGENDA – DECEMBER 12, 2022

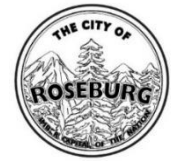
City Council Chambers, City Hall

900 SE Douglas Avenue, Roseburg, Oregon 97470

Public Online Access:

City website at <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

Facebook Live at www.Facebook.com/CityofRoseburg



12-8-2022

Comments on Agenda Items and Audience Participation can be provided in person or electronically via Zoom. See next page for instructions on how to participate in meetings.

Special Meeting – 6:30 p.m.

A. City Councilor Interviews

6:30 p.m. – David Mohr

6:45 p.m. – Richard Filley

7:00 p.m. Regular Meeting

1. Call to Order – Mayor Larry Rich

2. Pledge of Allegiance

3. Roll Call

Shelley Briggs Loosley

Beverly Cole

Bob Cotterell

Brian Prawitz

Kylee Rummel

Patrice Sipos

Andrea Zielinski

4. Special Presentation

A. Special Presentation – Sesquicentennial Artwork
Short Reception with Artists (10 minutes)

5. Mayor Reports

A. City Councilors Retirement Recognition

B. City Councilor Appointment

C. 2022 General Election Results and Scheduling Oath of Office

D. Municipal Court Judge Compensation

E. 2021 GFOA Award for Outstanding Achievement in Popular Annual Financial Reporting (PAFR)
and 2021 GFOA Certificate of Achievement for Excellence in Annual Comprehensive Financial Reporting (ACFR)

6. Commission Reports/Council Ward Reports

A. Planning Commission Resignation – Victoria Hawks

7. Audience Participation – In Person or via Zoom/See Information on the Reverse

8. Consent Agenda

A. November 14, 2022 Council Meeting Minutes

B. Resolution No. 2022-33 – Oregon Housing and Community Services (OHCS) Grant Agreement

C. OLCC New Outlet – Fast Break of Oregon, LLC dba Garden Valley Market located at 792 NW Garden Valley Boulevard in Roseburg, Oregon

9. Public Hearing

A. Ordinance No. 3579 - Comprehensive Plan Amendment and Zone Change – 761 & 797 NE Garden Valley Boulevard (Terra Firma), File Nos. CPA-22-001 and ZC-22-001, First Reading

B. Resolution No. 2022-34 – Sole Source Procurement of IT Management Services

C. Resolution No. 2022-35 – Community Development Block Grant Opportunity, City of Roseburg, Douglas County and Lane County-Wide Non-Construction. Technical Assistance Program

10. Ordinances

A. Ordinance No. 3578 – Amending Subsection 2.20.040 “Organization of Commission” of the Roseburg Municipal Code, Second Reading

11. Department Items

A. Roseburg City Charter Review Committee Recommended Amendments

12. Items from Mayor, City Council and City Manager

13. Adjourn

14. Executive Session ORS 192.660(2)

Informational

A. City Manager Activity Report

AUDIENCE PARTICIPATION INFORMATION

The Roseburg City Council welcomes and encourages participation by citizens at all our meetings, with the exception of Executive Sessions, which, by state law, are closed to the public. To allow Council to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Council follow these simple guidelines:

Comments may be provided in one of three ways:

- **In person during the meeting in the Council Chambers, Roseburg City Hall, 900 SE Douglas Ave.**
- **Email by sending an email by 12:00 p.m. the day of the meeting to info@cityofroseburg.org**
- **Virtually during the meeting. Contact the City Recorder by phone (541) 492-6866 or email (info@cityofroseburg.org) by 12:00 p.m. the day of the meeting to get a link to the meeting.**

When providing comments in person, each speaker must provide their name, address, phone number and which item on the agenda they wish to speak on the Audience Participation Sign-in Sheet.

When providing comments virtually or by email, each speaker must provide their name, address, phone number and which item on the agenda they wish to speak in an email to info@cityofroseburg.org.

When participating virtually, log or call in prior to the start of the meeting using the link or phone number provided.

- When accessing the meeting through the **ZOOM link**, click “Join Webinar” to join the meeting as an attendee.
- When accessing the meeting through the **phone**, call the number provided.
- All attendees will be held in a “waiting room” until called on to speak.

Persons addressing the Council must state their name and city of residence for the record. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.

TIME LIMITATIONS

With the exception of public hearings, each speaker will be allotted a total of 6 minutes. At the 4-minute mark, a warning bell will sound at which point the Mayor will remind the speaker there are only 2 minutes left. All testimony given shall be new and not have been previously presented to Council.

A total of 30 minutes shall be allocated for the “Audience Participation” portion of the meeting.

CITIZEN PARTICIPATION

- Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item.
- Anyone wishing to speak regarding an item on the Consent Agenda, or on a matter not on the evening’s agenda, may do so under “Audience Participation.”

PROVIDING COMMENTS

For each item in which speakers have requested to speak, the order will be as follows:

1. Speakers who attend in person will be called up to speak by the Mayor in the order in which they signed up.
2. Speakers on Zoom (video or phone only) will be called on to speak by the Mayor in the order in which they signed up. Each speaker will be brought in from the “waiting room” into the meeting to provide comments, then moved back to the “waiting room” after comments are provided.
3. Emailed comments to be read by the Mayor

If a matter presented to Council is of a complex nature, the Mayor or a majority of Council may:

1. Postpone the public comments to “Items from Mayor, Councilors or City Manager” after completion of the Council’s business agenda, or
2. Schedule the matter for continued discussion at a future Council meeting.

The Mayor and City Council reserve the right to respond to audience comments after the audience participation portion of the meeting has been closed.

The City Council meetings are on Facebook Live and available to view on the City website the next day at:

<https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

The full agenda packet is available on the City’s website at: <https://www.cityofroseburg.org/your-government/mayor-council/council-agendas>

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



WARD I, POSITION 2 CITY COUNCIL INTERVIEWS/APPOINTMENT

Meeting Date: December 12, 2022

Department: Administration

www.cityofroseburg.org

Agenda Section: Mayor Reports

Staff Contact: Amy Sowa, ACM/City Recorder

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

City Councilor Sheri Moothart resigned her position as representative of Ward 1. Therefore, there was a vacancy to be filled on the City Council for Ward 1, Position 2.

BACKGROUND

A. Council Action History.

The City Council accepted Sheri Moothart's resignation on October 10, 2022. Immediately thereafter, Staff advertised the City Council vacancy through the local news media, social media and the City's website, with a deadline of December 2, 2022 established for application submission.

Two applications were received for this position. The applicants have been invited to attend the meeting for their interviews, which have been scheduled as follows:

6:30 p.m.

6:45 p.m.

B. Analysis.

Roseburg Municipal Code Chapter 2.10 requires the City Council to interview City Council candidates at a public meeting.

To the extent possible, the Council is to act to fill the vacancy at the same meeting in which it interviews candidates. Following the interviews, the Council may make the appointment or solicit additional candidates for consideration at a later meeting before making an appointment.

Anytime during the process, a three-fourths vote of the entire membership of the current Council may terminate the procedure and make an appointment.

C. Financial/Resource Considerations. N/A

D. Timing Considerations.

To ensure appropriate representation for the residents of Ward 1, it is recommended the appointment be made as soon as practical.

COUNCIL OPTIONS

1. Interview the applicants and make an appointment; or
2. Interview the applicants and choose to solicit additional candidates for consideration at a later meeting; or
3. With a minimum of six affirmative votes, vote to discontinue the procedure as outlined in the above analysis and make an appointment.

STAFF RECOMMENDATION

Staff recommends the City Council proceed with interviewing the applicants for the City Council vacancy.

SUGGESTED MOTION

After interviews are completed, if Council is ready to proceed with an appointment, the appropriate motion would be ***"I MOVE TO APPOINT _____ TO FILL THE WARD 1, POSITION 2 VACANCY, THROUGH DECEMBER 31, 2024."***

ATTACHMENTS:

- Attachment #1 – Interview Questions
- Attachment #2 – David Mohr's Application
- Attachment #3 – Richard Filley's Application

INTERVIEW QUESTIONS FOR PROSPECTIVE CITY COUNCIL MEMBERS

1. Since everyone may not know you, briefly tell us your name, where you work(ed) and your involvement in the community.
2. What skills and experience do you have that you feel makes you a good fit for City Council?
3. Why did you apply for appointment to the City Council?
4. What role do you see City government playing in the community?
5. What role, if any, do you believe City Councilors should play in the day-to-day operations of City government?
6. How do you deal with conflicts? Talk about a time you had a conflict with a co-worker or fellow citizen and how you dealt with that.
7. List three priorities you feel the Council should concentrate on during 2022-2023.



CITY OF ROSEBURG CITY COUNCIL APPLICATION
Applications due Dec. 2, 2022 by 5:00 p.m.

Application for Appointment to: **CITY COUNCIL, WARD 1 POSITION 2**

City Council Meetings are held at 7:00 p.m. on the 2nd and 4th Monday of each month in the Council Chambers of City Hall. In addition to the regularly scheduled Council meetings, Council members will generally spend time reviewing material in preparation for the meetings and attend additional meetings as well as talking and corresponding with constituents. As the elected legislative body of the City of Roseburg, the City Council has overall responsibility for the scope, direction and financing of City services.

Name: Mohr David
Last First

Home Address: 950 NE Garden Valley Blvd 97470
Street Zip Code

Phone Number: (541) 440-5201 Cell Phone: _____

Email Address: mohrdavidc@gmail.com

Occupation Information Security / PacificSource
Place of Employment

Business Address 555 International Way, Springfield OR 97470 _____
Phone

- 1. Do you reside in the Roseburg city limits Ward 1? Yes No
- 2. Have you resided within the Roseburg city limits for at least one year immediately preceding this application? Yes No
- 3. Are you a registered voter? Yes No

4. How did you learn about this vacancy?

- Newspaper Social Media City Website Word of Mouth
- Other Please Specify: _____

5. At least two meetings a month or more are required plus significant time reading agenda material to prepare for meetings. Do you have flexibility to attend the regular meetings on the 2nd and 4th Mondays at 7:00 p.m.? Yes No

Please check the times when you would be able to attend additional meetings.

Morning (7:30 or 8:00 a.m.) Afternoon (4:00-6:00 p.m.) Evening (7:00 p.m.)

6. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?

Numerous ways to answer this question. I was born in Roseburg. I attended Winchester Elementary, JoLane, graduated from RHS. I moved back to Roseburg in 2004 and have lived in Ward 1 since 2004.

I've watched this community change significantly over my lifespan and I've watched it grow. On a daily basis I see the impacts that affordable housing, drugs, crime, and general disregard for others is having on our community.

The above are more important than most things I could say. I've also served 8 years and 11 months in the Marine Corps. I've spent a bulk of my civilian professional life working for Fortune 500 companies. I've experienced the good and more times than I admit the bad of working for Wall Street traded companies. I have an undergraduate and graduate degree in management, as well as various professional certifications.

7. Please list community topics of particular concern to you that relate to this appointment.
- I have a number of concerns, but my concerns may not be aligned with the priorities of Ward 1 members. I've learned the hard way, there will always be more targets of opportunities than we have the resources to tackle. In walking around the community, I've met great people. If I were to get this role, I'd have to start meeting a few more and finding out what the priorities are and then consult the council to understand what is being done to address those. If I felt the desired outcomes weren't going to be met or the objectives weren't aligned, then I'd work to fix it.

Immediate thoughts revolve around:

- Drug and homeless activities in Ward 1,
- mental health services, across the city,
- wreckless driving and speeding on feeder streets,
- significant number of break-ins, theft, and other activities shared on social media,
- ensuring city resources are focused on the right things and outcomes; and,
- ensuring voices are heard and represented.

8. Please list your reasons for wishing to be appointed.

Honestly, this feels like the worst idea ever. I'm happy in my life and this feels like an unnecessary stressor.

The first steps are never easy nor comfortable. But, they've always been rewarding. I'm a constant student, always looking to be a better human and find ways to contribute. Adversity breeds opportunity, this path feels like a great opportunity for growth.



Applicant Signature

10/26/2022

Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470 or e-mail to info@cityofroseburg.org. Applications close 5:00 p.m. on December 2, 2022.

If applicable, you will be advised when the City Council will conduct interviews of the applicants. Plan to be present to discuss your application with the Council. The Council will endeavor to make its selection at that meeting; however, they may wish to take more time to deliberate before making the appointment.

Information on this form is public information.
Thank you for your expression of interest in serving the community.

Note: City of Roseburg employees may not serve on an elected body.

David Mohr

Garden Valley Blvd, Roseburg Oregon | (541) 440-5201 | MohrDavidC@gmail.com

31 October 2022

Dear Selection Committee Members:

I wanted to briefly introduce myself to you. I've been a resident of Ward 1, since 2004. I've lived in Roseburg for most of my life. I was born at Douglas Community Hospital and graduated from RHS. After spending 8 years and 11 months in the U.S. Marines, I returned to Roseburg to join the ranks of disabled veterans. I met my wife and became a proud stepfather of an amazing stepson here. My wife served for almost 10 years as a deputy with the DCSO. I developed a deep appreciation for our law enforcement and a better understanding of the challenges the community faces. I watched as my stepson progressed through the Roseburg school systems.

In the last decade, I've lost both of my parents in Roseburg. My dad spent his entire life in Roseburg and once owned the iconic Mohr Well Drilling, Inc. and even lived in the Parrot House. Since moving to my current residence in 2004, I've seen many things. Today, I watched as homeless persons entered the creek across from my house to escape the rain and find shelter for the night. Many of the homeless in Ward 1 are affected by mental health or drug addiction issues. A few years ago, I watched as a friend was devastated by the loss of her daughter under suspicious circumstances, in the creek by Les Schwab. Every day I watch numerous cars drive recklessly over 55 mph in 25mph residential zones. On my walks in Ward 1, I see discarded needles, liquor bottles, and garbage all over the streets. I see drug deals that happen in the Bottle Drop parking lot. I've seen homeless prostitutes get dropped off in front of my house and change clothes right on the sidewalk, across from a bus stop. In October, I watched as a drunk driver at 3pm on a weekday became high centered on bushes next to the same bus stop. The driver was actively still attempting to get the vehicle unstuck, as the parents would stop to pick up their kids right behind him.

I also see the good and the hope. I've made friends and met good people during my walks and errands in Ward 1. While volunteering with JROTC afterschool program, I'd watch how the kids reacted to Mayor Rich's encouraging interactions. The kids always held their head higher and glowed with pride, after he talked with them. My stepson Zak still talks about the kind recommendation Brian gave him, that set his path towards working at Kester Foods. My conversations with Steve Loosley, planted the seed for my continued growth and directions, which led me to applying for this role.

I would never say I'm the best candidate, nor would I talk about the amazing things I'll accomplish in this role. I do believe that listening with the intent to give people a voice and focusing on core priorities of the community are paramount. A community that feels safe and has hope, is a critical success factor.

Best Regards, ,



David C. Mohr

David C. Mohr

Mobile: (541) 440-5201

Email: [MohrDavidC@gmail.com](mailto:DavidC@MohrDavidC@gmail.com)

[LinkedIn URL](#)

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- **Trusted Advisor** – I am passionate about making an enduring positive difference, built upon Trust and Action. I am a proponent of alignment to the business strategy, collaborating to achieve greater results, and being accountable. Integrity, trust, accountability, innovation, and action are critical principles to me.
 - **Customer Experience** – The customer and employee experience is critical to the success of a security program. I constantly look for opportunities to understand the customer journey and improve the experience. Customers are investing in the experience they perceive they will receive. I am passionate about making sure the customers' expectations are met.
-

PROFESSIONAL EXPERIENCE

HIPAA Security Officer/Information Security Manager
PacificSource

2015 – Present

Duties and accomplishments:

- Responsible for overall Information Program, strategy and operations
- Responsible for HIPAA/HITECH data protection and compliance as the HIPAA Security Officer
- Responsible for safeguarding the confidentiality, integrity, and availability of information and information systems
- Identifying and implementing strategies that will improve and mature the Information Security Program and safeguards.
- Established strategic roadmap with initiatives to improve the overall security posture and drive towards a NIST CyberSecurity Framework and HITRUST Alliance frameworks. Earning and maintaining HITRUST CSF certification.
- Introduced and drove secure code development capabilities and education, which led to more secure products and the organizations first SANS certified developers
- Introduced initiatives to drive Security Awareness, including regular communications and updates to annual and new hire training, as well as continuous phishing awareness campaigns.
- Introduced initiatives to standardize and mature security controls, from policies and procedures to hardened operating systems.
- Responsible for engaging 3rd party vendors to perform application penetration testing, compromise assessments, comprehensive penetration testing, information security program assessments, and implement risk analysis and management programs
- Identified control weaknesses and championed strategic initiatives to remediate and address

Information Security Lead
Global Security Office, Symantec

2014 – 2015

Duties and accomplishments:

- Lead for compliance and endpoint security tools protecting 30,000+ assets
- Represented the Global Security Office in the Eating Our Own Cooking initiative for the deployment of two beta product
- Service manager for the deployment of a compliance technology in the Next Generation Secure Data Center
- Establish and implemented an 24x7 on-call model for Security Operations and Engineering
- Led a team of security engineers for endpoint and server protection technologies
- Led significant service and tool performance improvements. Reduction of 250,000 system events per day, improved security configurations to significantly reduce malware risk, improved software deployment from 200 per day to 2,000+ per day with no end-user impact.

Senior Manager
Support Technology Operations, Symantec

2009 – 2013

Duties and accomplishments:

- Led the service operations of support tools, infrastructure, and applications for a global support organization with 6,000+ employees. (chat (Oracle/SFDC), InQuira, SFDC, MS Sharepoint, UCCE, FTP/SFTP)
- Represented Support Services' data privacy and risk management activities as part of safe harbor
- Led the business continuity management program across 26 global enterprise support sites
- Led the reduction of the number of technology events affecting Support and customer experience by 35% and reducing the average duration by 84% over a 2-year period
- Established and managed a 24/7 on-call Incident Manager Team
- Managed the continuity of support services and customer experience, during business impacting events
- Performed technology assessments of knowledge management and federated search capabilities
- Responsible for business technology administration and release management process.
- Designed and developed a Service Catalog, to better align technology systems to service delivery and SLAs
- Developed and led the creation of a governance and tracking system to improve incident, event, problem, business continuity, and service management for Technology Management
- Designed, developed, and managed the "Impact Dashboard." Applied measurable KPIs to technology events in business terms, to prioritize corrective action plans.

Manager / Technical Lead**2008 - 2009**

IT Security Operations and Engineering, EDS, HP Company

Duties and accomplishments:

- Led and managed the Operational Security for the EDS' Symantec account
- Managed two global teams of engineers and architects (approx. 30 individuals)
- Create and maintain security processes, procedures, workflows, documentation, knowledge management, KPIs and CSLs service management components.
- Worked closely with the team and leadership to ensure successful employee transitions to outsourced roles (maintained a six-month transition period of 100% retention)
- Worked closely with all stakeholders to ensure Critical Service Levels and Key Metrics where defined and delivered. Noted as first business unit w/n EDS to deliver all CSLs and KMs, in accordance with contract.

Manager**2007 – 2008**

IT Security Operations, Symantec

Duties and accomplishments:

- Manage a global team of highly skilled security operations professionals, providing 24x7 support. (20 personnel in Germany, US, UK, and India)
- Collaborate with the Symantec CISO, InfoSec, GRC (Governance, Risk, & Compliance), Threat Response Team, and Security Engineering to maintain the integrity of Symantec's infrastructure.
- Maintain, manage, monitor, and review the deployed security technologies within the Symantec environment
- Ensure the effective deployment, management and administration of firewall, authentication, encryption, VPN, security information managers, vulnerability assessment, and compliance technologies.
- Responsible for Service Level management, planning, coordination, and reporting of Security Operations.

National Practice Compliance Lead**2004 - 2007**

Global Professional Services, Symantec

Duties and accomplishments:

- Drove the development and support of a \$7 to \$12 million per quarter pipeline for compliance and security.
- Interacted with customers at the executive and engineer levels, as part of the services sales process for consulting engagements. Presented to CIO and CISOs at global 500 accounts
- Develop new security, compliance services and opportunities. Included consulting with customers on Security and Compliance technologies and offerings to determine need, scope, quote, and deliver.
- Work with field sales and executive teams to create, present, sell, and deliver on-site staff augmentation and short-term consulting engagements.
- Responsibilities included customer security solutions enablement, policy and procedure creation, security best practices, content filtering, virus remediation, incident response, security education, authentication, firewall rules, IDS/IPS, email security, SIEM implementation, and other security services for customers.
- Supported customers in leveraging security solutions, to meet their compliance requirements (SOx, PCI, HIPAA, etc)

Senior Technical Account Manager**2000 – 2004**

Enterprise Customer Support, Symantec

Duties and accomplishments:

- Supported large breadth of Symantec security products to named accounts. Provided consulting support on security technology implementations, incident response, malicious code remediation, policy and procedure creation, and other security related issues.
- Senior instructor and workgroup lead for antivirus, content filtering, and messaging security technologies.
- Created and published over 200 technical knowledge articles

Marine Sergeant
United States Marine Corps

1991 – 2000

EDUCATION

Master of Business Administration (MBA)

Northwest Christian University (NCC changed to NCU prior to graduation) – Eugene, OR

Bachelors Arts, Management

Northwest Christian College – Eugene, OR

Meteorological Oceanographic Analyst/Forecaster

Joint Weather Forecasting School – Biloxi, MS

CERTIFICATIONS: HCISPP #313509, CISSP #313509, ITIL Foundations v3 #10026085, CDPSE #-2002997, CISM #0911367, PADI DiveMaster #240011.

Scheduled to take HCISPP Exam



CITY OF ROSEBURG CITY COUNCIL APPLICATION
Applications due Dec. 2, 2022 by 5:00 p.m.

Application for Appointment to: **CITY COUNCIL, WARD 1 POSITION 2**

City Council Meetings are held at 7:00 p.m. on the 2nd and 4th Monday of each month in the Council Chambers of City Hall. In addition to the regularly scheduled Council meetings, Council members will generally spend time reviewing material in preparation for the meetings and attend additional meetings as well as talking and corresponding with constituents. As the elected legislative body of the City of Roseburg, the City Council has overall responsibility for the scope, direction and financing of City services.

Name: FILLEY RICHARD(Dick)
Last First

Home Address: 1375 N.E. Beulah Dr....Roseburg,Oregon..... 97470
Street Zip Code

Phone Number: (541) 637-5778 Cell Phone: (541) 643-0812

Email Address: coltfinancia@yahoo.com

Occupation Real Estate LOan Broker / Colt Mortgage Incorporated
Place of Employment

Business Address 1375 N.E. Beulah Dr. Roseburg, Oregon 97470 (541) 643-0812
Phone

- 1. Do you reside in the Roseburg city limits Ward 1? Yes No
- 2. Have you resided within the Roseburg city limits for at least one year immediately preceding this application? Yes No
- 3. Are you a registered voter? Yes No

4. How did you learn about this vacancy?

- Newspaper Social Media City Website Word of Mouth
- Other Please Specify: _____

5. At least two meetings a month or more are required plus significant time reading agenda material to prepare for meetings. Do you have flexibility to attend the regular meetings on the 2nd and 4th Mondays at 7:00 p.m.? Yes No

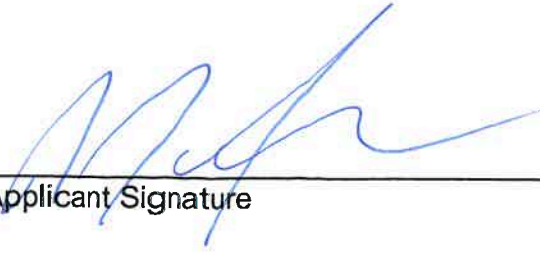
Please check the times when you would be able to attend additional meetings.

- Morning (7:30 or 8:00 a.m.) Afternoon (4:00-6:00 p.m.) Evening (7:00 p.m.)

6. What experience/training do you have that qualifies you for this particular appointment and what specific contributions do you hope to make?
Previously served as Ward 1 city Counselor.....I would be happy to do it again if needed...

7. Please list community topics of particular concern to you that relate to this appointment.
1. Homeless problem...
 2. Parking Garage & Parking meters...
 - 3 .City boundary expansion....
 4. City Manager residential requirement
 5. Working with the County Commissioners

8. Please list your reasons for wishing to be appointed.
No particular reason,,Just would be happy to help, if needed.....I noticed the deadline was extended to December 2nd,,so thought I would apply.....



Applicant Signature

11/02/2022
Date

Return completed application to the City Administration Office, 900 SE Douglas, Roseburg, OR 97470 or e-mail to info@cityofroseburg.org. Applications close 5:00 p.m. on December 2, 2022.

If applicable, you will be advised when the City Council will conduct interviews of the applicants. Plan to be present to discuss your application with the Council. The Council will endeavor to make its selection at that meeting; however, they may wish to take more time to deliberate before making the appointment.

Information on this form is public information.
Thank you for your expression of interest in serving the community.

Note: City of Roseburg employees may not serve on an elected body.

Richard R. Filley
Owner

1375 NE Beulah Drive
Roseburg, OR 97470

(541) 643-0812
coltfinancial@yahoo.com



Colt Mortgage Inc.
NMLS# 288954



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



2022 GENERAL ELECTION RESULTS AND SCHEDULING OF OATH OF OFFICE

Meeting Date: December 12, 2022

Agenda Section: Mayor Reports

Department: Administration

Staff Contact: Amy L. Sowa, ACM/City Recorder

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code requires the Mayor to declare the results of the November 2022 General Election and have those results entered into the City Council meeting minutes. Mayor Rich will read the results into the record.

BACKGROUND

The results of the General Election were as follows:

<u>POSITION</u>	<u>SUCCESSFUL CANDIDATE</u>	<u>NUMBER OF VOTES</u>
Mayor	Larry Rich	5,941
Councilor, Position 1		
Ward 1	Kylee Rummel	1,305
Ward 2	Shelley Briggs Loosley	1,643
Ward 3	Ellen E. Porter	1,353
Ward 4	Ruth M. Smith	1,350

BALLOT MEASURE 10-204: Concerning Psilocybin-Related Businesses within the City of Roseburg, Oregon. Failed with 3,121 “yes” votes compared to 6,444 “no” votes.

A copy of the certified results is attached.

The Oath of Office ceremony for the newly elected officials is tentatively scheduled for 4:00 p.m. on Tuesday, January 3, 2023, in the Umpqua Room at the Public Safety Center.

COUNCIL OPTIONS

No other action is required.

ATTACHMENTS:

Attachment #1 – Douglas County Official Abstract

Abstract of Votes for Roseburg Candidates and Measures
Douglas County, November 8, 2022 General Election

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2022-12-01
12:14:51

All Precincts, All Districts, All Counter Groups, All ScanStations, City of Roseburg, Councilor, Ward 1,
Position 1, City of Roseburg, Councilor, Ward 2, Position 1, City of Roseburg, Councilor, Ward 3,
Position 1, City of Roseburg, Councilor, Ward 4, Position 1, City of Roseburg, Mayor, Question 10-204,
All Boxes

Total Ballots Cast: 9967 (includes some ballots not yet counted), Registered Voters: 88079, Overall
Turnout: 11.32%

4 precincts reported out of 4 total

Choice	Votes	Vote %
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Precinct 07

City of Roseburg, Mayor (Vote for 1)

2732 ballots (0 over voted ballots, 0 overvotes, 960 undervotes), 3960 registered voters, turnout 68.99%

Larry Rich	1674	94.47%
Write-in	98	5.53%
Total	1772	100.00%
Overvotes	0	
Undervotes	960	

City of Roseburg, Councilor, Ward 2, Position 1 (Vote for 1)

2732 ballots (0 over voted ballots, 0 overvotes, 1058 undervotes), 3960 registered voters, turnout 68.99%

Shelley Briggs Loosley	1643	98.15%
Write-in	31	1.85%
Total	1674	100.00%
Overvotes	0	
Undervotes	1058	

Question 10-204 (Vote for 1)

2732 ballots (0 over voted ballots, 0 overvotes, 131 undervotes), 3960 registered voters, turnout 68.99%

Yes	651	25.03%
No	1950	74.97%
Total	2601	100.00%
Overvotes	0	
Undervotes	131	

Precinct 09

City of Roseburg, Mayor (Vote for 1)

2484 ballots (0 over voted ballots, 0 overvotes, 907 undervotes), 3968 registered voters, turnout 62.60%

Larry Rich	1465	92.90%
Write-in	112	7.10%
Total	1577	100.00%
Overvotes	0	
Undervotes	907	

City of Roseburg, Councilor, Ward 3, Position 1 (Vote for 1)

2484 ballots (0 over voted ballots, 0 overvotes, 1094 undervotes), 3968 registered voters, turnout 62.60%

Ellen Porter	1353	97.34%
Write-in	37	2.66%
Total	1390	100.00%
Overvotes	0	
Undervotes	1094	

Question 10-204 (Vote for 1)

2484 ballots (0 over voted ballots, 0 overvotes, 96 undervotes), 3968 registered voters, turnout 62.60%

Yes	747	31.28%
No	1641	68.72%
Total	2388	100.00%
Overvotes	0	
Undervotes	96	

Precinct 18

City of Roseburg, Mayor (Vote for 1)

2331 ballots (0 over voted ballots, 0 overvotes, 834 undervotes), 4441 registered voters, turnout 52.49%

Larry Rich	1405	93.85%
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I certify the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.



Daniel J. Loomis
Douglas County Clerk
December 1st, 2022



Abstract of Votes for Roseburg Candidates and Measures
Douglas County, November 8, 2022 General Election

All Precincts, All Districts, All Counter Groups, All ScanStations, City of Roseburg, Councilor, Ward 1, Position 1, City of Roseburg, Councilor, Ward 2, Position 1, City of Roseburg, Councilor, Ward 3, Position 1, City of Roseburg, Councilor, Ward 4, Position 1, City of Roseburg, Mayor, Question 10-204, All Boxes

Total Ballots Cast: 9967 (includes some ballots not yet counted), Registered Voters: 88079, Overall Turnout: 11.32%

4 precincts reported out of 4 total

Choice	Votes	Vote %
Write-in	92	6.15%
Total	1497	100.00%
Overvotes	0	
Undervotes	834	

City of Roseburg, Councilor, Ward 1, Position 1 (Vote for 1)

2331 ballots (1 over voted ballots, 1 overvotes, 992 undervotes), 4441 registered voters, turnout 52.49%

Kylee Rummel	1305	97.53%
Write-in	33	2.47%
Total	1338	100.00%
Overvotes	1	
Undervotes	992	

Question 10-204 (Vote for 1)

2331 ballots (0 over voted ballots, 0 overvotes, 102 undervotes), 4441 registered voters, turnout 52.49%

Yes	772	34.63%
No	1457	65.37%
Total	2229	100.00%
Overvotes	0	
Undervotes	102	

Precinct 22

City of Roseburg, Mayor (Vote for 1)

2420 ballots (0 over voted ballots, 0 overvotes, 875 undervotes), 4626 registered voters, turnout 52.31%

Larry Rich	1397	90.42%
Write-in	148	9.58%
Total	1545	100.00%
Overvotes	0	
Undervotes	875	

City of Roseburg, Councilor, Ward 4, Position 1 (Vote for 1)

2420 ballots (0 over voted ballots, 0 overvotes, 1018 undervotes), 4626 registered voters, turnout 52.31%

Ruth Smith	1350	96.29%
Write-in	52	3.71%
Total	1402	100.00%
Overvotes	0	
Undervotes	1018	

Question 10-204 (Vote for 1)

2420 ballots (0 over voted ballots, 0 overvotes, 73 undervotes), 4626 registered voters, turnout 52.31%

Yes	951	40.52%
No	1396	59.48%
Total	2347	100.00%
Overvotes	0	
Undervotes	73	

All Precincts

City of Roseburg, Mayor (Vote for 1)

9967 ballots (0 over voted ballots, 0 overvotes, 3576 undervotes), 16995 registered voters, turnout 58.65%

Larry Rich	5941	92.96%
Write-in	450	7.04%
Total	6391	100.00%
Overvotes	0	
Undervotes	3576	

I certify the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.



Daniel J. Loomis
Douglas County Clerk
December 1st, 2022



Abstract of Votes for Roseburg Candidates and Measures
Douglas County, November 8, 2022 General Election

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All Precincts, All Districts, All Counter Groups, All ScanStations, City of Roseburg, Councilor, Ward 1,
Position 1, City of Roseburg, Councilor, Ward 2, Position 1, City of Roseburg, Councilor, Ward 3,
Position 1, City of Roseburg, Councilor, Ward 4, Position 1, City of Roseburg, Mayor, Question 10-204,
All Boxes

Total Ballots Cast: 9967 (includes some ballots not yet counted), Registered Voters: 88079, Overall
Turnout: 11.32%
4 precincts reported out of 4 total

Choice	Votes	Vote %
City of Roseburg, Councilor, Ward 1, Position 1 (Vote for 1)		
2331 ballots (1 over voted ballots, 1 overvotes, 992 undervotes), 4441 registered voters, turnout 52.49%		
Kylee Rummel	1305	97.53%
Write-in	33	2.47%
Total	1338	100.00%
Overvotes	1	
Undervotes	992	
City of Roseburg, Councilor, Ward 2, Position 1 (Vote for 1)		
2732 ballots (0 over voted ballots, 0 overvotes, 1058 undervotes), 3960 registered voters, turnout 68.99%		
Shelley Briggs Loosley	1643	98.15%
Write-in	31	1.85%
Total	1674	100.00%
Overvotes	0	
Undervotes	1058	
City of Roseburg, Councilor, Ward 3, Position 1 (Vote for 1)		
2484 ballots (0 over voted ballots, 0 overvotes, 1094 undervotes), 3968 registered voters, turnout 62.60%		
Ellen Porter	1353	97.34%
Write-in	37	2.66%
Total	1390	100.00%
Overvotes	0	
Undervotes	1094	
City of Roseburg, Councilor, Ward 4, Position 1 (Vote for 1)		
2420 ballots (0 over voted ballots, 0 overvotes, 1018 undervotes), 4626 registered voters, turnout 52.31%		
Ruth Smith	1350	96.29%
Write-in	52	3.71%
Total	1402	100.00%
Overvotes	0	
Undervotes	1018	
Question 10-204 (Vote for 1)		
9967 ballots (0 over voted ballots, 0 overvotes, 402 undervotes), 16995 registered voters, turnout 58.65%		
Yes	3121	32.63%
No	6444	67.37%
Total	9565	100.00%
Overvotes	0	
Undervotes	402	

I certify the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.



Daniel J. Loomis
Douglas County Clerk
December 1st, 2022



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



MUNICIPAL JUDGE COMPENSATION

Meeting Date: December 12, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: Mayor Reports
Staff Contact: John VanWinkle/Ron Harker
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The Municipal Judge is under contract for services with the City. Council reviews the Judge's performance and compensation level on an annual basis, unless otherwise decided. The issue for Council is whether to adjust the Judge's salary.

BACKGROUND

A. Council Action History.

Council's annual performance evaluation with the Municipal Judge occurred at the November 14, 2022, Council meeting in executive session. When receiving a satisfactory evaluation, the Municipal Court Judge has historically received the same cost of living increase as other non-represented employees.

B. Analysis.

The Judge generally receives the same salary adjustment granted to management employees, which is 3% for 2022-23. Judge Mahan has not requested any other adjustments.

C. Financial/Resource Considerations.

A 3% adjustment would increase Judge Mahan's salary from \$5,519 to \$5,685 per month, effective on his November 1, 2022, anniversary date.

D. Timing Considerations.

In order to make timely adjustments to Judge Mahan's salary, this is the appropriate time to adopt any changes.

COUNCIL OPTIONS

1. Council may consider adjusting compensation for Judge Mahan as presented; or
2. Council may choose to make no changes to the contract or compensation package for Judge Mahan; or
3. Council may request additional information before making a determination regarding Judge Mahan's contract and compensation.

STAFF RECOMMENDATION

As this is a direct contractual arrangement between Council and the Municipal Judge, Staff makes no specific recommendation.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



2021 GFOA AWARD FOR OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING (PAFR) AND 2021 GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN ANNUAL COMPREHENSIVE FINANCIAL REPORTING (ACFR)

Meeting Date: December 12, 2022
Department: CMO / Finance
www.cityofroseburg.org

Agenda Section: Mayor Report
Staff Contact: Nikki Messenger / Ron Harker
Contact Telephone Number: 492-6710

ISSUE STATEMENT AND SUMMARY

GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING (for its 2021 Annual Comprehensive Financial Report)

The City recently received its 29th GFOA (Government Finance Officers Association of the United States and Canada) Certificate of Achievement for Excellence in Financial Reporting for its 2021 Annual Comprehensive Financial Report. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized Annual Comprehensive Financial Report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

The City's Annual Report has been judged by an impartial panel to meet the high standards of the program, including demonstrating a consecutive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the Annual Report.

GFOA AWARD FOR OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING (for its 2021 Popular Annual Financial Report)

The GFOA has given an Award for Outstanding Achievement in Popular Annual Financial Reporting to the City of Roseburg for its Popular Annual Financial Report for the fiscal year ended June 30, 2021. The Award for Outstanding Achievement in Popular Annual Financial Reporting is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government popular reports.

In order to receive an Award for Outstanding Achievement in Popular Annual Financial Reporting, a government unit must publish a Popular Annual Financial Report, whose contents conform to program standards of creativity, presentation, understandability and reader appeal.

The City's 2021 Popular Annual Financial Report is the 7th PAFR produced by the City, and the Award for Outstanding Achievement in Popular Annual Financial Reporting is the City's 7th received.

The GFOA is a nonprofit professional association serving the needs of over 21,000 government finance professionals across the United States and Canada.



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

PLANNING COMMISSION RESIGNATION

Meeting Date: October 11, 2021
Department: Administration
www.cityofroseburg.org

Agenda Section: Commission/Council Reports
Staff Contact: Koree Tate, Management Asst
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Planning Commission Member Victoria Hawks has resigned her position on the Commission.

BACKGROUND

A. Council Action History.

n/a.

B. Analysis.

Ms. Hawks informed Staff of her resignation effective November 10, 2022. An appointee to this position must reside in the City. Upon Council's acceptance of the resignation, Staff will begin soliciting from interested parties through the local news media, social media and City's website.

C. Financial/Resource Considerations.

n/a.

D. Timing Considerations.

It is recommended action be taken as soon as practical to accept Ms. Hawk's resignation and take steps to fill the position.

STAFF RECOMMENDATION

Staff recommends the City Council accept Ms. Hawk's resignation.

SUGGESTED MOTION

"I MOVE TO ACCEPT VICTORIA HAWK'S RESIGNATION FROM THE PLANNING COMMISSION, WITH REGRETS."

ATTACHMENTS:

Attachment #1 – Subject Resignation

From: Victoria Hawks

Sent: Thursday, November 10, 2022 3:30 PM

To: Stuart I. Cowie

I need to inform you of my decision to not remain on the commission. To give you some background, in part, probably known to you already: we closed our real estate business on Halloween, which seemed appropriate, as it was a scary decision to make. And, the hardest one I ever made, not so much for David. His license expired in January, and mine was about to on November 30. We had been tossing this around for the best part of a year, and just after we decided to close, I found out about a medical issue I have, upon which we will need to place our focus.

Being on the commission has always been an adventure for me, particularly after having served on the county version for several years. You and your staff have always been willing and able to make things completely clear, and I truly appreciated all of you time and patience with my, sometimes silly, questions.

Hopefully, you will have someone in line, eager and anxious, to serve. I encourage you to seek out another real estate broker for the position. I have always felt the experiences I had through my business, with partitions, subdivisions, lot line adjustments, etc., etc., ad nauseum, made some of the information we were provided easier to understand/digest.

Yours very truly,

Victoria Hawks

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
November 14, 2022**



Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on November 14, 2022 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon. Councilor Cotterell led the Pledge of Allegiance.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, Bob Cotterell, Brian Prawitz, Kylee Rummel, Patrice Sipos and Andrea Zielinski.

Absent: Councilor Beverly Cole

Others Present: City Manager Nikki Messenger, Assistant City Manager/Recorder Amy Sowa, City Attorney Jim Forrester, Community Development Director Stuart Cowie, Human Resources Director John VanWinkle, Finance Director Ron Harker, Library Director Kris Wiley, Police Chief Gary Klopfenstein, Public Works Director Dawn Easley and Management Assistant Koree Tate.

MAYORS REPORTS

Mayor Rich explained at the request of the Tatone's attorney, the Airport Security Department Item was pulled from the agenda. Mayor Rich announced the Veterans Day Parade on November 11, 2022 was a huge success and encouraged people to attend the holiday tree lighting ceremony in front of the Douglas County Courthouse on Sunday, November 27, 2022 at 6:00 p.m.

Mayor Rich introduced the new Fire Chief Tyler Christopherson and congratulated the newly elected City Councilors Ruth Smith, Ward 4, and Ellen Porter, Ward 3. He also introduced Sam Temple from the News Review.

Commission

Councilor Cotterell chaired a Public Works Commission Meeting on November 10, 2022 at the Water Treatment Plant where they were provided a tour of the newly installed generator after the meeting.

PUBLIC WORKS COMMISSION APPOINTMENT

Councilor Cotterell said he contacted and spoke with the three applicants who wanted to serve on the Public Works Commission. Councilor Cotterell moved to appoint Brandon Pearsall to the Public Works Commission. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no. Mayor Rich welcomed Brandon Pearsall to the Public Works Commission.

AUDIENCE PARTICIPATION

No one asked to come forward.

CONSENT AGENDA

Councilor Cotterell moved to approve the following items:

- A. October 24, 2022 Council Meeting Minutes
- B. Resolution No. 2022-30 – Adding Rose Street Parking Lot Permit Fee to the Roseburg Fee Schedule

The motion was seconded by Councilor Zielinski and was approved with the following vote: Councilors Briggs Loosley, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no.

RESOLUTION NO. 2022-31 – AMENDING RESOLUTION 91-18 REGARDING WATER FEES

Ms. Easley reported that on June 3, 2022, House Bill 4061 became effective to deter water use on unlicensed cannabis, both marijuana and hemp, growing sites. To comply with the record-keeping requirements of the bill, Public Works purchased a bulk filling dispensing station. The current water dispensing station was a manual process that was difficult to monitor and did not collect the data needed to comply with House Bill 4061. Currently, all residential central dispensing customers paid a flat rate per usage fee of \$5.00 with a 200 gallon maximum. Commercial central dispensing customers paid a \$25.00 account set-up fee and a monthly bulk permit fee of \$50.00 plus \$2.06 per 100 cubic feet of water. If customers set up their own account utilizing the new online account feature or credit card system at the central dispensing station, they would not be charged an account set-up fee, but if City staff set up the account, the customer would be charged the account set-up fee.

Public Works Staff wanted to increase the water usage fee per 100 cubic feet from \$2.06 to \$5.00 for all central dispensing customers and eliminate the residential customer exemptions from the account set-up fee and monthly demand charge. In response to Mayor Rich, Ms. Easley explained there was a dispensing station at the Fulton Street Maintenance Shop and the Roseburg Regional Airport. The airport station would close, but both were currently manual use only. The new system would be automated. Ms. Easley answered Councilor Sipos confirming water was from the Water Treatment Plant and would be safe to take home to drink.

Councilor Cotterell moved to adopt Resolution No. 2022-31, entitled, “A Resolution Amending Resolution No. 91-18 Regarding Central Dispensing Water Fees.” The motion was seconded by Councilor Zielinski and approved with the following vote: Councilors Briggs Loosley, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Resolution No. 2022-31 as adopted.

RESOLUTION NO. 2022-32 – 2022 OREGON FIRE SERVICE CAPACITY GRANT APPLICATION AUTHORIZATION

Mr. Christopherson explained the Oregon State Legislature adopted SB762 in 2021 appropriating state dollars to the Office of State Fire Marshal (OSFM) for distribution of small to medium Oregon Fire Agencies to augment firefighting and/or fire prevention staffing. Staff sought authorization to submit an application for grant funding in order to increase fire prevention staffing, which was reduced from 2 to 1 in fiscal year 2019-2020. Roseburg’s fire prevention staff was responsible for many aspects related to ensuring public safety in all new and existing buildings within the City. Those tasks included:

- Plan review for all new construction and commercial renovation projects
- Inspection for new construction and/or renovation projects
- Fire investigations
- Inspection of existing buildings
- Business license application reviews for fire code compliance
- Public education
- Emergency preparedness
- Serve as department's Public Information Officer
- Permit inspection/issuance for mobile food vendors, fireworks, demolition and burn permits
- Investigation of complaints for code compliance

Fire prevention was a critical component within the Fire Department. As the economy continued to recover, the number of reviews and inspections continued to steadily increase. A robust fire prevention program helped the City's ISO rating, which in turn saved the taxpayers money on their insurance rates. The OSFM grant would provide a decreasing level of funding for the first three years of a new position. In the first year, the grant covered 90% of the salary costs, year two at 75% and year three at 50% of the salary costs. The grant did not cover administrative, equipment or training costs. The grant required the agency to include a "good faith statement" within the application that the agency intended to continue funding the position(s) beyond the three years of the grant using other funding. Awards would be announced on or before December 31, 2022.

In response to Councilor Cotterell and Mayor Rich, Mr. Christopherson confirmed there needed to be a good faith effort to move forward with the grant and the position would be a Deputy Fire Marshal and only work in fire prevention. Councilor Cotterell moved to adopt Resolution No. 2022-32, entitled, "A Resolution Authorizing Submission of a Grant Application and Letter of Commitment for the 2022 Fire Service Capacity Program." The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Resolution No. 2022-32 as adopted.

ORDINANCE NO. 3577 – AMENDING SUBSECTION 2.34.080 “COUNCILOR TRAINING – REIMBURSEMENT OF EXPENSES” OF THE ROSEBURG MUNICIPAL CODE, SECOND READING

Ms. Sowa read Ordinance No. 3577, entitled, "An Ordinance Amending Subsection 2.34.080(B) of the Roseburg Municipal Code," for the second time. Councilor Cotterell moved to adopt Ordinance No. 3577. The motion was seconded by Councilor Briggs Loosley. Roll call vote was taken: Councilors Briggs Loosely, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no. Mayor Rich declared Ordinance No. 3577 as adopted.

ORDINANCE NO. 3578 – AMENDING SUBSECTION 2.20.040 “ORGANIZATION OF COMMISSION” OF THE ROSEBURG MUNICIPAL CODE, FIRST READING

Ms. Sowa stated that members of the Homeless Commission were instrumental in working with staff to search for and locate property to be used for a navigation center after receiving \$1.5M in grant funding from the state. Property was purchased, and United Community Action

Network (UCAN), a community partner with a representative serving on the Homeless Commission, stepped forward to operate the center when no other qualifying agencies came forward. The next project the Homeless Commission was working on was how to fund and open an urban campground. Members would do a search of appropriate properties and for an organization that could operate and supervise the campground.

To have the capability to move forward with projects such as the urban campground and other homeless initiatives, it was favorable to have representatives from agencies that work with different segments of the community and have resources to help move the goals of the Commission forward. The Cow Creek Band of Umpqua Tribe of Indians was a vital part of the community, and it would be appropriate to add a representative from that agency to the Homeless Commission as the Commission moved forward with their goals in the new year. Mayor Rich noted they had resources and knowledge from working with homeless tribal members.

Council directed the City Recorder to proceed with a first reading of Ordinance No. 3578. Ms. Sowa read Ordinance No. 3578, entitled, "An Ordinance Amending Subsection 2.20.040, "Organization of Commission" of the Roseburg Municipal Code," for the first time.

GARY LEIF NAVIGATION CENTER RENOVATION PROJECT AMENDMENT 1 – DEMOLITION AND ABATEMENT – 21GR30

Ms. Easley reported the City had received the contractor's estimated project total for the demolition and abatement of the Gary Leif Navigation Center Renovation Project. The renovation goal was to provide a place to assist those experiencing homelessness with a temporary place to live and access services. The renovation included installing a new fire sprinkler and alarm system, upgrades to existing HVAC, electrical and lighting, structural improvements, interior demolition and renovation as required, new flooring, and remodeling of existing restrooms. This phase involved demolition and asbestos abatement in the existing building. The City went through a proposal process to select a contractor for Construction Manager/General Contractor (CM/GC) to perform services for the Gary Leif Navigation Center renovation. Based on the selection process, the Council awarded a master CM/GC contract.

Staff from the Public Works Department had been working closely with the architect and CM/GC contractor to develop plans for the demolition and abatement of the Gary Leif Navigation Center. The estimated project total was \$186,150.00 with the intent to deliver the project as quickly as practical. In response to Mayor Rich, Ms. Easley said she hoped to see the project completed by the end of spring, but that depended on the supply chain issues. Councilor Prawitz questioned which funds were used for the project. Ms. Easley stated the funds were from the initial \$1.5 million grant that was received to establish the Navigation Center.

Councilor Briggs Loosley moved to authorize Amendment No. 1 to the CM/GC Contract with S&B James Company for the demolition and abatement phase of the Gary Leif Navigation Center renovation project for \$186,150.00. The motion was seconded by Councilor Zielinski and approved with the following vote: Councilors Briggs Loosely, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no.

SOUTHERN OREGON MEDICAL WORKFORCE CENTER FUNDING AGREEMENT WITH UMPQUA VALLEY DEVELOPMENT CORPORATION (UVDC)

Ms. Messenger explained that work to develop a medical college in the Roseburg area began in 2012 with leadership at CHI Mercy recognizing the severe shortage of healthcare workers, especially in rural areas. For the past several years, the City worked with community partners to develop a medical college in Roseburg. In early March, HB 5202 was adopted by both the Oregon House and Senate and included \$5 million for the Southern Oregon Medical Workforce Center. The Umpqua Valley Development Corporation (UVDC) was a non-profit that was formed in 2019 to deliver this project. The UVDC Board identified the work plan and related budget for FY 2022-23. The total budget was \$300,460 and funding would be used to pay the consultant for their work identifying and securing academic partners, identifying and securing healthcare partners to provide clinical placements, developing agreements for classroom and lab space, and a small amount of overhead. The City received the \$5 million grant funding in August 2022. To date, a total of \$90,000 had been committed. An initial \$70,000 was provided to UVDC for continuing operations while the final work plan and budget were confirmed. Another \$20,000 was committed to complete the Oregon Solutions process. Ms. Messenger noted that the momentum was back on track and moving forward again.

Linda Samek, Southern Oregon Medical Workforce Center President, electronically via Zoom, said initially they thought there would be only a single academic partner, but due to all the disruptions in the world from COVID, they needed to put together a consortium of institutions. They were having meetings to talk to Bushnell University regarding their Bachelor of Science nursing program, Pacific University regarding their Occupational Therapy and Medical Lab Science programs, Oregon Institute of Technology (OIT) for medical imaging and Western University (COMP-NW) for a Physical Therapy program. Conversations had been productive and the institutions were creative in looking for ways to provide the programs in Roseburg. OIT offered remote classroom work with an invitation to Klamath Falls for a four-week lab training in the summer when the campus was typically emptier.

Ms. Samek continued that with the new programs, they needed to have options for clinical rotation and obtain commitments from CHI Mercy, the Veterans Administration and other entities in and around Roseburg. She had been in discussions with CEO's at Douglas, Coos and Curry Counties seeking partnerships for clinical rotations. The next phase was to think about fundraising efforts and applying for additional state and federal grants. They had a wonderful partnership with Umpqua Community College (UCC) and were finalizing programs to add or enhance. As the programming begins, students would be able to use some of the classrooms on the UCC campus.

Councilor Prawitz questioned if the group had been this far previously in the process, because it felt like great progress. Steve Loosley, UCC Board and UVDC Chair, noted they did have more progress this time, especially between programs and partners. Any rural hospital in Oregon at any shift, day or time was experiencing a shortage for healthcare workers. If they wanted to flourish, they needed a highly qualified workforce and good accessible and affordable care. Ms. Samek added there was a nursing shortage five years ago in the metropolitan areas, but now there was a shortage throughout the state and nation. In response to Councilor Sipos, Ms. Samek shared they had some projections for the number of students that could be served. The rollout with cohorts would start small. There could be ten students

in Eugene and ten in Roseburg running a classroom simultaneously. At some point, if successful, they hoped to grow to a full cohort. They wanted to run 8-10 programs with a full capacity of 20-35 students for each. Not all students would be hired in Roseburg and some would be considered a destination program knowing students would come for the desired program and then move on. Most entering the program would be focused on rural medicine and they wanted to put the needs of Roseburg and Douglas County first, rural everywhere else second and then lastly anywhere in America.

In response to Mayor Rich, Ms. Samek said they were looking at the needs of the area, not what the college wanted to provide. The original \$30 million ask was mostly for a facility. Building costs had increased. Ms. Messenger agreed costs could be as high as \$40-\$50 million so they were trying to get programs off the ground in shared space.

Ms. Samek said they were looking at winter/spring 2023 and for contracts for placements. They needed programs before going to the legislature due to the requirement of having signed partnerships with clinical spaces. Each of the medical or mental health programs had professional accreditations to meet. That was one of her areas of expertise due to connections for institutions as part of her role as a consultant to bring in their curriculum and faculty. In the next year, they planned to broaden beyond Douglas County and the final phase was to add more programs and fundraising to work towards a facility. That would be the culmination of the work they were doing. Mr. Loosley said he had been involved with the project for 5-6 years working at various levels, but thought they had an extensive work plan created.

Mayor Rich said it was an interesting process with how the COVID pandemic stopped the progress, but now they were back in the saddle and moving things forward. Councilor Zielinski said she was excited for the program, appreciated seeing the partnership and supported starting small with the plans to grow. Both Mr. Loosely and Ms. Samek said they enjoyed working with Ms. Messenger who took the administration for the grant very seriously.

Councilor Cotterell moved to authorize an agreement with Umpqua Valley Development Corporation for the Southern Oregon Medical Workforce Center in the amount of \$300,460 for fiscal year 2022-23. The motion was seconded by Councilor Sipos. Roll call vote was taken: Councilors Briggs Loosely, Cotterell, Prawitz, Rummel, Sipos and Zielinski voted yes. No one voted no.

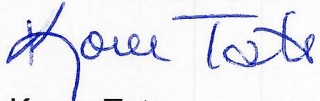
ITEMS FROM MAYOR, CITY COUNCIL AND CITY MANAGER

Councilor Prawitz applauded the work for the medical college and said he had experience seeing how the cohorts worked with rotations. It will be a great asset for the community and an opportunity for students to come get a sense of what it was like in Oregon. He shared that when he saw the Gary Leif Navigation Center on the agenda, it brought up past memories with Mr. Leif working on Operation Tiny Home. He appreciated seeing his name live on with new important programs in the community.

Councilor Prawitz asked Council to review an email received with a letter from Laurelwood residents. They had put forth a lot of time and effort to bring forward ideas for their neighborhood.

ADJOURNMENT

The meeting adjourned at 7:54 p.m.



Koree Tate
Management Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



OREGON HOUSING AND COMMUNITY SERVICES (OHCS) GRANT AGREEMENT

Meeting Date: December 12, 2022

Department: Administration

www.cityofroseburg.org

Agenda Section: Consent

Staff Contact: Nikki Messenger, City Manager

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City applied for grant funds available from Oregon Housing and Community Services (OHCS) to help fund operations of the Gary Leif Navigation Center. Council is being asked to adopt a resolution to authorize the City Manager to negotiate and enter into an agreement with OHCS to receive the grant funds.

BACKGROUND

A. Council Action History.

On June 13, 2022, Council authorized the City Manager to enter into an agreement with OHCS to accept grant funding in the amount of \$1 million to help fund operations of the Gary Leif Navigation Center.

B. Analysis.

Since being awarded a \$1.5 million grant from the State of Oregon to establish a navigation center with supportive services, the City has purchased a facility and entered into an agreement with United Community Action Network (UCAN) to operate the navigation center. Grant funds were used to prepare the property for phase I, and are now being used to renovate the existing building to house additional residents. Additional funds in the amount of \$300,000 were awarded by Umpqua Health Alliance in April 2022 to help offset the cost of operating the center.

UCAN has hired employees and put processes into place and is currently operating phase 1 of the navigation center, which includes 10 pallet shelters and wraparound services. All of the pallet shelters are currently occupied. In addition to case management services for those staying at the center, walk-in services are being provided using part of the existing building. Phase 2 of the navigation center includes renovating the building to provide an additional 30 beds for congregate sheltering.

In response to the need for additional funding to operate navigation centers throughout the state, OHCS set aside funding to be awarded to each of the eight entities that received state funding to establish a navigation center, including the City of Roseburg. To receive the funds, the City was required to complete an application and submit it to OHCS. With

the assistance of UCAN staff, city staff completed the application and submitted it to OHCS by the deadline of April 22, 2022. On May 27, 2022, the city received notification that the application received initial approval.

On September 14, 2022, the City received notice from OHCS that the total grant award would be \$1,490,835. The majority of that funding - \$1,290,835 – will be awarded initially. The City and UCAN will then be required to submit information on how Culturally Responsive Services (CRS) are being provided at the navigation center in order to receive the additional \$200,000. Staff received the draft grant agreement on November 14, 2022.

C. Financial/Resource Considerations.

The OHCS grant can be used to fund navigation center operations. While this will help with the current funding deficit, it does not fill the gap.

The following outlines current identified revenues and expenses (including the entire OHCS grant) through June 30, 2024. Staff is currently working with the contractor to reduce the estimated renovation costs shown below.

<u>Revenue</u>	
Initial State Grant	\$1,500,000
Umpqua Health Alliance	\$ 200,000
Umpqua Health Alliance	\$ 100,000
OHCS Grant 1	\$1,290,835
OHCS Grant 2	<u>\$ 200,000</u>
Total Revenue	<u>\$3,290,835</u>

<u>Expenses</u>	
Property Purchase	\$ 270,718
Ph 1 Env. & Asbestos Survey	\$ 6,971
Prep/Install Mod Pods	\$ 36,549
UCAN Contract	\$3,250,000
Architect Contracts	\$ 124,400
CM/GC Phase 1	\$ 9,588
CM/GC Demo/Abatement	<u>\$ 186,150</u>
<i>Committed Expenses Subtotal</i>	<u>\$3,884,376</u>

Renovation Estimate	<u>\$1,455,722</u>
Total Estimated Expenses	<u>\$5,340,098</u>

Current Revenue less Expense \$-2,049,263

D. Timing Considerations.

The funding for the OHCS grant must be expended by June 30, 2023. Staff is working towards negotiating the terms of the agreement as quickly as possible.

COUNCIL OPTIONS

Council has the following options:

- Adopt the resolution authorizing the City Manager to negotiate and execute an agreement with OHCS to accept grant funding up to \$1,490,835 to assist with cost of operations of the navigation center; or
- Request additional information; or
- Do nothing.

STAFF RECOMMENDATION

Staff recommends Council adopt the resolution authorizing the City Manager to negotiate and execute an agreement with OHCS to accept up to \$1,490,835 in grant funding, in order to finalize the process and receive the funds.

SUGGESTED MOTION

“I MOVE TO ADOPT RESOLUTION NO. 2022-33”

ATTACHMENTS:

Attachment #1 – Resolution No. 2022-33

RESOLUTION NO. 2022-33

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH OREGON HOUSING AND COMMUNITY SERVICES (OHCS) ACCEPTING GRANT FUNDING UP TO \$1,490,835 TO ASSIST WITH THE COST OF OPERATIONS OF THE NAVIGATION CENTER

WHEREAS, on January 13, 2020, the Roseburg City Council adopted Resolution No. 2020-01, adopting the Goals and Action Items for the City of Roseburg for 2020-2022; and

WHEREAS, Goal #6 of the adopted Roseburg City Council Goals is “Explore strategies to address issues related to unhoused individuals within the community;” and

WHEREAS, on December 14, 2020, the Roseburg City Council adopted Ordinance No. 3544 adding subsection 2.20 to the Roseburg Municipal Code and establishing a Homeless Commission; and

WHEREAS, the Roseburg Homeless Commission held their first meeting on January 25, 2021, with the intent of pursuing the creation of a low barrier emergency shelter; and

WHEREAS, in June of 2021, the City of Roseburg entered into an agreement with the State of Oregon through its Department of Administrative Services (DAS) to authorize the City to receive appropriated grant funds in the amount of \$1,500,000 for the purpose of establishing and operating a navigation center to assist individuals and families with access to health services, permanent housing, and public benefits; and

WHEREAS, On June 23, 2022, the City of Roseburg and its operating partner, United Community Action Network, held a ribbon cutting ceremony dedicating and opening the Gary Leif Navigation Center; and

WHEREAS, the City continues to seek additional funding to support the renovation and ongoing operations of the Gary Leif Navigation Center; and

WHEREAS, on September 14, 2022, Staff received confirmation from Oregon Housing and Community Services that the City was eligible to receive funds in an initial amount of \$1,290,835, with an opportunity to receive an additional \$200,000 at a later date pending approval of certain Culturally Responsive Services (CRS); and

WHEREAS, the City of Roseburg desires to enter into a grant agreement with Oregon Housing and Community Services to receive the appropriated grant funds.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

Section 1. The Roseburg City Manager is authorized to negotiate and execute a Grant Agreement with Oregon Housing and Community Services outlining conditions associated with accepting a grant in an amount up to \$1,490,835 to be used to operate the navigation center.

Section 2. This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE ___ DAY OF _____, 2022**

Amy L. Sowa, Assistant City Manager/Recorder



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OLCC NEW OUTLET FAST BREAK OF OREGON, LLC DBA GARDEN VALLEY MARKET LOCATED AT 792 NW GARDEN VALLEY BOULEVARD

Meeting Date: December 12, 2022

Agenda Section: Consent

Department: Administration

Staff Contact: Koree Tate, Management Assistant

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code Chapter 9.12 requires staff review of all applications submitted to the Oregon Liquor and Cannabis Commission (OLCC) for a license to sell alcoholic beverages within the City. Upon completion of staff review, the City Recorder is required to submit the application and a recommendation concerning endorsement to the Council for its consideration. Changes to existing licenses must be processed in the same manner.

BACKGROUND

OLCC has received an application from Bradley Staub, David Staub, Nicholas Staub, Jared Staub, and Hayden Staub, Fast Break of Oregon, LLC dba Garden Valley Market owners, as a new outlet granted for "Limited Off-Premises," sales.

A. Council Action History.

Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.

B. Analysis.

The Police Department conducted a background investigation on the applicants and found no reason to deny the application.

C. Financial/Resource Considerations.

The applicants have paid the appropriate fee for City review of the application.

D. Timing Considerations.

The applicants are requesting endorsement from the Council for immediate submittal to OLCC.

COUNCIL OPTIONS

Council may recommend OLCC approval of the application as submitted or recommend denial based on OLCC criteria.

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

“I MOVE TO RECOMMEND APPROVAL OF THE OLCC NEW OUTLET APPLICATION FOR FAST BREAK OF OREGON, LLC DBA GARDEN VALLEY MARKET LOCATED AT 792 NW GARDEN VALLEY BOULEVARD IN ROSEBURG, OREGON.”

ATTACHMENTS:

Attachment #1 – Subject Application

Cc: License Applicant with copy of agenda
Jonathan Crowl, OLCC Representative

LIQUOR LICENSE APPLICATION

Page 1 of 3

Check the appropriate license request option:

- New Outlet | Change of Ownership | Greater Privilege | Lesser Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:

7/28/22

Minimum documents acquired:

7/28/22

LOCAL GOVERNING BODY USE ONLY

City/County name:

City of Roseburg

Date application received:

Optional: Date Stamp

12/1/2022

Heidi

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

Return this form to:

Investigator name:

Heidi Smothers

Email:

heidi.smothers@oregon.gov

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

Name of entity or individual applicant #2:

Fast Break of Oregon, LLC

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Garden Valley Market

Business phone number:

541 672-7685

Business email:

gardenvalley.market@dadstaub.com

Premises street address (The physical location of the business and where the liquor license will be posted):

792 NW Garden Valley Blvd.

City:

Roseburg

Zip Code:

97470

County:

Douglas

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(1)):

1301 Espanade Ave

City:

Klamath Falls

State:

OR

Zip Code:

97601

Does the business address currently have an OLCC liquor license? Yes No

Does the business address currently have an OLCC marijuana license? Yes No

APPLICATION CONTACT INFORMATION

Contact Name:

Angela Gordon

Phone number:

541 891-6612

Email:

angela.gordon@dadstaub.com

Mailing address:

1301 Espanade Ave

City:

Klamath Falls

Zip Code:

97601

County:

Klamath

Please note: liquor license applications are public records.



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Fast Break of Oregon LLC Phone: 541 857-8400 ⁶⁷⁸⁻⁷⁶⁸⁵

Trade Name (dba): Garden Valley Market

Business Location Address: 792 NW Garden Valley Blvd

City: Roseburg, OR ZIP Code: 97470

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>12am</u> to <u>10pm</u>
Monday	<u>12am</u> to <u>10pm</u>
Tuesday	<u>12am</u> to <u>10pm</u>
Wednesday	<u>12am</u> to <u>10pm</u>
Thursday	<u>12am</u> to <u>10pm</u>
Friday	<u>12am</u> to <u>10pm</u>
Saturday	<u>12am</u> to <u>10pm</u>

Outdoor Area Hours:

Sunday	_____ to _____
Monday	_____ to _____
Tuesday	<u>N/A</u>
Wednesday	<u>N/A</u>
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

The outdoor area is used for:

- Food service Hours: _____ to _____
- Alcohol service Hours: _____ to _____
- Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____ to _____
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 7-25-22

1-800-452-OLCC (6522)

www.oregon.gov/olcc

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE – 761 & 797 NE GARDEN VALLEY BLVD (TERRA-FIRMA) FILE NOS. CPA-22-001 & ZC-22-001 – ORDINANCE NO. 3579

Meeting Date: December 12, 2022
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

The Planning Commission has reviewed and recommends City Council approve the Comprehensive Plan Map Amendment and Zone Change (CPA/ZC) request provided by Terra Firma for their property located at 761 & 797 NE Garden Valley Blvd. The requested action is to swap a 14,890 square foot portion of the property that contains a Medium Density Residential (MDR) Comprehensive Plan designation and Multifamily Residential (MR14) zoning designation with an area of the same size designated as Commercial (COM) and zoned as General Commercial (C3). The proposal is illustrated within the applicant's map of the request attached as Attachment #3. The properties involved in the proposal are described as Tax Lots 3500 & 3400 in Township 27 South, Range 05 West, Section 18BB, Willamette Meridian. The property I.D. numbers are R57018 & R57011.

BACKGROUND

A. Council Action History.

Although not part of the current CPA/ZC request, Council has been involved with previous requests involving the subject property. Council authorized Ordinance 3562 on July 12, 2021 vacating a portion of NE Crescent St. right-of-way adjacent to Terra Firma. The entirety of this vacated right-of-way is now under the ownership of Terra Firma and portions of it are included in the proposed Comprehensive Plan Map Amendment and Zone Change request.

B. Analysis.

Beginning in 2020, the property owners initiated the process for expanding their existing business (Terra-Firma Foundation Systems) into southern and eastern portions of the subject properties. This included grading and shotcrete wall improvements along the southern and eastern ends of the existing business. Additionally in 2020, the property owners began the process for vacating an existing undeveloped right-of-way along the western property line (NE Crescent Street). The general timeline for land use actions that have occurred are as follows:

1. Jan. 15, 2020 - A pre-application conference was held with city staff regarding the long-term plans of expanding the business.

2. *April 8, 2020 - A right-of-way vacation was submitted and subsequently approved by City Council vacating the portion of the 50 ft. NE Crescent Street right-of-way fronting the subject property.*
3. *May 11, 2020 – A grading permit was applied for and subsequently approved for bank excavation, placement of fill and installation of a shotcrete wall to accommodate future southern and eastern expansion of the business.*
4. *Jan. 13. 2022 – A boundary line adjustment was applied for and subsequently approved for adjustment of the westerly half of the NE Crescent Street right-of-way. This adjustment transferred the western half of the vacated right-of-way from the ownership of Roseburg Urban Sanitary Authority to the subject property. In other words, the subject property owner purchased this land from Roseburg Urban Sanitary Authority, which was authorized via the boundary line adjustment.*
5. *Feb. 1, 2022 – A grading permit was applied for and subsequently approved for placement of fill within the western portion of the subject property that was previously the area containing the right-of-way for NE Crescent Street that has since been vacated.*

The current request for a CPA/ZC is intended to finalize the land use requirements for expansion of the Terra Firma business. Portions of the area intended to be utilized for future expansion of the business have a Comprehensive Plan designation of Medium Density Residential and is zoned MR14 (Multifamily Residential). Therefore in order to obtain future land use approval to expand the business within these areas, the applicant must obtain approval for the proposed CPA/ZC, which will amend the Comprehensive Plan designation to Commercial and change the zoning to C3 (General Commercial) providing the opportunity for the commercial business expansion. As a note of procedure, the applicant has held off on proposing the CPA/ZC process in order to be able to propose a boundary of the proposed comprehensive plan and zoning designation that accurately reflects the physical boundaries of the grading work and new shotcrete wall and future expansion of the business.

The applicant has submitted a boundary line adjustment application identifying the location of the new property line, which subsequently follows the same line delineating the CPA/ZC boundaries. As a condition of the boundary line adjustment being approved, the CPA/ZC must first be officially amended.

The applicant's request for a Comprehensive Plan Map Amendment and Zone Change application was reviewed by City staff and the Planning Commission based on the applicable criteria as follows from the Roseburg Municipal Code:

- RMC Section 12.10.030(D.)(2.)(3.) – “Application form content and amendment standards”
- RMC Section 12.10.040(C) – “Criteria for Zone Change”

In addition to the applicable criteria listed above, the request was sent to the City Public Works Department, Roseburg Fire Department and Roseburg Urban Sanitary Authority. Where

applicable, City staff has incorporated comments from these departments and agencies within the drafted findings of fact.

The proposal went before the Planning Commission at a public hearing on November 7, 2022. At that meeting, the Planning Commission approved a motion to adopt the attached Findings of Fact and Order and referred the request to City Council recommending that Council approve the proposed CPA/ZC.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

The City is legally required to issue a decision involving land use applications within 150 days from the date in which an application is submitted and deemed complete. However, land use actions involving a Comprehensive Plan Map Amendment are exempt from this requirement. As a result, Council is under no legal time frame in which a decision must be rendered.

COUNCIL OPTIONS

1. Approve the requested Comprehensive Plan Map Amendment and Zone Change and adopt the Planning Commission's Findings of Fact and Order for File No. CPA-22-001 & ZC-22-002 followed by first reading of Ordinance 3579; or
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council approve the requested Comprehensive Plan Map Amendment and Zone Change by adopting the Planning Commission's Findings of Fact and Order for File No. CPA-22-001 & ZC-22-002 and proceed with the first reading of Ordinance 3579.

SUGGESTED MOTION

"I MOVE TO APPROVE THE REQUESTED COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE AND ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. CPA-22-001 & ZC-22-002."

Proceed with first reading of the Ordinance. No motion is needed, only consensus to proceed by the Council.

ATTACHMENTS:

Attachment #1 Planning Commission Findings of Fact and Order File No. CPA-22-001 & ZC-22-002.

Attachment #2 Ordinance No. 3579

Attachment #3 CPA & ZC Map

Attachment #4 Boundary Line Adjustment Map

EXHIBIT A

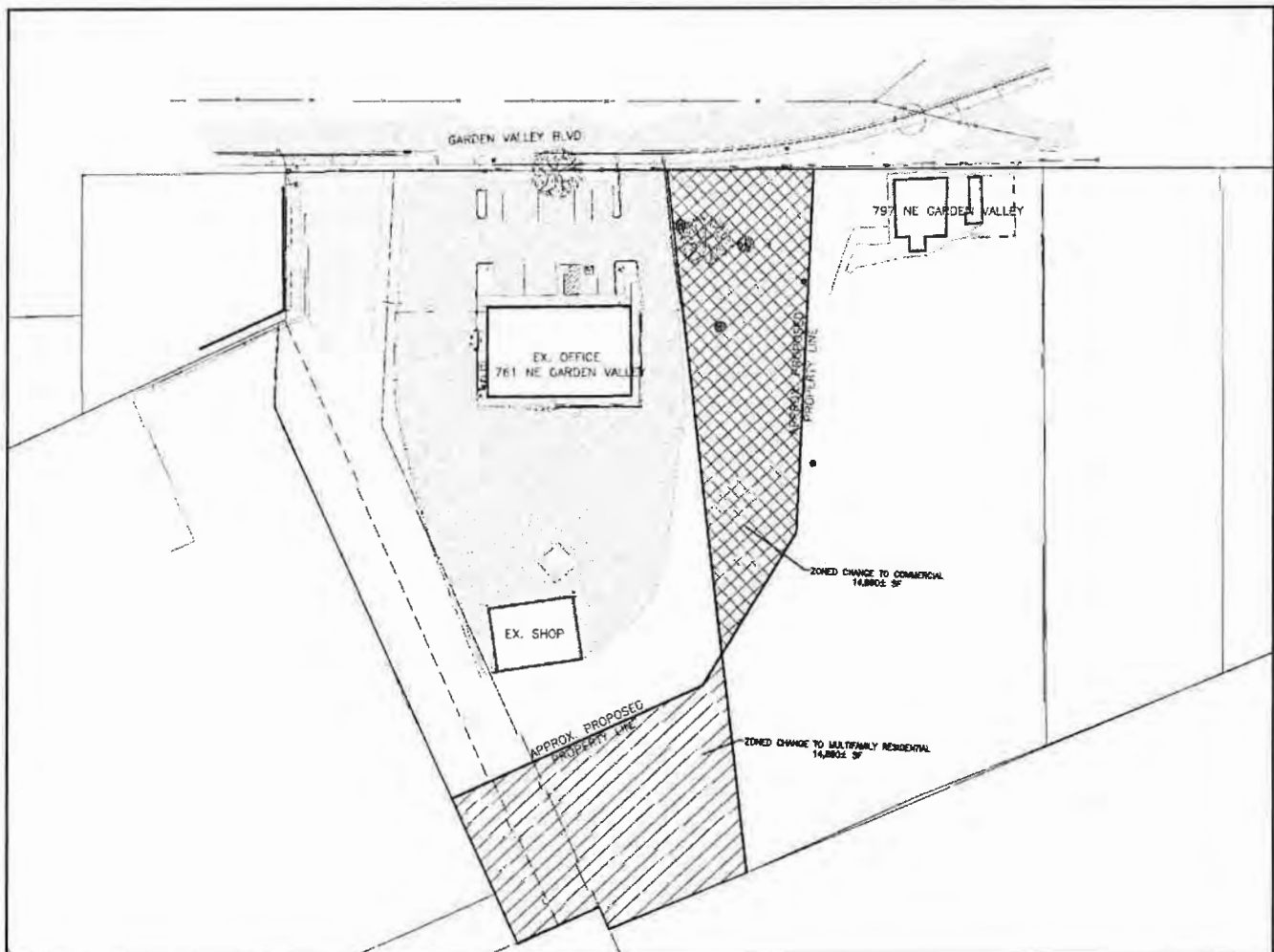
In the matter of the Comprehensive Plan) CPA-22-001
Map Amendment and Zone Change) ZC-22-001
request by 761 NE Garden Valley Blvd LLC &)
797 NE Garden Valley Blvd LLC)

BEFORE THE ROSEBURG PLANNING COMMISSION

FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

The applicant's request is for a Comprehensive Plan Map Amendment and Zone Change (CPA/ZC). The requested action is to swap a 14,890 S.F. portion of the subject properties that contains a Medium Density Residential (MDR) Comprehensive Plan designation and Multifamily Residential (MR14) zoning designation with an area of the same size designated as Commercial (COM) and zoned as General Commercial (C3). The subject area is primarily located along the southern property line of 761 NE Garden Valley Blvd and the common property line between 761 and 797 NE Garden Valley Blvd. The area also contains some of the southern portions of the recently vacated NE Crescent Street right-of-way. The request is illustrated by the graphic shown below:



II. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations (LUDR) of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing. Notice was also provided to the State Department of Land Conservation and Development pursuant to Oregon Revised Statute (ORS) 197.610.
3. The property is described as Tax Lots 3500 & 3400 in Township 27 South, Range 05 West, Section 18BB, Willamette Meridian. The property I.D. numbers are R57018 & R57011. The properties are addressed as 761 & 797 NE Garden Valley Blvd.
4. The subject properties are 1.89 acres (761 NE Garden Valley Blvd) and 1.57 acres (797 NE Garden Valley Blvd).
5. The property owner of the properties at 761 & 797 NE Garden Valley Blvd applied for a comprehensive plan map amendment and zone change to swap a 14,890 S.F. portion of the subject properties that contains a Medium Density Residential (MDR) Comprehensive Plan designation and Multifamily Residential (MR14) zoning designation with an area of the same size designated as Commercial (COM) and zoned as General Commercial (C3).

B. AGENCY COMMENTS

Comments regarding the conditional use permit request were solicited from the Fire Department, Public Works Department and Roseburg Urban Sanitary Authority. All comments received have been incorporated, where appropriate, into the conditions of approval at the end of these findings of fact.

C. PUBLIC COMMENTS

The Community Development Department notified all owners of subject properties per ORS 197.610 and RMC 12.10.030. No comments have been received by City staff.

D. PUBLIC HEARING

A public hearing was held on November 7, 2020 regarding the matter of the CPA/ZC request. Chair Onchuck read through the public hearing procedures and opened the public hearing. City Staff provided a report regarding the request and the applicable criteria. Staff outlined the proposal and staff's recommendation for Planning Commissions action. Once the staff report and testimony was complete,

Chair Onchuck closed the public hearing and commenced with Planning Commission Deliberation on the CPA/ZC request.

E. APPLICABLE CRITERIA

RMC 12.10.030 – “Quasi-judicial plan amendment”

a) Section 12.10.030(2.)(a.)

- 1) That the amendment complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.240, or as revised pursuant to ORS 197.245.

Finding: City Staff takes note that Statewide Planning Goals 3, 4, 5, 8, 9, 11, 14 & 15-19 are not applicable to the proposed request and therefore will not be reviewed within the following criteria analysis. The remaining Statewide Planning Goals have been listed and reviewed in numerical order below:

Goal 1: Citizen Involvement. To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Roseburg Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. On October 17, 2022, City staff mailed copies of a Notice of Public Hearing to all owners of property within 300 feet of the subject property. The same notice was published in the News-Review, a local newspaper of general circulation, on October 18, 2022. Written evidence relied on by the land use decision-making bodies (i.e. the applications and supporting material) was available for public review at Roseburg City Hall seven days prior to the first public hearing. Roseburg has fulfilled its citizen involvement process through early direct notification of nearby property owners, publication of a public hearing notice and contact information in the newspaper, and by facilitating informed public participation during the public hearing itself. Notice was also provided to the State Department of Land Conservation and Development pursuant to Oregon Revised Statute (ORS) 197.610.

Goal 2: Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Roseburg's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's

Comprehensive Plan and implementing ordinances provide the local criteria by which Applicant's request was judged. The subject property is within the Roseburg's City Limits Boundary, no exception to statewide planning goals is necessary and therefore the acknowledged land use process for which a CPA/ZC shall be judged and approved upon is as outlined within these findings of fact.

Goal 6: Air, Water, and Land Resource Quality. To maintain and improve the quality of air, water, and land resources of the State.

Finding: Statewide Planning Goal 6 requires that any resulting impacts from future development combined with that of existing development do not violate State or Federal environmental quality regulations. The application, if approved, will allow removal of the existing 4,000 square foot structure and erection of a new 9,000 square foot building and another 3,000 square foot office building in order to help facilitate to the growth of the existing commercial operation. Any further development of the property will undergo the required City of Roseburg site plan review process, at which time compliance with local storm water regulation will be met. Any applicable state and federal air quality permits would be the responsibility of the business owner to maintain regardless of the CPA/ZC process.

Goal 7: Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Finding: With the exception of the areas currently developed with the existing commercial business and the areas that have been graded in anticipation of expanding the business, the remaining portions of the property contain significant hillside slopes in excess of 25%. The proposal is intended to facilitate the expansion of the existing business within the remaining portions of the property that do not contain prohibitive slopes and avoid any further disturbances of the hillside areas.

Goal 10: Housing. To provide for the housing needs of citizens of the State.

Finding: The subject property is broken up into two tax lots which consists of differing Comprehensive Plan and zoning designations. Tax Lot 3400(eastern portion of property) is currently zoned MR14 indicating the underlying intention of the property is residential in nature. Tax Lot 3500 (western portion of property) is zoned C3 which dictates commercial operations are required to be the main intent. The entirety of the property has been used in a commercial capacity (Terra Firma), however there has been an existing single-family dwelling on the northeast corner of Tax Lot 3400 since its construction in 1934 (Douglas County Assessors records). The proposed application for a Plan Amendment and Zone Change will orchestrate the change in such a way that there will be no net change in residential or commercial zoning. It should be noted, that tax lot 3400 (eastern parcel) has limited opportunity for multifamily development based on

the existing topography of the parcel, the resulting configuration will not change the limited nature of development potential.

Goal 12: Transportation. To provide and encourage a safe, convenient, and economic transportation system.

Findings: The statewide transportation goal is generally intended to be applied on a city-wide basis. Specific transportation-related policies and development standards are included within the Roseburg Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented through the application of both state and local policies and standards at the time of development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule (OAR 660, Division 12). OAR 660-12-060(1) requires that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility". In order to ensure that a proposed land use change complies with the requirements of the Transportation Planning Rule, the City of Roseburg has adopted a Transportation System Plan, supplemental to the Comprehensive Plan. The property is currently accessed via NE Garden Valley Blvd, which has a functional classification of a Collector. The Transportation System Plan (TSP) states that adequate width for bicycle and pedestrian facilities are provided within the right of way. Striping and sidewalks are present where it fronts the subject property. The applicant's request does not significantly alter the amount of development that could occur on either of the subject properties, but rather facilitates the efficient use of developable land for the expansion of the existing commercial business on the westerly parcel. Therefore, this proposal does not pose a notable potential change in the demand of the existing transportation facilities fronting the subject properties.

Goal 13: Energy Conservation. To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The subject property has existing commercial development and future expansion of the commercial operation will be completed under City standards for the specific use. The proposed map amendment includes changing a portion of zoning on the property from MR14 to C3 and another portion from C3 to MR14 in conformance with the requested MDR and COM plan designations under the City of Roseburg Comprehensive Plan. The 2.92-acre property will also be subject to development standards and building codes that provide for a minimum level of energy efficiency. Additionally, the proposal is intended to provide expansion opportunity for the existing business within the current business location. Currently, the business does not have adequate space to house the necessary equipment for the entire business, which in turn requires the existing business to operate within remote location requiring additional travel for equipment to and from the site. The proposal

CPA/ZC will facilitate the future expansion of the business allowing a more efficient business operation and reduction of otherwise unnecessary logistical operations. The proposal is consistent with principles of efficient land use and energy efficiency and Goal 13.

b) Section 12.10.030(2)(a)(i.-iv.)

1) Why the proposed use should be provided for:

Finding: The subject property is currently occupied by a commercial operation (Terra Firma) and the applicant's request is directly associated with the expansion of the existing commercial operation in order to facilitate to the growth of their business. The potential development of the eastern property is significantly constrained based on the sloping topography. However, the ability for expansion of the existing commercial use on the western property is primarily limited by the existing zoning and property boundary. Therefore, the proposal is intended to allow what is the only feasible option for making efficient use of either parcel because of the prohibitive topography on the lands surrounding the proposed expansion area.

2) What alternative locations in the area could provide for proposed use:

Finding: The commercial operation is existing, the applicant/property owner is not proposing a new commercial use and, therefore; the alternative of relocating the business is less efficient than accommodating expansion within the current business location.

3) What are long-term environmental, economic, social and energy consequences to the locality, the region or the State from not applying the goal or permitting the proposed use:

Finding: The ability of being able to expand the business in the existing location is the most beneficial option in terms of environmental, economic, social and energy consequences.

4) How the proposed use will be compatible with other adjacent uses:

Finding: The subject property bifurcates commercial and residential zoned area based on its current location. Directly to the west, the property is zoned C3 and currently has an existing commercial operation (Express Employment). Southwest of the subject property is also C3 zoned area, but the property is vacant of commercial or structural development. Directly to the north and northwest are C3 zoned properties that have existing commercial operations (Coastal and BotteDrop, respectively). Directly to the east the area turns residential in nature and from the eastern property line of the subject property all properties are zoned MR14. As previously stated, the subject property is residentially zoned on the east side (Tax Lot 3400) and has a pre-existing single-family dwelling. The next and closest single-family dwelling is located

approximately 300 feet east of the subject property (807 NE Garden Valley Blvd). All adjacent land uses have coexisted with the current land use of the property for well over 20 years and the proposal does not significantly alter the proposed land use patterns of the subject or adjacent properties.

c) Section 12.10.030(2.)(b.)

- 1) The amendment complies with applicable policies of the Comprehensive Plan:
Economic Growth Policy No. 3 The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.

Finding: The existing commercial operation, Terra Firma, provides support in several areas to the community which includes foundation repair, basement waterproofing, crawlspace repair, earthquake retrofitting and wall stabilization all for residential, commercial and industrial structures. These services allow Terra Firma to be a necessary community function because the business provides vital community support. This falls in line with Economic Growth Policy No. 3 as the commercial business can be defined to be a service center which merits the support of the City.

Economic Growth Policy No. 4 Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.

Finding: The underlying intent of the subject application is to prepare for the expansion of the existing commercial operation. The property owner will remove the 4,000 square foot structure that is currently on the property and replace it with a 9,000 square foot shop building and a corresponding 3,000 square foot office building. This is due to the growth and need of the community directly related to the services the property owner provides. The proposal promotes the efficient use of the existing commercial parcel. The proposed application is consistent with Economic Growth Policy No. 4.

Transportation Policy No. 10 - New developments shall include consideration to accommodate public transit and other modes.

Finding: NE Garden Valley Blvd, as it fronts the subject property, has a functional classification of Collector. This particular road currently has a 60 right of way width and is fully built out with sidewalks, curbs and gutters. In addition, there is a fully striped pedestrian bike lane located on the south side of the road (north of the subject property). At this time, no public transit infrastructure is planned along the subject property frontage.

Housing Policy No. 3 - The City and County shall ensure an adequate supply of land suitable for development which is zoned for low, medium, and high density residential uses. Determination of an adequate supply shall be based on two to

three year projections of demand. The City and County shall annually monitor and analyze population projects and projected housing demand to provide a reliable basis for land use decisions and to assure sufficient residential land to maintain a balance between supply and demand.

Finding: The City of Roseburg recently adopted a Housing Needs Analysis (Econorthwest, 2019) that incorporated a buildable lands inventory. As State mandate dictates, the analysis focused on a 20 year supply for residential land for the City. The following key factors were determined "A 20-year population forecast (in this instance, 2019 to 2039) is the foundation for estimating needed new dwelling units. Roseburg UGB will grow from 30,256 persons in 2019 to 35,771 persons in 2039, an increase of 5,515 people...Roseburg will have demand for 2,678 new dwelling units over the 20-year period, with an average of 134 dwelling units...60% of which will be single-family detached housing (Roseburg Housing Needs Analysis, Page 70). Roseburg will have demand for 2,678 new dwelling units over the 20-year period. Of these 2,678 dwelling units, 1,607 dwelling units will be single-family detached housing (see Exhibit 65). Accordingly, Roseburg will have demand for 1,587 single-family detached units on vacant or partially vacant land."

Page 79 of the City of Roseburg Housing Needs Analysis dictates there are 155 total unconstrained buildable acres available that are currently medium density residential in nature. In addition, Exhibit 72 (Page 80) illustrates there is a total capacity of 604 dwelling units within these acres located in the medium density residential area and a demand for 561 dwelling units. This leaves a capacity of 43 total dwelling units which further indicates the vacant available buildable acres are sufficient to facilitate to the existing need of the City.

The proposed application process does not include taking any residential land out of the inventory, but rather relocating an "in-kind" amount of medium density residential land to a different portion of the property in order to accommodate the expansion of the existing commercial use. It is notable that the practical density of residential development within the existing eastern parcel is highly constrained based on the sloping topography and the resulting configuration will not dramatically change that constraint.

Public Facilities Policy No. 2 - In addition to the physical, economic, energy, and social considerations addressed by other policies in this Plan, the timing and location of urban development within the urban area shall be based upon the current or imminent availability of urban services, particularly public sewer and water.

Finding: As stated above, the property is surrounded on the north, west and south sides by commercial development and is appropriately served by public facilities and services. Affected agencies were provided notice of the proposed development and have indicated that public sewer and water are available and immediately adjacent (to the north along the right of way of NE Garden Valley Blvd) to the subject property.

The purpose of the Zone Change is to facilitate the expansion of an existing commercial use of the subject property according to the standards prescribed in the C-3 zone. The subject property is within the City of Roseburg. There are existing water and sewer lines located near the subject properties at this time along the right of way of NE Garden Valley. The property owners will be responsible for installing any future infrastructure dictated by future development on the property as appropriate in accordance with the Public Facilities Plan and the Roseburg Development Code.

The Plan Amendment and Zone Change will not create additional need for public facilities at this time. Any improvements for those public facilities necessary as a result of future commercial development and expansion at the site will require the owners to participate in funding those improvements. The extent to which public facilities and services are required to serve the property will be determined at the time a specific development proposal is reviewed. The requested Plan Amendment and Zone Change are consistent with the Public Facilities Plan.

d) Section 12.10.030(2.)(c.)

1) There is a public need for a change of the kind in question:

Finding: The existing commercial operation facilitates a necessary service to the community and they now find it necessary to expand their commercial business in order to fulfill the needs of the community and region. The completion of the application is necessary in order to fully permit the necessary improvement and expansion as a portion of the new 9,000 square foot shop structure will protrude to the east into MR14 zoned property. The property owner is changing the minimal amount of MR14 to C3 that is needed for the expansion and is in turn mitigating any potential impacts directly related to the adjustment by concurrently changing another portion of the property from C3 to MR14. The requested CPA/ZC is a result of a regional demand for the business's services, which provides a reasonable cause for the request to occur considering the alternative would be for the commercial business to relocate to a larger more accommodating commercial site.

e) Section 12.10.030(2.)(d.)

1) Such need will be best served by changing the Plan designation of the particular piece of property in question as compared with other available property:

Finding: The alternative for the existing business to relocate to a more accommodating commercial parcel would be an illogical alternative considering that the area in question has no other significant value for any adjacent uses that could occupy the proposed area. Precluding the expansion of commercial

use into the proposed area in question would be essentially rendering the area useless for any alternative purpose.

RMC 12.10.040 – “Zone Change”

a) Section 12.10.040(C)

- 1) The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

Finding: The proposed rezoning is applied concurrent with comprehensive plan map amendment to match the proposed rezoning boundary. The proposed comprehensive plan designation is consistent with the zoning designation for both areas being changed respective to their boundaries. Upon approval and adoption of the proposed comprehensive plan and zoning designation, the applicable land use and development regulations shall be applied to any future development of the subject properties. At such future time, development will be reviewed to determine compliance with the applicable development regulations, which will ensure long-term consistency with the base zone and comprehensive plan designation.

- 2) The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

Finding: The existing zoning and use does not pose any known risks to public health, safety and welfare to the surrounding uses. No concerns have come forth thus far in the review process and public input on the request has not indicated any significant concerns. The resulting use from the proposed CPA/ZC is not intended to significantly alter the existing use, but rather allow the expansion of the business to facilitate growth within the business.

- 3) The rezone is consistent with the safety and performance measures of the transportation system.

Finding: The potential development resulting from the proposed CPA/ZC does not significantly impact the existing transportation infrastructure serving the properties. That being said, the property owner at the time of development will be required, where applicable, to offer right-of-way dedications and/or contraction street improvements along the frontage of the subject properties pursuant to the site development standards of RMC Chapter 12.06.

IV. CONCLUSION

Upon review of the application, and other materials referenced as File CPA-22-001 and ZC-22-001, and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by 761 NE Garden Valley Blvd

LLC and 797 NE Garden Valley Blvd LLC satisfies the approval criteria, therefore warranting the approval of the comprehensive plan map amendment and zone change as requested.

V. ORDER

Based on the Findings and Conclusions above, the Planning Commission refers the comprehensive plan map amendment and zone change request to the City Council recommending APPROVAL of the comprehensive plan map amendment and zone change, as contained within file CPA-22-001 & ZC-22-001 and subject to the conditions as follows:

1. The applicant shall obtain Site Plan Review and Building Permit Approval prior to the commencement of any construction of the subject property.
2. Any future development of the property shall fully conform to all the applicable standards and requirement of the Roseburg Municipal Code.



Dan Onchuck, Planning Commission Chair

11/7/22

Date



Stuart Cowie, Community Development Director

11/7/22

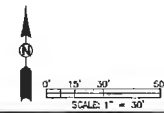
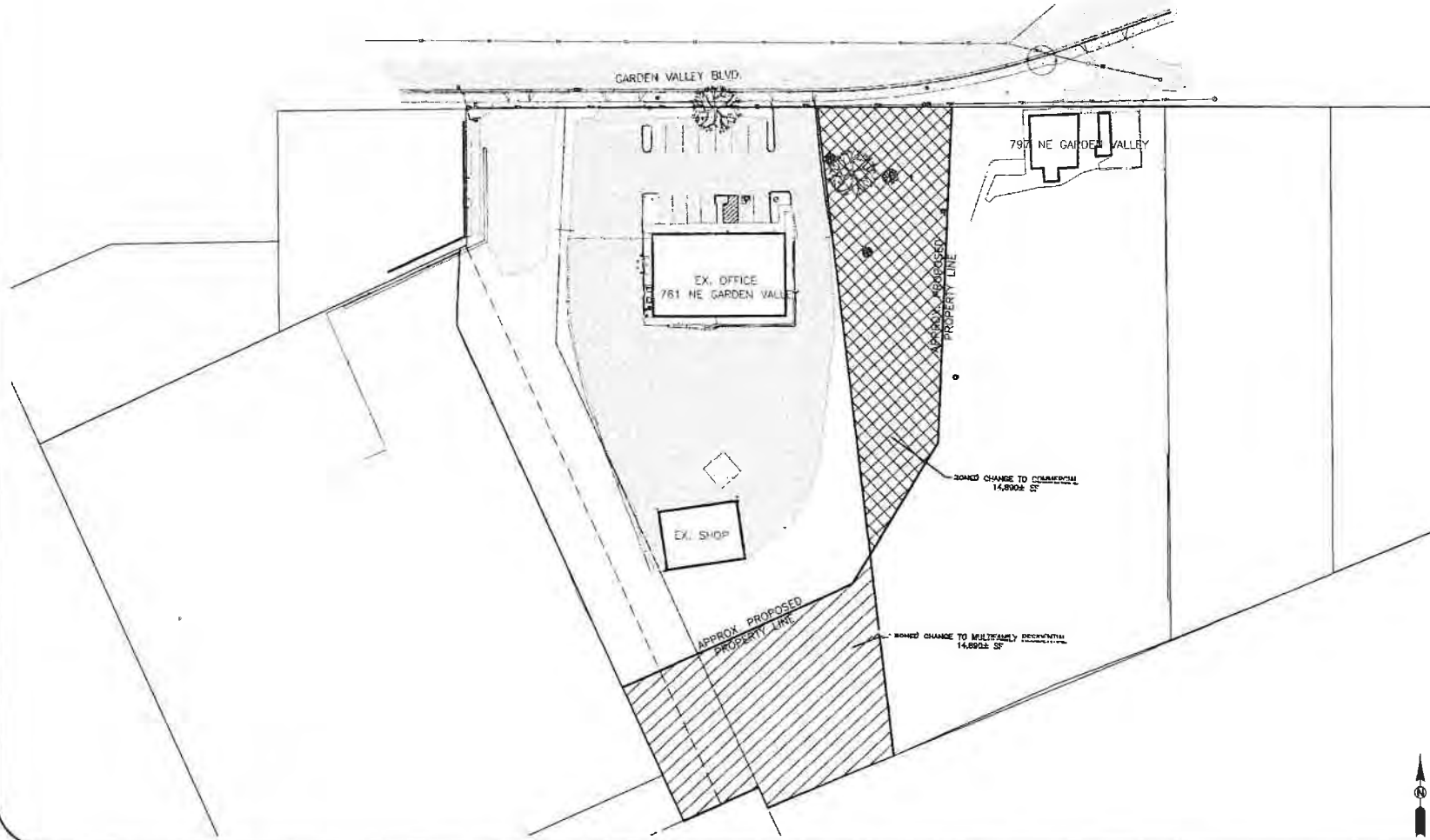
Date

Planning Commission Members:

Dan Onchuck, Chair	Jaime Yraguen
Shelby Osborn, Vice Chair	Victoria Hawks
Andrew Blondell	Janelle James
Matthew Brady	

TERRA FIRMA ROSEBURG BLA AREAS

EXHIBIT B



ie
200 DE Pine Street
Roseburg, Oregon 97470
Phone: (541) 933-3188
Fax: (541) 444-3322
service@ieinc.com

PROJECT NO. 2584-08 T1
DWG BY: DTM

10/14/2008 10:14:20 AM C:\Users\j\Documents\Projects\2584-08 T1\2584-08 T1.dwg

ORDINANCE NO. 3579

AN ORDINANCE AMENDING THE ROSEBURG COMPREHENSIVE PLAN MAP AND ZONING MAP INVOLVING PROPERTY LOCATED AT 761 & 797 NE GARDEN VALLEY BLVD.

WHEREAS, a land use application (CPA-22-01 & ZC-22-001) was submitted to the Community Development Department by Terra Firma requesting that two 14,980 square foot portions of property located at 761 & 797 NE Garden Valley Blvd. have their Comprehensive Plan Map designations of Commercial (COM) and Medium Density Residential (MDR) and zoning designations of General Commercial (C3) and Multi-Family Residential (MR14) swapped to create a new zoning boundary to facilitate the further commercial growth of the Terra Firma business; and

WHEREAS, the Planning Commission held a Public Hearing of File No. CPA-22-001 and ZC-22-001 after duly and timely notice on November 7, 2022; and

WHEREAS, the Planning Commission adopted Findings of Fact and Order supporting a recommendation to approve the Comprehensive Plan Map Amendment and Zone Change;

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

SECTION 1: The City Council hereby takes official notice of the Planning Commission's Findings of Fact and Order dated November 7, 2022, recommending approval of the proposed Comprehensive Plan Map Amendment and Zone Change.

SECTION 2: Based on the evaluation detailed in the Planning Commission's Findings of Fact and Order, City Council hereby determines that the application request conforms to the criteria contained in the Roseburg Municipal Code, Section 12.10.030 and Section 12.10.040.

SECTION 3: The City Council hereby adopts the Planning Commission's Findings of Fact and Order as their own Findings of Fact and Order regarding the proposed Comprehensive Plan Map Amendment.

SECTION 4: The City Council hereby approves the Comprehensive Plan Map Amendment and Zone Change as described on the map in attached Exhibit "A".

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS __ DAY OF _____, 20__.

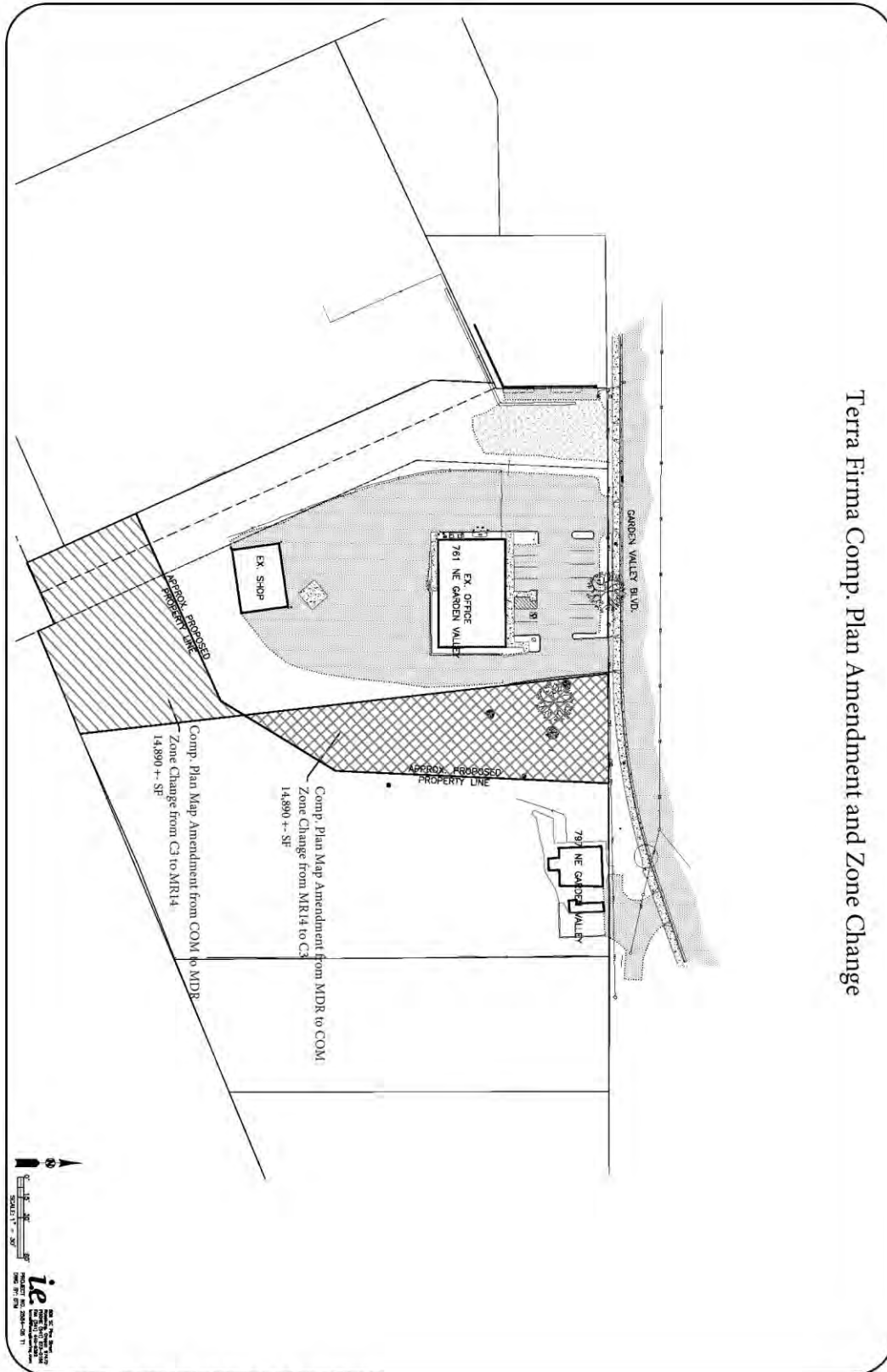
APPROVED BY THE MAYOR THIS __ DAY OF _____, 20__.

LARRY RICH, MAYOR

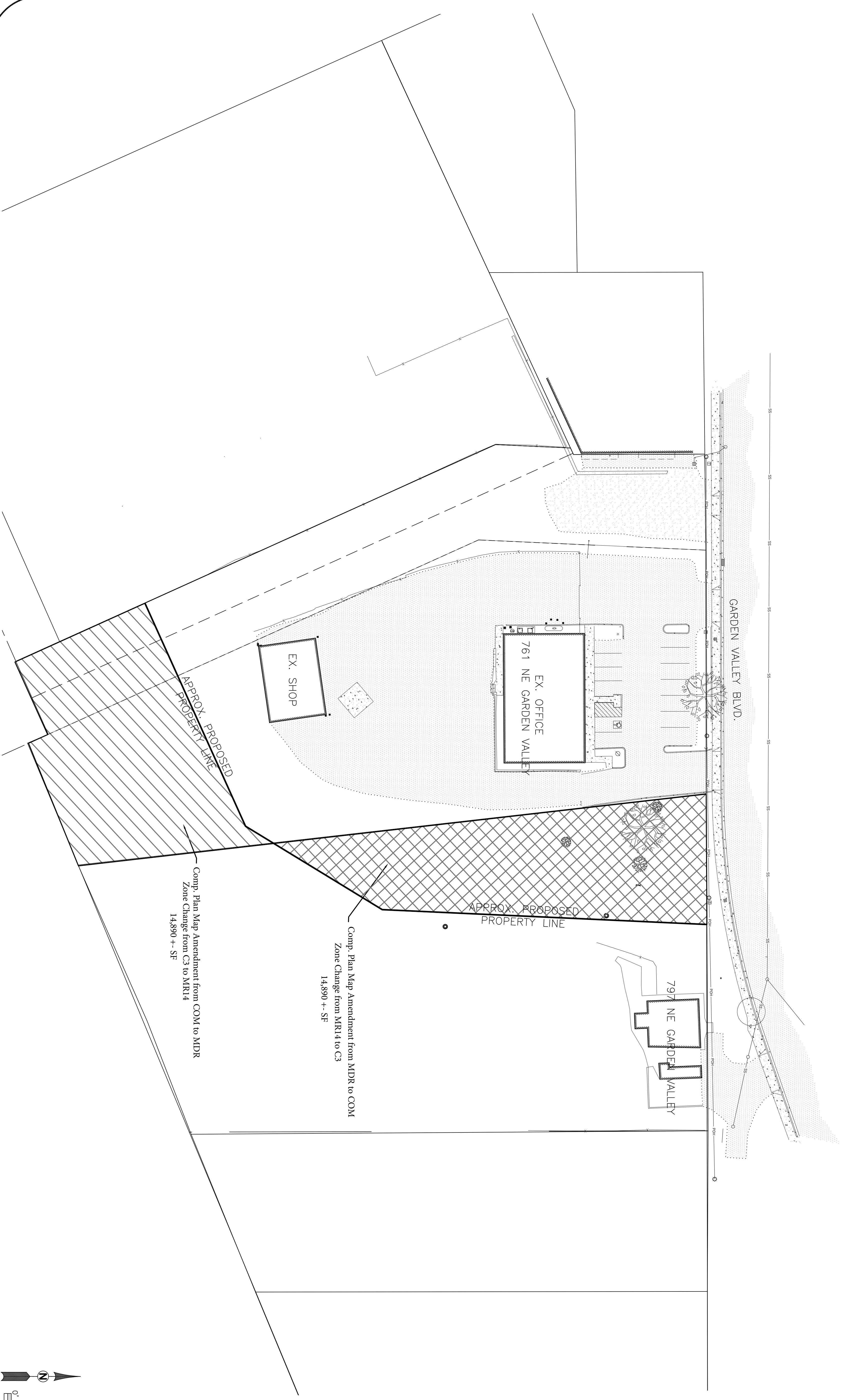
ATTEST:

AMY L. SOWA, ASSISTANT CITY MANAGER/CITY RECORDER

Exhibit "A"



Terra Firma Comp. Plan Amendment and Zone Change

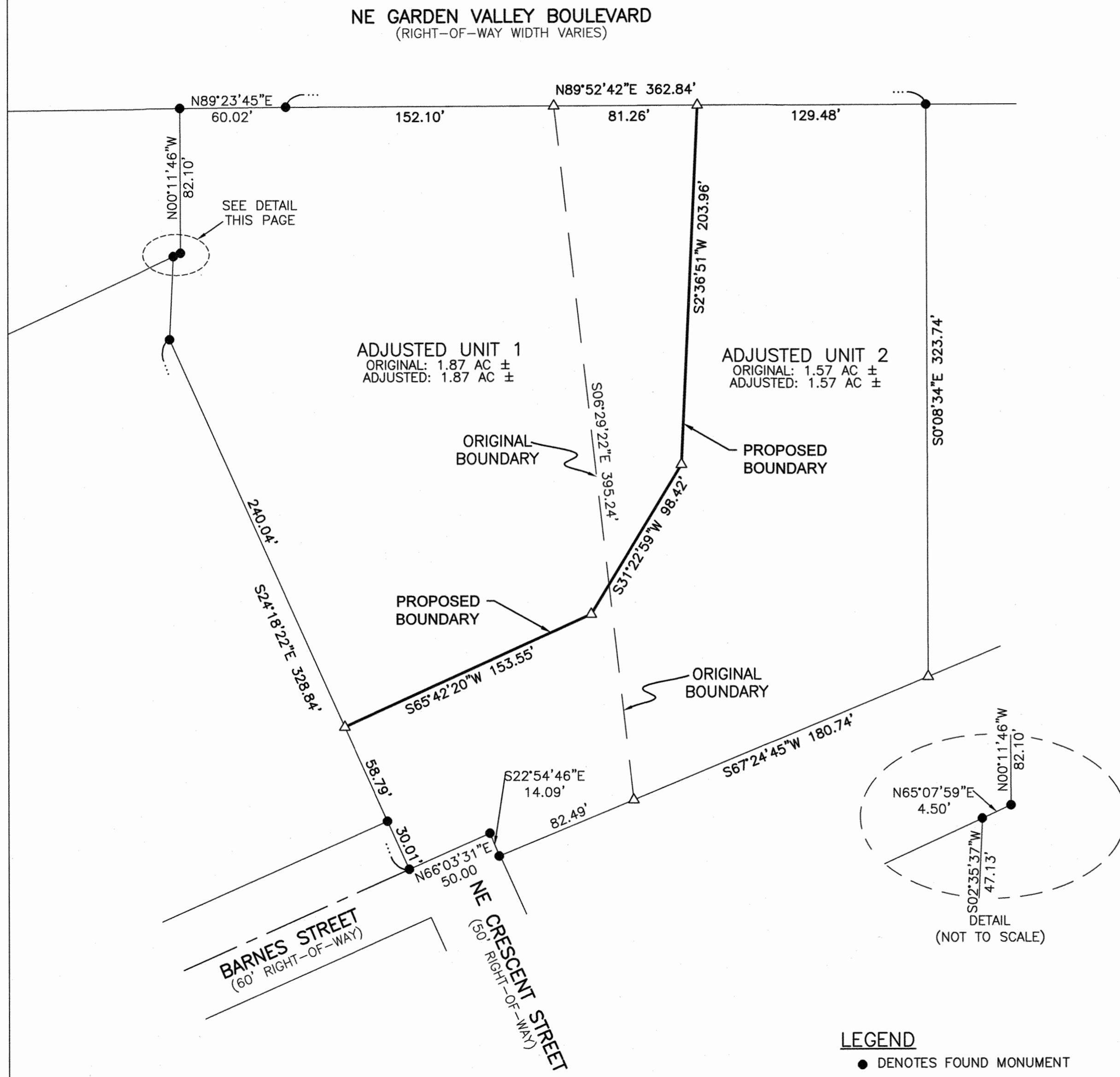


0' 15' 30' 60'

SCALE: 1" = 30'

ie
Roseburg, Oregon 97470
Phone: (531) 623-9168
Firm: terrafirmainc.com
Project: 2584-08 11
DWG BY: DTM

PRELIMINARY PROPERTY LINE ADJUSTMENT
 LOCATED IN THE NORTHWEST QUARTER OF
 SECTION 18, TOWNSHIP 27 SOUTH, RANGE 5 WEST,
 WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON
 NOVEMBER 15, 2022



VICINITY MAP
(NOT TO SCALE)

UNIT 1

ORIGINAL ACREAGE: 1.87 AC ±
 PROPOSED ACREAGE: 1.87 AC ±
 OWNER: 761 NE GARDEN VALLEY LLC
 TAX ACCOUNT NO.: R57018
 TAX PARCEL NO.: 270518BB03500
 ZONE: C3 - GENERAL COMMERCIAL
 COMP PLAN: COM - COMMERCIAL
 WATER: CITY OF ROSEBURG WATER
 SEWER: ROSEBURG URBAN SANITARY AUTHORITY
 FIRE: CITY OF ROSEBURG FIRE DEPARTMENT

UNIT 2

ORIGINAL ACREAGE: 1.57 AC ±
 PROPOSED ACREAGE: 1.57 AC ±
 OWNER: 797 NE GARDEN VALLEY LLC
 TAX ACCOUNT NO.: R57011
 TAX PARCEL NO.: 270518BB03400
 ZONE: MR14 - MULTI FAMILY RESIDENTIAL
 COMP PLAN: MDR - MEDIUM DENSITY RESIDENTIAL
 WATER: CITY OF ROSEBURG WATER
 SEWER: ROSEBURG URBAN SANITARY AUTHORITY
 FIRE: CITY OF ROSEBURG FIRE DEPARTMENT

LEGEND

- DENOTES FOUND MONUMENT
- △ - DENOTES CALCULATED POSITION, NOTHING FOUND OR SET

REGISTERED PROFESSIONAL LAND SURVEYOR

PRELIMINARY

OREGON
NOVEMBER 10, 2010
BRENT H. KNAPP
81116

EXPIRES: 6/30/2023



809 SE Pine Street
 Roseburg, Oregon 97470
 PHONE (541) 673-0166
 FAX (541) 440-9392
 iemail@ieengineering.com

SCALE: 1"=50'
 SHEET 1 OF 1
 JOB NO. 2584-08

CLIENT:
 TERRA FIRMA



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PUBLIC HEARING REGARDING THE SOLE SOURCE PROCUREMENT OF IT MANAGEMENT SERVICES

Meeting Date: December 12, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Nikki Messenger, City Manager
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Council will be asked to consider authorizing an exemption in public contracting using a sole source procurement for information technology (IT) management services.

BACKGROUND

A. Council Action History.

Council has approved using a sole source procurement process in the past for other purchases and services.

B. Analysis.

During fiscal year 21-22, the City employed three full-time staff in the IT division. During the past five months, all three employees have left their positions at the City for various reasons. After two of the three staff had left, the City Manager began researching options for having an IT assessment conducted by a third party. The intent was to bring in outside experts to evaluate the City's existing IT infrastructure and make recommendations for improvements and/or potential cost savings measures. On September 29, 2022, the City entered into an agreement with Systech Consulting, LLC (Systech) to perform that evaluation. At the same time, discussions occurred regarding the potential for an ongoing, part-time contract for Systech to assist the City IT Department. A second contract was executed for IT Support and Engineering Support to supplement the City's remaining IT staff. The second contract was for an estimated twenty hours per month.

On October 3, 2022, the third IT employee quit, leaving the City without any in-house IT staff. Systech immediately began providing support services to the city and diving in to learn the city's systems. On October 17, 2022, the IT management contract with Systech was amended to provide full support through the end of the calendar year.

Systech has spent the last three (3) months learning the City's technology infrastructure, programs and staffing needs, and providing support service to all City departments. With the knowledge they have gained, Systech is able to continue to provide IT support and

enhance their service delivery without delay, allowing the City to continue to provide outstanding customer service and work efficiently.

Given staff's experience with Systech and their abilities, staff believes a contract with Systech will result in substantial cost savings. The city's technology infrastructure is unique and diverse, and Systech's knowledge of the city's systems is such that staff believes it is in the public's interest to proceed with a sole source contract.

Even though the assessment is not yet complete, Systech has identified several areas of improvement that could lead to future cost savings for the City. These improvements may involve an initial capital investment. Each one of these will be evaluated individually for cost/benefit and available budget and will be prioritized in the assessment. If there are major labor components involved with a project, those will be negotiated outside of the scope of this contract.

C. Financial/Resource Considerations.

Authorizing the sole source procurement to continue IT management services with Systech Consulting, LLC will provide efficient continuation of services and save the city time and money. The IT assessment contract amount was \$35,000. The existing IT support contract runs through December 31, 2022 and has a not to exceed amount of \$60,000.

The FY 22-23 IT budget is \$707,394, which includes \$428,354 for personnel costs and an additional \$11,500 for employee training, travel, office furniture, and vehicle fuel and maintenance costs. The proposed cost of the Systech contract is not to exceed \$441,000 per year. The initial contract period will be two years, with two potential renewal periods of two years each. Systech believes the contract cost may fall after the first year, once the City's IT Infrastructure is in "steady state".

To date, \$210,576 has been spent from the IT budget, including \$32,683 paid to Systech for work on the existing contracts. Resources are available within the existing budget to cover the costs of the proposed contract.

D. Timing Considerations.

The existing IT support/management contract expires December 31, 2022. It is vital to have continuous service management of all IT functions throughout the city organization in order to conduct business, manage the city's infrastructure and water systems, and provide efficient public safety services. As such, it is imperative that Council take action or provide direction at the December 12 meeting.

COUNCIL OPTIONS

Council has the following options:

- Adopt the resolution exempting award of the contract for IT management services from the competitive bid process and awarding a sole source contract to Systech Consulting, LLC in an amount not to exceed \$441,000 per year; or
- Request additional information; or

- Not adopt the resolution and direct staff to issue a Request for Proposals for IT management services. This will take approximately 90 days; or
- Not adopt the resolution and direct staff to look at another option for IT management services.

STAFF RECOMMENDATION

Money has been budgeted and is available to support the award of this contract. Staff recommends Council adopt the resolution exempting award of the contract for IT management services from the competitive bid process and awarding a sole source contract to Systech Consulting, LLC in an amount not to exceed \$441,000 per year.

SUGGESTED MOTION

“I MOVE TO ADOPT RESOLUTION NO. 2022-34 EXEMPTING THE IT MANAGEMENT SERVICES CONTRACT FROM THE COMPETITIVE BID PROCESS AND AWARD THE CONTRACT TO SYSTECH CONSULTING, LLC FOR AN AMOUNT NOT TO EXCEED \$441,000 PER YEAR.”

ATTACHMENTS:

Attachment #1 – Resolution No. 2022-34

Attachment #2 – Notice Regarding Exemption from the Competitive Process

RESOLUTION NO. 2022-34

**A RESOLUTION REGARDING EXEMPTING A CONTRACT FOR
INFORMATION TECHNOLOGY (IT) MANAGEMENT SERVICES FROM THE
COMPETITIVE BID PROCESS AND AWARDED A SOLE SOURCE
CONTRACT TO SYSTECH, LLC.**

WHEREAS, Systech Consulting, LLC entered into an agreement with the City of Roseburg on September 29, 2022 to assess and evaluate the City's information technology system to determine if efficiencies could be found in using different technology; and

WHEREAS, on September 29, 2022, Systech Consulting, LLC entered into an agreement with the City of Roseburg to provide IT part-time support services; and

WHEREAS, on October 17, 2022, Systech Consulting, LLC and the City of Roseburg amended the original contract to enhance the IT management support services when the City lost its last IT staff person. The new agreement was to provide full service IT management to the City of Roseburg organization and staff in order to keep City functions operable and address technology needs as they arose; and

WHEREAS, the IT management support services contract expires on December 31, 2022; and

WHEREAS, Systech Consulting, LLC has spent the last three (3) months learning the City's technology infrastructure, programs and staffing needs, and providing support service to all City departments. With the knowledge they have gained, Systech Consulting, LLC is able to continue to provide IT support and enhance their service delivery without delay, allowing the City to continue to provide outstanding customer service and work efficiently.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

Section 1. Based on the above findings, which are incorporated herein by this reference, and under Roseburg Municipal Code Section 3.06.035, the City Council hereby determines that awarding the contract to Systech, LLC for information technology (IT) management services is unlikely to encourage favoritism or diminish competition and will result in substantial cost savings and efficiency in the IT systems of the City.

Section 2. The Council hereby exempts the contract between the City and Systech, LLC from the competitive bid process and authorizes the City Manager to enter into a contract with Systech, LLC for IT management services in an amount not to exceed \$441,000 per year.

Section 3. The exemption granted by this Resolution shall in no way impair the City's ability to elect, in the future, to award related contracts to other qualified providers.

Section 4. This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE 12TH DAY OF DECEMBER, 2022.**

Amy L. Sowa, Asst. CM/City Recorder

**CITY OF ROSEBURG NOTICE OF PUBLIC HEARING REGARDING THE AWARD OF A
CONTRACT WITHOUT COMPETITION AS A SOLE SOURCE PROCUREMENT**

NOTICE IS HEREBY GIVEN, under the authority of ORS 279B.075, the City of Roseburg has determined that it may award a contract to Systech Consulting, LLC as a sole source procurement, without going through the competitive bid process, to award a contract for information technology (IT) management services for the City of Roseburg. The total amount of the contract is anticipated to be \$441,000 per year for two years. The City has made the determination that awarding a contract to Systech to continue providing IT services would be beneficial to the City, for the following reasons:

1. Systech Consulting, LLC entered into an agreement with the City of Roseburg on September 29, 2022 to provide an information technology assessment, gap analysis and road map to determine if security improvements, cost efficiencies, and technology improvements could be realized.
2. On September 29, 2022, Systech Consulting, LLC and the City of Roseburg entered into a separate agreement to provide IT support on a limited basis averaging 20 hours per month. On October 17, 2022, this contract was amended to enhance IT management services when the City lost its last IT staff person. The new agreement was to provide IT services to the City of Roseburg organization and staff in order to keep City functions operable and address information technology needs as they arose.
3. Systech Consulting, LLC has spent the last three (3) months learning the City's technology infrastructure, programs and staffing needs, and providing support service to all City departments. With the knowledge they have gained, Systech Consulting, LLC is able to continue to provide IT support and enhance their service delivery without delay, allowing the City to continue to provide outstanding customer service and work efficiently.

Prior to taking action to award the contract as a sole source procurement, the City Council will conduct a public hearing at its regularly scheduled meeting at 7:00 p.m. on Monday, December 12, 2022, in the City Council Chambers at 900 SE Douglas in Roseburg, to allow interested parties and the public an opportunity to comment on the proposed action. After hearing such comments, the Council will consider the adoption of a resolution adopting findings to support the proposed exemption. Any vendor who would otherwise be a prospective bidder to provide IT services under the above described contract may appear at the hearing or may comment in writing on the City's intent to exempt the contract from competitive bidding by submitting written comments to Assistant City Manager/Recorder Amy L. Sowa, 900 SE Douglas, Roseburg, OR 97470 until 12:00 p.m. on December 12, 2022.

Anyone desiring more information or a copy of the draft findings regarding the proposed exemption and award of the sole source contract may contact the City Manager's office by calling 541-492-6866.



Amy L. Sowa, Assistant City Manager/Recorder

Dated this 23rd day of November and published in The News-Review on December 2, 2022.

*****AMERICANS WITH DISABILITIES ACT NOTICE*****

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541/672-7701) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users, please call Oregon Telecommunications Relay Service at 1-800-735-2900.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



COMMUNITY DEVELOPMENT BLOCK GRANT OPPORTUNITY CITY OF ROSEBURG, DOUGLAS COUNTY AND LANE COUNTY-WIDE NON- CONSTRUCTION, TECHNICAL ASSISTANCE PROGRAM

Meeting Date: December 12, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Nikki Messenger, City Manager
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City of Roseburg has been asked to apply for a CDBG-CV COVID-19 Community Development Block Grant (CDBG) from Business Oregon. The issue for the Council is whether to adopt the attached resolution authorizing staff to proceed with the grant application process.

BACKGROUND

A. Council Action History.

None.

B. Analysis.

Reality Kitchen is a Eugene based non-profit that provides training and employment path experiences for people with disabilities. Reality Kitchen owns and operates a bakery and café where young adults experiencing intellectual and developmental disabilities can gain life skills and experience. Their operations have been severely impacted by COVID, and they have been working with Business Oregon to obtain grant funding to develop curriculum to provide similar training and life experiences virtually. This will allow them to expand their geographic reach and positive impact on this underserved population. Business Oregon reached out to City and CCD Business Development Corporation staff because, together, we have earned a reputation for successful delivery of CDBG grants. By partnering with both Lane and Douglas counties, the City, CCD, and Reality Kitchen can deliver a program benefitting individuals throughout our collective areas.

Staff is working with CCD to prepare the grant application and an intergovernmental agreement with Lane and Douglas counties. If awarded, Reality Kitchen will develop this program to provide virtual skills training for young adults who experience intellectual and developmental disabilities and can meet program requirements. The program will be available in both Douglas and Lane counties. It is estimated that the proposed project will benefit at least 14 persons, of whom 100% will be low- or moderate-income.

The purpose of tonight's hearing is for the City Council to obtain citizen views and to respond to questions and comments about the COVID-19 related impact assistance, non-construction, technical assistance project that will assist in designing and implementing a pilot program throughout Douglas and Lane counties that will provide virtual skills training for young adults who experience intellectual and developmental disabilities, especially the needs of low-and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project.

C. Financial/Resource Considerations.

Staff expects to submit a grant application for \$250,000. This program has no matching fund requirement. Other than staff time needed to monitor the grant, no City funds would be used for this application.

D. Timing Considerations.

Council approval at this meeting allows the application to be processed during the 2022 allocation period. The majority of the grant funding must be expended by June 30, 2023.

COUNCIL OPTIONS

1. Adopt the attached resolution and direct Staff to proceed with the application for CDBG funds; or
2. Take no action, which will mean passing on this CDBG–CV COVID-19 opportunity.

STAFF RECOMMENDATION

Staff recommends Council adopt the attached resolution and authorize submission of an application for CDBG funding for a City of Roseburg, Douglas County and Lane County-wide Non-Construction Technical Assistance Program.

SUGGESTED MOTION

"I MOVE TO ADOPT RESOLUTION NO. 2022-35 AND DIRECT STAFF TO MOVE FORWARD WITH THE CDBG APPLICATION PROCESS."

ATTACHMENTS:

Attachment #1 – Legal Notice Published December 2, 2022

Attachment #2 – Resolution No. 2022-35

Attachment #3 – Project Description

**CITY OF ROSEBURG NOTICE OF PUBLIC HEARING REGARDING APPLICATION FOR A 2022
COMMUNITY DEVELOPMENT BLOCK GRANT FROM BUSINESS OREGON**

NOTICE IS HEREBY GIVEN, the City is eligible to apply for a 2022 Community Development Block Grant from Business Oregon. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for housing and other public benefit assistance, primarily for persons with low and moderate incomes.

Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2022. The maximum grant that a county can receive under the COVID-19 Impact Assistance Program for non-construction, technical assistance is \$250,000.

The City of Roseburg is preparing an application for a 2022 Community Development Block Grant from Business Oregon for the City of Roseburg, Douglas County, and Lane County-wide Non-Construction, Technical Assistance program. If awarded, this program will be offered throughout Douglas County and Lane County via an inter-governmental agreement, to provide online distance job skills training for young adults who experience intellectual and developmental disabilities, that can meet program requirements. It is estimated that the proposed project will benefit at least 14 persons, of whom 100% will be low or moderate income.

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of Roseburg City Council at 7 p.m. on December 12, 2022, at the City Council Chambers, City Hall 900 SE Douglas Ave., Roseburg, Oregon. The purpose of this hearing is for the City of Roseburg City Council to obtain citizen views and to respond to questions and comments about COVID-19 related impact assistance, non-construction, technical assistance project that will assist in designing and implementing a pilot program throughout Douglas and Lane Counties that will provide online distance job skills training for young adults who experience intellectual and developmental disabilities, especially the needs of low-and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project.

Written comments are also welcome and must be received by 12 p.m., December 12, 2022 at City Hall, 900 SE Douglas Ave., Roseburg OR 97470 (info@cityofroseburg.org). Both oral and written comments will be considered by the City of Roseburg City Council in deciding whether to apply.

More information about Oregon Community Development Block Grants, the proposed project, and records about the city's past use of Community Development Block Grant funds is available for public review at City of Roseburg, City Hall, 900 SE Douglas Ave., Roseburg, OR 97470, during regular office hours. Advance notice is requested. Please contact Amy Sowa at 541-492-6866.

Permanent involuntary displacement of persons or businesses is not anticipated as a result for the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low-and moderate-income housing that is demolished or converted to another use will be replaced.



Amy L. Sowa, Assistant City Manager/Recorder

Dated this 23rd day of November and published in The News-Review on December 2, 2022.

*****AMERICANS WITH DISABILITIES ACT NOTICE*****

The location of the hearing is accessible to persons with disabilities. Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay at 1-800-735-2900.

RESOLUTION NO. 2022-35

**A RESOLUTION AUTHORIZING AN APPLICATION FOR COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS FOR CITY OF ROSEBURG, DOUGLAS COUNTY AND LANE
COUNTY-WIDE NON-CONSTRUCTION, TECHNICAL ASSISTANCE PROGRAM.**

WHEREAS, the City of Roseburg is eligible to apply for a 2022 Community Development Block Grant (CDBG) from Business Oregon for funds from the U.S. Department of Housing and Urban Development to be used to provide online distance job skills training for young adults who experience intellectual and developmental disabilities, who can meet program requirements; and

WHEREAS, Business Oregon administers a technical assistance program to provide online distance job skills training for young adults who experience intellectual and developmental disabilities; and

WHEREAS, in 2022, up to \$12 million will be awarded to Oregon non-metropolitan cities and counties, and the City is qualified to submit an application for \$250,000 in grant funds for a City of Roseburg, Douglas County and Lane County-Wide Non-Construction, Technical Assistance program; and

WHEREAS, the City desires to participate in this grant program to the greatest extent possible and is willing to act as the lead applicant, to sub-grant said funds to CCD Business Development Corporation (CCD), a certified non-profit organization authorized by the State to carry out online distance job skills training on behalf of the City; and

WHEREAS, the City Council held a public hearing on December 12, 2022 to hear comments regarding the City's intent to apply for said grant funds for online distance job skills training for young adults who experience intellectual and developmental disabilities, of which 100% will be low- or moderate-income; and

WHEREAS, the City of Roseburg, Douglas County and Lane County-Wide Non-Construction, Technical Assistance program promotes training for young adults who experience intellectual and developmental disabilities, so they can gain confidence and skills to be productive members of their homes and/or community. This directly aligns with Roseburg City Council goals to enhance community livability.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

Section 1. Authorization is hereby granted to apply for a 2022 Community Development Block Grant for funds from the U.S. Department of Housing and Urban Development for Business Oregon to finance a training program for young adults who experience intellectual and developmental disabilities, of which 100% will be low- or moderate-income.

Section 2. This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE ____ DAY OF _____, 2022.**

Amy L. Sowa, City Recorder

CDBG Pre-Application
City of Roseburg
Reality Kitchen Nonprofit Rural Initiative

Reality Kitchen Executive Director: Mr. Jim Evangelista, realitykitchen@gmail.com, 541-337-1323

Reality Kitchen Board Treasurer: Mr. Lynn Egli, egillynn97@gmail.com, 541-760-5435

Project Name: Reality Kitchen Nonprofit Rural Initiative

Total Project Budget: \$250,000 total with \$15,000 allocated to the City of Roseburg for grant administration

Opportunity or Problem:

In response to the COVID-19 Health Event, **The Reality Kitchen Nonprofit Rural Initiative** will expand its current in person activities to offer young adults who experience intellectual and developmental disabilities (I/DD), a Federally protected class, the online opportunity to learn and practice the skills required to plan and prepare meals in a home-based environment. Program Participants who live in Roseburg and rural communities across Douglas County will access direct instructional activities and services delivered online, while remaining safe from the COVID-19 virus and its growing number of variants. This initiative will help them achieve their ultimate goals for self-confidence, of being employed in a competitive wage earning, workplace setting and gaining skills that will transfer to diverse settings and experiences. **The scope of this project** will be to develop a platform and system to deliver an online curriculum designed to benefit present and future individual distant learners, well beyond the funding period of this pilot project.

Reality Kitchen Nonprofit Capability

Founded in 2010, **Reality Kitchen Nonprofit**, a 501(c)(3) organization, is licensed by the State of Oregon to deliver **Employment Path Services** and certified to deliver **Supported Employment Services** skills training for young adults who experience intellectual and developmental disabilities (I/DD) to fulfill their goals for self-confidence, independence, and success in a supportive work environment. **Reality Kitchen Nonprofit** has supported and trained young adults who experience intellectual and developmental disabilities by offering food preparation and customer service skills training in a fully integrated workplace setting where individuals of all abilities work and learn together.

Proposal or Solution:

Curriculum Development: The **Reality Kitchen Rural Initiative** will leverage its existing 16-week in-person **Process Model** of instruction as a basis from which to develop an online curriculum that effectively offers a rational sequence of learning experiences to guide each student to successfully accomplish specific educational goals and objectives. **The Curriculum Developer** will study and monitor activities, interview participants, shadow and work closely with Catherine Pickup, Program Director, to observe her delivery of the In-Person services and learning activities currently offered to learn and better understand her strategies and approaches used to deliver ongoing instructional content to Program Participants, as well as the Supported Staff employed at Reality Kitchen.

Douglas County Focus: A **Rural Assessment Specialist**, a Douglas County Resident will be responsible for identifying potential Program Participants, assessing their likelihood of successfully completing the on-line instructional program, onboarding selected Program Participants, and supporting them throughout their participation.

During the project's initial phase, the specialist will initiate efforts to collaborate and partner with Douglas and Oregon Department of Disabilities Services / Brokerages / Voc Rehab / to identify potential participants and to identify possible business partners which can provide participants opportunities that would complement the online instructional program. The specialist will conduct in-home informational observations and interview potential participants as part of an assessment process designed to identify their strengths/interests, barriers/challenges, available resources and natural supports, and ability to meet the program's financial requirements.

Development of instruction videos, materials, workbooks, aids, and learning tools

The Rural Initiative Team will script, shoot, edit and produce videos, materials, student workbooks, aids and learning tools for use in the pilot project and into the future. These short videos will complement the instructional curriculum and will engage and illustrate lessons and content using Program Participants from our In-Person activities, as well as our longer-term Supported Staff members.

Pilot Instruction: The first pilot session will consist of three classes with four students each, taught by a single instructor.

During each session the **Rural Initiative Team** will

- Monitor and continue to evaluate the curriculum and online delivery of content.
- Conduct and gather assessments, self-evaluations and data from all stakeholders including participants, families, foster caregiver, Personal Support Worker and any others who become involved with or are touched by this project.
- Conduct regular meetings to evaluate implementation of the project and update the curriculum and online content delivery.
- And except for the final session, continue recruitment efforts for the next session to be delivered.

Douglas and Lane County Collaboration

The **Reality Kitchen Rural Initiative** in the pilot phase may include program participants in both Douglas and Lane Counties. If so, an inter-county agreement will be required.

Project Schedule and Budget

Quarter 1 (Jan-March 2023) – \$97,000 (39%)

- Establish partnership with Douglas County Department of Disability Services
- Hire Douglas County resident as a contracted Rural Assessment Specialist
- Curriculum development
- Video development
- Instructional materials development
- Other family/care giver support program elements such as internet access, kitchen kits and fresh food program

Quarter 2 – (April – June 2023) \$104,000 (41%)

- Continued development of curriculum, instructional materials, and video
- Identifying and recruiting first two cohorts of student program participants
- Complete participant home assessments
- Deliver the kitchen kits and initial instruction materials

Quarter 3 - \$49,000 (July – September 2023) (20%)

- Launch two cohorts of instruction
- Improve the program based on participant, instructor, and family/care giver self-assessment
- Final report

ORDINANCE NO. 3578

AN ORDINANCE AMENDING SUBSECTION 2.20.040, "ORGANIZATION OF COMMISSION" OF THE ROSEBURG MUNICIPAL CODE

WHEREAS, On December 14, 2020, the Roseburg City Council adopted an ordinance establishing a Homeless Commission; and

WHEREAS, The Council desires to add a representative from the Cow Creek Band of Umpqua Tribe of Indians to the Homeless Commission to increase representation throughout the community and help move forward with the goals of the Commission and Council.

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

SECTION 1. Roseburg Municipal Code Subsection 2.20.040 titled, "Organization of Commission," is hereby amended to read as follows:

2.20.040 – Organization of commission.

The Commission shall consist of eight members, one of whom shall be the Chair. Five members shall be the director or designated representative from the following local agencies: Adapt, United Community Action Network (UCAN), Aviva Health, Umpqua Health Alliance, and the Cow Creek Band of Umpqua Tribe of Indians. Two members shall be at-large.

SECTION 3. All other subsections of Chapter 2.20, "Homeless Commission" of the Roseburg Municipal Code shall remain in full force and effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 2022.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2022.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ROSEBURG CITY CHARTER REVIEW COMMITTEE RECOMMENDED AMENDMENTS

Meeting Date: December 12, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Amy L. Sowa, ACM/Recorder
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Council will be asked to review and discuss proposed amendments to the Roseburg City Charter from the Roseburg City Charter Review Committee.

BACKGROUND

A. Council Action History.

June 25, 2012: Staff provided a report to Council regarding revisions to the Charter and proposing a timeline to place a measure on the ballot in May of 2013. No further action was taken, and no changes were made to the Charter.

February 14, 2022: Council directed staff to form a City Charter Review Committee made up of the Assistant City Manager/Recorder, the City Attorney, councilors and city residents. Councilors Zielinski, Moothart and Cotterell agreed to serve as the councilor representatives.

June 13, 2022: Council appointed Sheila Cox, Jeffrey Weller and Mike Baker to serve as the citizen members of the City Charter Review Committee.

B. Analysis.

The current Roseburg City Charter has not been updated since 1983. Many of the sections are outdated, out of compliance with current laws and practices, or in need of clarification.

The City Charter Review Committee began meeting on June 22, 2022. During the first meeting, they elected to use the League of Oregon Cities (LOC) model charter to compare with the city's current Charter for possible amendments and updates. In each subsequent meeting, two to three sections of the Charter were reviewed and discussed in depth by the committee members. Staff and the City Attorney provided information and responded to questions regarding legal requirements and current practices. After all sections were reviewed and amendments proposed, the committee held an additional meeting to re-

review and discuss all proposed amendments. Their final meeting was on Wednesday, October 26, 2022.

Most of the proposed amendments are to clarify language, update pronouns, and remove sections that are no longer relevant or fall under state law and are not needed in the City Charter.

Attached to this memo is a chart showing the city's current Charter language, the LOC model language, which language the committee chose to use, and justification for any proposed amendments. Also attached is a copy of the current Charter showing the proposed amendments within that document. Some of the more substantial proposed changes include:

- Section 3.3 – Mayor: Election. The proposed amendment changes the term of the office of mayor to a four-year term, rather than a two-year term. This is common for many cities and provides consistency with councilor terms. If approved during the May election, the term of the mayor in office at that time would end December 31, 2024. The person elected mayor in November of 2024 would serve for a four-year term beginning January 2025.
- Section 4.1 – City Manager: Appointment and Qualifications. The proposed change removes the residency requirement for the position of city manager. A city manager shall be chosen solely on the basis of executive and administrative qualifications. Due to a number of factors out of their control, qualified applicants or appointees may not be able to find a home inside city limits. The Council retains the authority to remove the city manager with a two-thirds vote if they feel they are not performing the duties required or working for the city's best interests.
- Section 4.3 – City Manager: Powers and Duties. New language under 4.3(e) is proposed to add delegation of some duties by the city manager to other staff when appropriate. This provides the city manager more flexibility and efficiency in administering the daily work of the City.
- Section 6.6 (New) – Filling Vacancies. Adding this section allows the person filling a vacancy to serve the remainder of the term of the person last elected to that office, rather than having to run mid-way through the term and again when the term expires. It keeps election of Council positions in original term end dates, causing less confusion.

Removal of the following sections are being proposed:

- Section 3.10 – Council and Mayor: Immunity. This section is outdated and is not enforceable or relevant.

- Section 4.6 – City Manager: Exclusive Powers. Current Charter language restricts the City Manager from delegating powers when appropriate. Delegation is being added to Section 4.3 (see above).
- Section 5.2(1) – Municipal Court: Powers. A home rule charter may not grant the authority listed under 5.2(1) to a municipal judge; such authority may only be granted by state statute.
- Section 6.6 (Old) – Compensation. If compensation is something the Council wants to consider in the future, it would be better addressed in the Roseburg Municipal Code. Approval of this change does not approve Council compensation. A separate Council action would be required to implement compensation.
- Section 6.7(2) – Liability for Unauthorized Expenditures. The current language states that a citizen can bring a civil action suit in the name of the city. A citizen cannot file a civil suit in the name of the city.
- Section 9.3 – Liens. Liens are covered by state law, with additional local processes in the Roseburg Municipal Code.
- Section 10.1 – Revenue Bonds. The City is covered under state provisions regarding revenue bonds.
- Section 10.2 – City Manager Tax Levy. This language is outdated. The City does not and cannot implement a City Manager Tax Levy. To issue a special operating levy would require voter approval.
- Section 10.4 – Terms, Proceeds and Retirement of Bonds. These bonds are all part of the bond covenants under state law.
- Section 10.5 – Presumption of Validity of City Action. This is covered by state law.

C. Financial/Resource Considerations.

If Council chooses to send the proposed amendments to the voters for the May 16, 2023, special election, there would be a cost of approximately \$1500-\$2000. If the measure passed, there would be costs associated with updating the Charter document online and in paper format at a cost of approximately \$500. Funds are available in the current budget.

D. Timing Considerations.

To meet the March 16, 2023, deadline to submit a measure for the May 16, 2023, election, Council would need to take action to place a measure on the ballot during a regular Council meeting no later than February 20, 2023.

COUNCIL OPTIONS

Council has the following options:

- Direct staff to bring back a resolution referring a measure for the May 16, 2023, special election with the amendments as proposed by the City Charter Review Committee; or
- Make adjustments to the amendments proposed by the City Charter Review Committee and direct staff to bring back for further discussion during the January 23, 2023, Council meeting; or
- Make adjustments to the amendments proposed by the City Charter Review Committee and direct staff to bring back a resolution referring a measure for the May 16, 2023, special election with the updated amendments; or
- Choose not to move forward with sending an amended City Charter to the voters.

STAFF RECOMMENDATION

Staff recommends that Council direct staff to bring back a resolution to the February 13, 2023, Council meeting, referring a measure for the May 16, 2023, special election with amendments as proposed by the City Charter Review Committee.

SUGGESTED MOTION

No action requested. Just direction to staff on how to proceed.

ATTACHMENTS:

Attachment #1 – Charter Comparison Chart

Attachment #2 – Existing Charter with Proposed Amendments shown

COMPARISON OF ROSEBURG CHARTER AND LOC CHARTER
Roseburg City Charter Review Committee

CURRENT CITY	LOC MODEL	APPROVED LANGUAGE	JUSTIFICATION
N/A	Preamble. We, the voters of Roseburg, Oregon exercise our power to the fullest extent possible under the Oregon Constitution and laws of the state, and enact this Home Rule Charter.	No preamble	No Preamble in current Charter. No need to include.
Section 1 – INTRODUCTORY PROVISIONS			
1.1 Title. This revision shall be referred to as the Roseburg City Charter of _____ <u>2023</u> .	Section 1.1. Titles. This charter may be referred to as the 20 _____ Charter.	Current Charter language	
1.2 Corporate Name and Capacity. <u>The City of Roseburg, Oregon continues as a municipal corporation with the name City of Roseburg.</u> The inhabitants of the City of Roseburg have been and are hereby constituted a municipal corporation by the name of the City of Roseburg and by that name have perpetual succession and may sue and be sued in all courts of justice.	Section. 1.2. Names. The City of Roseburg, Oregon continues as a municipal corporation with the name City of Roseburg.	LOC language	New language is more concise and doesn't² change the meaning.
1.3 - Boundaries. <u>The City includes all territory within its boundaries as they now exist or are legally modified. The City will maintain as a public record an accurate and current description of the boundaries.</u> The City includes all territory encompassed by its boundaries as they exist when this revision of the Charter is adopted or	Section 1.3. Boundaries. The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.	LOC language	New language is more concise and doesn't² change the meaning.

DEPARTMENT ITEMS A
ATTACHMENT #1

<p>as they are subsequently modified in accordance with state law. The repository of City records shall include at least two copies of this Charter each containing an accurate, up-to-date description of the boundaries. The copies and description shall be available for public inspection during regular office hours.</p>			
<p>Section 2 - POWERS</p>	<p>Section II POWERS</p>		
<p>2.1 - Vesting, Grant and Construction of Powers. (1) Except as this Charter provides to the contrary, all power of the City is vested in the Council, the representative legislative body of the City. <u>The Council has legislative, administrative and quasi-judicial authority. The Council exercises legislative and quasi-judicial authority by ordinance and administrative authority by resolution. The Council may not delegate its authority to adopt ordinances.</u> (2) The City has all powers that the constitution or laws of the United States or of this state expressly or impliedly grant or allow cities, as fully as if this Charter specifically stated each of those powers. (3) In this Charter no mention of a particular power may be construed to be exclusive or to restrict the scope of the powers that the City would have if the particular power were not</p>	<p>Section 2.1. Powers. The city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers. Section 2.2 Construction. The charter will be liberally construed so that the city may exercise fully all powers possible under the charter and under United States and Oregon law. Section 2.3. Distribution. The Oregon Constitution reserves initiative and referendum powers as to all municipal legislation to city</p>	<p>Current Charter language with part of LOC 2.3 added to Rsbj 2.1(1) Current Charter language for 2.1(2) Current Charter language for 2.1(3)</p>	<p>New language more clearly defines Council authority, adding that it may not delegate authority to adopt ordinances.</p>

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<p>mentioned. The Charter shall be liberally construed to the end that the City has all powers necessary or convenient for the conduct of its affairs, including all powers that cities may assume under state laws or the provisions of the state constitution regarding municipal home rule.</p>	<p>voters. This charter vests all other city powers in the council except as the charter otherwise provides. The council has legislative, administrative and quasi- judicial authority. The council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The council may not delegate its authority to adopt ordinances.</p>		
<p>Section 3 – CITY COUNCIL AND MAYOR</p>			
<p>3.1 - Council: Membership. Eight councilors constitute the Council of the City.</p>	<p>Section 3.1. Council. The council consists of a mayor and six councilors nominated and elected from the city at large.</p>	<p>Current Charter language</p>	
<p>3.2 – Council: Election The councilors shall be elected two from each ward classified into positions: one position designated as Position 1 and the other as Position 2 for each ward. Each councilor shall be elected for four years and shall hold office until a qualified successor is elected or appointed takes office. Councilors in Position 1 shall be elected in 1982-2026 and every fourth year thereafter and councilors in Position 2 shall be elected in 1984 <u>2024</u> and every fourth year thereafter, to take office as provided in this Charter.</p>	<p>Section 7.1. Councilors. The term of a councilor in office when this charter is adopted is the term for which the councilor was elected. At each general election after the adoption, three councilors will be elected for four-year terms.</p>	<p>Current Charter language, rewording section on taking office.</p>	<p>New language provides clarity regarding when terms begin and end.</p>
<p>3.3 – Mayor: Election</p>	<p>Section 7.2. Mayor. The term of the mayor in office when this charter is</p>	<p>LOC language</p>	<p>This is common for many cities and provides consistency with</p>

DEPARTMENT ITEMS A
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<p>The term of the mayor in office when this Charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term. A mayor shall be elected each even-numbered year for two years and hold office until a qualified successor is elected or appointed.</p>	<p>adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.</p>		<p>councilor terms. If passed, the term of the Mayor in office at that time would end 12/31/2024. The person elected Mayor in November of 2024 would serve for a four-year term beginning January 2025.</p>
<p>3.4 – Council: Meetings The Council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules and laws of the state of Oregon. The Council shall prescribe times and places for its meetings. It shall meet regularly at least once each month. At a meeting, it may adjourn to the next succeeding regular meeting or to some specified time prior thereto. The mayor or a majority of the councilors may call special meetings of the Council in a manner prescribed by ordinance.</p>	<p>Section 3.5. Meetings. The council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules and laws of the state of Oregon.</p>	<p>LOC Language</p>	<p>New language is more concise and doesn't change the meaning.</p>
<p>3.5 – Council: Quorum A majority of the Council members is a quorum to conduct business. In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly. In the event of an absence, a smaller number may meet and compel attendance of absent members as prescribed by council rules. A majority of the councilors constitute a quorum for</p>	<p>Section 3.6. Quorum. A majority of the council members is a quorum to conduct business. In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly. In the event of an absence, a smaller number may meet and compel attendance of absent members as prescribed by council rules.</p>	<p>LOC language</p>	<p>New language provides more clarity and addresses a quorum when a vacancy exists. It doesn't change the meaning in any other part.</p>

DEPARTMENT ITEMS A
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<p>the transaction of Council business, except that a lesser number may meet and compel the attendance of absent members. A quorum may also compel the attendance of absent members.</p>			
<p>3.6 – Council: Journal The Council shall keep a journal of its proceedings. Except where exempted by state law, the Council's deliberations and proceedings shall be public and its records available for inspection during business hours.</p>	<p>Section 3.8. Record. A record of council meetings must be kept in a manner prescribed by the council rules and the laws of the state of Oregon.</p>	<p>Current Charter language</p>	
<p>3.7 - Mayor: Functions. The mayor shall preside at Council meetings but may not vote on matters before the Council, except in case of a tie, when he or they shall cast the deciding vote. The mayor shall, at least once each year, state to the Council the condition of the City and recommend such measures as he or she may deem expedient and proper.</p>	<p>Section 3.2. Mayor. The mayor presides over and facilitates council meetings, preserves order, enforces council rules, and determines the order of business under council rules. The mayor is a voting member of the council and has no veto authority.</p> <p>a) With the consent of council, the mayor appoints members of commissions and committees established by ordinance or resolution.</p> <p>b) The mayor must sign all records of council decisions.</p> <p>c) The mayor serves as the political head of the city government.</p>	<p>Current Charter language</p>	<p>The current Charter language provides all the information needed. Provisions of LOC 3.2(a) are outlined in RMC 2.32.020.</p>
<p>3.8. - Council: President. At the first meeting of the Council each year or as soon thereafter as practical, the Council shall choose</p>	<p>Section 3.3. Council President. At its first meeting each year, the council must elect a president from its membership. The president</p>	<p>Current Charter language with addition regarding veto power and voting in the event of a tie</p>	<p>When performing the duties of the Mayor for an extended period of time, the Council President would have the same</p>

DEPARTMENT ITEMS A
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<p>one of its members to preside over the Council and perform the duties of mayor in the absence of the mayor from the City or in case of the mayor's inability to act as such. In functioning as mayor while the mayor is absent from the City for thirty days or physically unable to function as mayor for thirty days, the president of the Council has the legal powers, and is subject to the legal limitations of the mayor, <u>including veto power and voting only in the event of a tie.</u></p>	<p>presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties.</p>	<p>(when Mayor out more than 30 days).</p>	<p>veto and tie breaking power as the Mayor.</p>
<p>3.10— Council and Mayor: Immunity No councilor or mayor may be held liable or questioned in any other place, for words uttered in any meeting of the Council, its subcommittees, commissions and boards.</p>	<p>Not in LOC</p>	<p>REMOVE</p>	<p>This section is outdated and not enforceable or relevant.</p>
	<p>Section 3.4 Rules. The council must by resolution adopt rules to govern its meetings.</p>	<p>No Change</p>	<p>Council rules are part of the Roseburg Municipal Code (RMC).</p>
	<p>Section 3.7 Vote Required. The express approval of a majority of a quorum of the council is necessary for any council decision, except when this charter requires approval by a majority of the council.</p>	<p>No Change</p>	<p>This is already in the RMC 2.34.060(C).</p> <p>Not needed in our Charter.</p>
<p>Section 4 – CITY MANAGER</p>			
<p>4.1 – City Manager: Appointment and Qualifications The Council shall appoint a city manager for an indefinite term who shall hold office <u>during at</u> the pleasure of the Council and may be</p>	<p>Section 8.1. City Manager. a) The office of city manager is established as the administrative head of the city government. The city manager is responsible to the mayor and council for the proper</p>	<p>Current language with removal of residency requirement.</p>	<p>A City Manager shall be chosen solely on the basis of executive and administrative qualifications. Qualified applicants or appointees may not be able to find a home</p>

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<p>removed at any time with or without cause by two-thirds vote of the entire Council. The city manager shall be chosen without regard to political considerations and solely on the basis of executive and administrative qualifications. The city manager need not be a resident of the city or state at the time of appointment, but promptly thereafter shall become and remain a resident of the city while in office. No councilor nor mayor may be appointed as city manager until one year after the expiration of his or her<u>their</u> service in the office of councilor or mayor.</p>	<p>administration of all city business. The city manager will assist the mayor and council in the development of city policies, and carry out policies established by ordinances and resolutions.</p> <p>b) A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.</p> <p>c) The manager need not reside in the city.</p>		<p>inside city limits due to a number of factors out of their control. The Council retains the authority to remove the City Manager with two-thirds vote if they feel they are not performing the duties required or working for the city's best interests.</p>
<p>4.2 – City Manager: Vacancy If the office of city manager becomes vacant or if the city manager is absent from the City or disabled<u>unable to perform the duties of city manager</u>, the Council may designate a city manager pro tem. The city manager pro tem shall perform the duties of city manager but may appoint or dismiss a department head only with the approval of the Council. The term of office of the city manager pro tem ends when the city manager returns to the City or takes office.</p>	<p>Section 8.1 (h) When the manager is temporarily disabled from acting as manager or when the office of the manager becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval.</p>	<p>Current language, updating the term 'disabled' to 'unable to perform the duties of city manager'.</p>	<p>Updating language to be more clear and accurate.</p>
<p>4.3 – City Manager: Powers and Duties. The city manager shall be the chief executive officer and head of the administrative branch of the City</p>	<p>Section 8.1. City Manager. a) The office of city manager is established as the administrative head of the city government. The city manager is responsible to the</p>	<p>Current language, updating pronouns and adding LOC language about delegation of duties.</p>	

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<p>government and shall be responsible to the Council for the proper performance of his or her<u>their</u> duties. The city manager shall:</p> <p>(a) Supervise and control all administrative and business affairs of the City;</p> <p>(b) Enforce all ordinances;</p> <p>(c) See that the provisions of all franchises, contracts, leases, permits and privileges granted by the City are fully observed and enforced;</p> <p>(d) Except for municipal court judges, generally supervise and control all employees of the City including, but not limited to, employing, disciplining and discharging employees at pleasure, assigning duties and accounting for performances;</p> <p><u>(e) Delegate duties, but remain responsible for all subordinates.</u></p> <p>(e) Organize, disband or reorganize departments;</p> <p>(f) Prepare the annual budget;</p> <p>(g) Make all purchases;</p> <p>(h) Execute all contracts;</p> <p>(i) At his or her<u>their</u> discretion, appoint advisory boards to assist the city manager;</p> <p>(j) Prepare and furnish reports requested by the Council;</p>	<p>mayor and council for the proper administration of all city business. The city manager will assist the mayor and council in the development of city policies, and carry out policies established by ordinances and resolutions.</p> <p>8.1(e)(3) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits and other city decisions;</p> <p>8.1(e)(4) Appoint, supervise and remove city employees;</p> <p>8.1(e)(5) Organize city departments and administrative structure</p> <p>8.1(e)(6) Prepare and administer the annual city budget;</p> <p>(see 8.1(e)(3) above)</p> <p>Not in LOC</p> <p>8.1(e)(2) Make reports and recommendations to the mayor and council about the needs of the city.</p> <p>Not in LOC</p>		<p>New language under 4.3(e) adds delegation of some duties when appropriate. This provides the City Manager more flexibility and efficiency in administering the daily work of the City.</p>
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<p>(kl) Devote full time to the office of city manager; and</p> <p>(jm) Perform other duties as the Council directs</p>	<p>8.1(e)(10) Perform other duties as directed by the council</p>		
<p>4.4 – City Manager: Council Meetings The city manager and such other officialsofficers of the City as the Council designates may sit with the Council but may not vote on questions before the Council. The city manager may take part in all Council discussions.</p>	<p>Section 8.1 g) The manager and other employees designated by the council may sit at council meetings but have no vote. The manager may take part in all council discussions.</p>	<p>Current language</p>	
<p>4.5 – City Manager: Interference in Administration <u>No mayor or councilor may directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any City employee, or in administrative decisions regarding City property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In Council meetings, the mayor or councilors may discuss or suggest anything with the manager relating to City business.</u>No councilor or mayor may influence or attempt to influence the city manager in personnel decisions or in the purchase of supplies, nor may any councilor or mayor exact any promise relative to any personnel decision by the city manager. Violation of this section forfeits the office of the violator. The</p>	<p>Section 8.1 i) No council member may directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the council after a public hearing. In council meetings, councilors may discuss or suggest anything with the manager relating to city business.</p>	<p>LOC language</p>	<p>New language is more concise and does not change the meaning.</p>

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<p>mayor and any councilor may, however, in open Council meeting discuss with or suggest to the city manager anything pertaining to City affairs.</p>			
<p>4.6—City Manager: Exclusive Powers The powers herein granted to the city manager are exclusive.</p>	<p>Not in LOC</p>	<p>REMOVE</p>	<p>Current Charter language restricts the City Manager from delegating powers when appropriate. Delegation is being added to Section 4.3.</p>
	<p>Section 8.2 – City Attorney The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney may appoint, supervise, and may remove any employees who work in and for the city attorney’s office.</p>		<p>In Roseburg, the City Attorney is a contract employee.</p> <p>RMC references City Attorney throughout.</p>
<p>Section 5 – MUNICIPAL COURT AND JUDGE</p>			
<p>5.1 – Municipal Court: Creation and Jurisdiction The Council may continue the court known as the municipal court and prescribe the time and place the court shall transact judicial business. The jurisdiction and proceedings of the municipal court are governed by the general laws of the state for justices of the peace and justice courts except as City ordinance prescribes to the contrary. The municipal court has original and jurisdiction over all offenses defined</p>	<p>Section 8.3. Municipal Court and Judge. b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts. c) All areas within the city and areas outside the city as permitted by state law are within the territorial jurisdiction of the court. d) The municipal court has jurisdiction over every offense</p>	<p>Current language – removing ‘original and’ which aren’t needed.</p>	<p>Scriveners error correction</p>

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<p>and made punishable, and over all actions to recover or enforce forfeitures or penalties defined or authorized, by the ordinances of the City.</p>	<p>created by city ordinance. The court may enforce forfeitures and other penalties created by such ordinances. The court also has jurisdiction under state law unless limited by city ordinance.</p>		
<p>5.2 – Municipal Court: Powers (1) The municipal court has the jurisdiction and authority of a justice of the peace in and for Douglas County, in both civil and criminal matters, and when exercising that jurisdiction and authority is subject to the general laws of the state prescribing the duties of a justice of the peace and the mode of performing them.</p> <p><u>(2)</u> The municipal judge may:</p> <p>(a) Render judgements and may impose sanctions for the enforcement thereof on persons and property within its jurisdiction;</p> <p>(b) Cause the arrest of any person accused of an offense against the City;</p> <p>(c) <u>Commit to jail or admit to bail anyone accused of a City offense; Commit to jail pending trial any person accused of an offense against the City;</u></p> <p>(d) Issue and compel obedience to subpoenas;</p> <p>(e) Compel witnesses to appear and testify or jurors to serve in</p>	<p>Section 8.3(e) The municipal judge may:</p> <p>1) Render judgments and impose sanctions on persons and property;</p> <p>2) Order the arrest of anyone accused of an offense against the city;</p> <p>3) Commit to jail or admit to bail anyone accused of a city offense;</p> <p>4) Issue and compel obedience to subpoenas;</p> <p>5) Compel witnesses to appear and testify and jurors to serve for trials before the court;</p>	<p>REMOVE 5.2(1)</p> <p>Use Current language for most.</p> <p>Use LOC language for (c)</p>	<p>A home rule charter may not grant the authority listed under 5.2(1) to a municipal judge; such authority may only be granted by state statute.</p> <p>Additional language clarifies and identifies judge’s powers that were not previously included.</p>

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<p>the trial of any cause before the municipal court;</p> <p>(f) Punish witnesses and others for contempt of court;</p> <p>(g) Issue any process necessary to carry into effect the judgment of the municipal court, <u>including search warrants</u>; and</p> <p>(h) Perform other judicial or quasi-judicial functions as the Council prescribes by general ordinance.</p>	<p>6) Penalize contempt of court;</p> <p>7) Issue processes necessary to enforce judgments and orders of the court;</p> <p>9) Perform other judicial and quasi-judicial functions assigned by ordinance.</p>	<p>Add 'search warrants' from LOC to (g)</p>	
<p>5.3 – Municipal Judge: Appointment The Council may appoint a municipal judge and such pro tem judges as it deems necessary to serve for indefinite terms to hold office at the pleasure of the Council and may remove any of them any time, with or without cause, by two-thirds vote of the entire Council.</p>	<p>Section 8.3. Municipal Court and Judge.</p> <p>a) A majority of the council may appoint and remove a municipal judge. A municipal judge will hold court in the city at such place as the council directs. The court will be known as the Municipal Court.</p> <p>f) The council may appoint and may remove municipal judges pro tem.</p>		
<p>5.4 – Municipal Judge: Vacancy If the office of municipal judge becomes vacant or if the municipal judge is absent from the City or disabled<u>unable to perform the duties of municipal judge</u>, the City Council may appoint an acting<u>a</u> municipal judge <u>pro tem</u>. The acting-municipal judge <u>pro tem</u> shall perform the duties of municipal judge. The term of acting-municipal judge <u>pro tem</u> shall end when the municipal judge returns to the City or takes office.</p>	<p>Not in LOC</p>	<p>Current language, updating the term 'disabled' to 'unable to perform the duties of municipal judge'.</p> <p>Changing 'acting' to 'pro tem'.</p>	<p>Recommend using pro tem for both judge and city manager for consistency throughout.</p>

<p>Section 6 – MUNICIPAL OFFICERS AND EMPLOYEES</p>			
<p><u>6.1 – Municipal/City Officer</u> <u>City officers are elected officers, the city manager and the municipal judge.</u></p> <p>6.1-2 – Qualifications No person may hold an elective City office unless a legal elector under the laws and constitution of the state, a resident of the City for one year immediately before being elected or appointed to the office, a resident of the City or ward he or she seeks to represent when nominated, elected or appointed and assuming the office and receiving the highest number of the votes cast for candidates for the office at the election at which the office is to be filed.</p>	<p>Section 7.4. Qualifications. a) The mayor and each councilor must be a qualified elector under state law, and reside within the city for at least one year immediately before election or appointment to office.</p>	<p>Current language</p>	<p>City Officers refers to elected officers, the City Manager and Municipal Judge. City officials may include other City employees. The new language clarifies the distinction.</p>
<p>6.2-3 – Certificate of Election Immediately after the votes at a municipal election for filling an elective office have been canvassed, the City officer official in charge of administering elections shall issue a certificate of election to each person declared by the canvassers to have been elected at the election. The certificate shall be prima facie evidence of the facts therein stated, but the Council shall be the judge of the election and qualifications of the mayor and councilors. <u>Neither the mayor nor a councilor may be employed by the City, and in case of a contest between two or more</u></p>	<p>7.4(d) The council is the final judge of the election and qualifications of its members.</p>	<p>Current language, plus LOC language regarding Mayor and Councilors not being employees of city.</p>	<p>The last sentence of this section does not follow election laws, and is therefore irrelevant.</p>

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<p>persons claiming an elective city office shall determine the contest.</p>			
<p>6.3.4 – Terms The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office, unless the office becomes vacant under Section 6.6. The term of city elective offices shall commence on the first day in January following the officer's election.</p>	<p>Section 7.6. Terms. The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.</p>	<p>LOC language</p>	<p>New language matches recommended change under Section 3.2 and provides more clarity regarding when terms begin and end.</p>
<p>6.4.5 – Oath of Office Each elective officer, the city manager and municipal judge before entering upon the duties of office shall take an oath or affirmation to support the constitution and laws of the United States and of the State of Oregon and to faithfully perform the duties of his or her<u>their</u> office.</p>	<p>Section 7.7. Oath. The mayor and each councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon.</p>	<p>Current Charter language</p>	
<p>6.5.6 – Offices: Vacancies The mayor or a Council office becomes vacant: a) Upon the incumbent's: 1) Death; 2) Adjudicated incompetence; or 3) Recall from the office. b) Upon declaration by the Council after the incumbent's: 1) Failure to qualify for the office within 10 days of the time the term of office is to begin;</p>	<p>Section 7.8. Vacancies. The mayor or a council office becomes vacant: a) Upon the incumbent's: 1) Death; 2) Adjudicated incompetence; or 3) Recall from the office. b) Upon declaration by the council after the incumbent's: 1) Failure to qualify for the office within 10 days of the time the term of office is to begin; 2) Absence from the city for 30 days without council consent, or from all</p>		<p>New language adds “Adjudicated incompetence” and “Recall from the office”. The rest of the information listed remains the same.</p>

- 2) Absence from the City for 30 days without Council consent, or from all Council meetings within a 60-day period;
- 3) Ceasing to reside in the City;
- 4) Ceasing to be a qualified elector under state law;
- 5) Conviction of a felony crime;
- 6) Resignation from the office; or
- 7) Removal under Section 4.5.

6.6 - Filling Vacancies. A mayor or councilor vacancy will be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

~~(1) An office becomes vacant upon its incumbent's death, adjudication of incompetence, conviction of a felony, removal from the City, resignation or ceasing to be a qualified elector of the City. An elective City office becomes vacant whenever its incumbent is absent from the City for thirty consecutive days without the consent of the Council or whenever the elected City officer has been absent from meetings of the Council for sixty days without the Council's consent or whenever a councilor removes his or her residence from the ward from which he or she is elected or appointed.~~

~~(2) The Council shall judge when an office becomes vacant.~~

- council meetings within a 60-day period;
- 3) Ceasing to reside in the city;
- 4) Ceasing to be a qualified elector under state law;
- 5) Conviction of a misdemeanor or felony crime;
- 6) Resignation from the office; or
- 7) Removal under Section 8.1(i).

Section 7.9. Filling Vacancies. A mayor or councilor vacancy will be filled by appointment by a majority of the remaining council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

Adding 6.6 allows the person filling the vacancy to serve the remainder of the term of the person last elected to that office, rather than having to run mid-way through the term, and again when the term expires. Keeps election of the council positions in original term end dates, causing less confusion.

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<p>6.6— Compensation Councilors and the mayor shall receive no pay for their services but may be reimbursed for actual expenses they incur when performing their duties. The compensation of other officers shall be prescribed by the Council.</p>	<p>Not in LOC</p>	<p>REMOVE</p>	<p>Not needed in Charter. Better to address in the Code if compensation ever becomes a consideration.</p> <p>Approval of this change does not approve Council compensation. A separate Council action would be required to implement compensation.</p>
<p>6.7 – Liability for Unauthorized Expenditures. (1) A city officer or employee who knowingly participates in, advises, consents to, or allows City money to be diverted to any purpose other than the purpose for which the money is raised may be removed from office and be charged with relevant criminal offenses as provided by statute. A city officer who participates in, advises, consents to, or allows City money to be diverted to any purpose other than the one for which it is raised is guilty of malfeasance and removable from office as provided by law.</p> <p>(2) If any City money is diverted from the purpose for which it is raised, if any money is unlawfully used or if any void evidence of debt is paid, any qualified elector or taxpayer of the City may bring a civil action in the name of the City against any officer voting for, approving of, or</p>	<p>Not in LOC</p>	<p>REMOVE (2)</p>	<p>Section 6.7(2) is being removed as a citizen may not bring a civil action suit in the name of the City.</p>

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in any way directing the diversion, unlawful use, or void payment, to recover that amount, with interest, for the benefit of the City.			
6.8 – State Ethics Law State of Oregon ethics laws shall govern the conduct of all city officers, employees, appointees and agents. (Res. 94-6, approved 4/11/94)	Not in LOC		This is covered by State law.
Section 7 – ELECTIONS			
7.1 – Elections City elections, insofar as not governed by this Charter or City ordinance shall be conducted as prescribed by state law governing popular elections	Section 7.3. State Law. City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan.	Current Charter language.	
7.2 – Wards The Council shall divide the City into wards and redefine the boundaries thereof as necessary to accord persons in the City the equal protection of the laws <u>representation.</u>	Not in LOC	Current Charter language.	The new language more accurately describes the purpose of the wards.
7.3 – Voter’s Qualifications No person may vote at a city election who is not a qualified voter of the state. No person may vote in a ward other than that in which he or she <u>they</u> resides.	Not in LOC	Current Charter language.	
7.4 – Notice The officer <u>official</u> in charge of city elections shall give ten days’ public notice of each city election. The notice shall state the officers to be elected and the measures to be submitted at the election. The notice	Not in LOC	Current Charter language, removing last sentence.	Elections in Oregon are all by mail so there are no locations to state.

<p>shall also state the places for the election.</p>			
<p>7.5 – Nomination The Council shall provide by ordinance the mode for nominating elective officers.</p>	<p>Section 7.5. Nominations. The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position.</p>	<p>Current Charter language.</p>	
<p>Section 8 - ORDINANCES</p>			
<p>8.1 - Ordaining Clause. The ordaining clause of an ordinance shall read: "The City of Roseburg ordains as follows:".</p>	<p>Section 4.1. Ordinances. The council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state "The City of _____ ordains as follows:".</p>	<p>Current Charter language.</p>	
<p>8.2 - Adoption. (1) Except as subsection (2) and (3) of this section provide to the contrary, before being put upon its final passage, every ordinance of the Council shall be read fully and distinctly in open Council meeting on two different days. (2) Except as subsection (3) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by three-fourths vote of the entire Council upon being read first in full and then by title. (3) Any of the readings may be by title only if no Council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for</p>	<p>Section 4.2. Ordinance Adoption. a) Except as authorized by subsection (b), adoption of an ordinance requires approval by a majority of the council at two meetings. b) The council may adopt an ordinance at a single meeting by the unanimous approval of at least a quorum of the council, provided the proposed ordinance is available in writing to the public at least one week before the meeting c) Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to</p>	<p>Current Charter language, removing sentence about publishing all ordinances in newspaper.</p>	

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<p>public inspection in the office of the mayor or city manager no later than one week before the first reading of the ordinance and if notice of their availability is posted at City Hall or published once in a newspaper of general circulation in the city.</p> <p>(4) An ordinance adopted after being read by title only has no legal effect if it differs substantially from its terms as they stand when so read, unless each section incorporating such a difference, as finally amended prior to being adopted by the Council, is fully and distinctly read in open Council meeting.</p>	<p>the public before the council adopts the ordinance at that meeting.</p> <p>d) After the adoption of an ordinance, the vote of each member must be entered into the council minutes.</p> <p>e) After adoption of an ordinance, the city custodian of records must endorse it with the date of adoption and the custodian's name and title.</p>		<p>City is not required and does not publish all ordinances in the newspaper, only those that are required by ordinance or state law.</p>
<p>8.3 – Attestation and Approval Upon the adoption of an ordinance a true duplicate original thereof shall be submitted to the mayor. If the mayor approves the ordinance, the mayor shall date and sign the ordinance. <u>The city recorder shall attest to all ordinances.</u></p>	<p>Section 4.2(e) After adoption of an ordinance, the city custodian of records must endorse it with the date of adoption and the custodian's name and title.</p>	<p>Current Charter language with addition of attestation language.</p>	<p>Per RMC 2.34.050(B)(9), the city recorder attests the Mayor's signature on all ordinances.</p>
<p>8.4 – Veto. If not approving an ordinance so submitted, the mayor shall, within ten days after receiving it, return it to the city manager, with the reasons for not approving it. If not so returned, the ordinance shall have legal effect as if so approved.</p>	<p>Not in LOC</p>	<p>Current Charter language.</p>	
<p>8.5 – Overriding of Veto. At the first meeting of the Council after the mayor returns an ordinance not so approved, the city manager</p>	<p>Not in LOC</p>	<p>Current Charter language.</p>	

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<p>shall present the ordinance to the Council with the objections of the mayor, the ordinance shall then be put upon adoption again, and if three-fourths of the entire Council vote in favor of the ordinance, it takes effect in accordance with Section 8.6 of this Charter.</p>			
<p><u>8.6 - Effective Date of Ordinances. Ordinances normally take effect on the 30th day after adoption, passage over the mayor's veto, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption or passage over the mayor's veto, if it contains an emergency clause.</u>Times of Effect. An ordinance takes effect thirty days after its adoption by the Council and approval by the mayor or passage over the mayor's veto, unless it is necessary to have immediate effect for the preservation of the peace, health and safety of the city, states in a separate section the reasons why it is so necessary, and is approved by the affirmative vote of three-fourths of the entire Council. In that event it takes effect immediately upon its adoption by the Council and approval by the mayor or passage over his or her veto or at whatever subsequent time the ordinance specifies.</p>	<p>Section 4.3. Effective Date of Ordinances. Ordinances normally take effect on the 30th day after adoption, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.</p>		<p>New language is more concise and doesn't change the meaning.</p>
<p><u>8.7 - Ordinance Continuation. All ordinances consistent with this Charter in force when it takes effect remain in effect until amended or repealed.</u></p>		<p>LOC language from their section 11.2.</p>	<p>Moved from 10.6 – reworded for clarity.</p>

	Section V – Administrative Authority		
	Section 5.1 - Resolutions. The council will normally exercise its administrative authority by approving resolutions. ³² The approving clause for resolutions may state “The City of _____ resolves as follows:”		
	<p>Section 5.2 – Resolution Approval.</p> <p>a) Approval of a resolution or any other council administrative decision requires approval by the council at one meeting.</p> <p>b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the council adopts the resolution at that meeting.</p> <p>c) After approval of a resolution or other administrative decision, the vote of each member must be entered into the council minutes.</p> <p>d) After approval of a resolution, the city custodian of records must endorse it with the date of approval and the custodian’s name and title.</p>		
	Section 5.3 – Effective Date of Resolutions. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.		

	Section V – Quasi-Judicial Authority		
	<p>Section 6.1. Orders. The council will normally exercise its quasi-judicial authority by approving orders. The approving clause for orders may state “The City of _____ orders as follows:”</p> <p>Section 6.2. Order Approval.</p> <p>a) Approval of an order or any other council quasi-judicial decision requires approval by the council at one meeting.</p> <p>b) Any substantive amendment to an order must be read aloud or made available in writing to the public at the meeting before the council adopts the order.</p> <p>c) After approval of an order or other council quasi-judicial decision, the vote of each member must be entered in the council minutes.</p> <p>d) After approval of an order, the city custodian of records must endorse it with the date of approval and the custodian’s name and title.</p> <p>Section 6.3. Effective Date of Orders. Orders and other quasi-judicial decisions take effect on the date of final approval, or on a later day provided in the order.</p>		
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	<p>Section 9.1. Compensation. The council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.</p> <p>Section 9.2. Merit Systems. The council⁶⁴ by resolution will determine the rules governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of city employees based on merit and fitness.</p>		
<p>Section 9 – PUBLIC IMPROVEMENTS</p>			
<p>9.1 – Procedure. <u>The Council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement. A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.</u>(1) Except as provided in this section, the procedure for making, altering, vacating or abandoning a public improvement shall be governed by the applicable general laws of the state.</p> <p>(2) If a remonstrance against a street or alley improvement or repair is filed by the owners of two-thirds or more of the front footage of the</p>	<p>Section 10.1. Procedure. The council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement. A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.</p>	<p>LOC Language</p>	<p>New language is more concise and doesn't change the meaning.</p>

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<p>property abutting the street or alley, the proposed improvement or repair may not be made and may not be initiated again for six months, except on the petition of the owners of one-half or more of the front footage of the real property abutting the proposed street or alley.</p>			
<p>9.2 – <u>Special</u> Assessments. The procedure for levying, collecting and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall <u>will</u> be governed by general ordinance.</p>	<p>Section 10.2. Special Assessments. The procedure for levying, collecting and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.</p>	<p>LOC Language</p>	<p>New language is more concise and doesn't change the meaning.</p>
<p>9.3—Liens The docket of city liens is a public writing, and the original or a certified copy of any matter authorized to be entered in the docket shall have the force and effect of a judgment. From the time of the Council's authorization of an improvement on account of which an assessment is entered in the docket, the sum so entered is a lien against the property. The lien has priority over all other items and encumbrances upon the property and may be enforced in the manner authorized by the Council.</p>	<p>Not in LOC</p>	<p>REMOVE</p>	<p>Liens are covered by State law.</p>
<p>Section 10 – MISCELLANEOUS PROVISIONS</p>			
<p>10.1—Revenue Bonds. The Council may issue revenue bonds without voter approval only for</p>	<p>Not in LOC</p>	<p>REMOVE</p>	<p>The City is covered under state provisions regarding revenue</p>

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commercial or industrial development or a municipal utility.			bonds. Not needed in the Charter.
10.2—City Manager Tax Levy The Council shall in each year levy a tax not to exceed two and one-half mills upon the assessed valuation of all taxable property in the City. The tax shall be in addition to and in excess of constitutional limitations on taxation by the City and shall be used to assist in defraying the cost of the office of city manager.	Not in LOC	REMOVE	This language is outdated. In practice, the city does not implement a City Manager Tax Levy. To issue a special operating levy would require voter approval.
10.3-1 – Indebtedness: Limits. (1) Indebtedness of the City may not exceed the limits on city indebtedness under state law. (2) Approval by the voters of City indebtedness need not be in the form of a Charter amendment.	Section 11.1. Debt. City indebtedness may not exceed debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.	Current Charter language.	
10.4—Terms, Proceeds and Retirement of Bonds. Bonds issued by the City as evidence of indebtedness shall include such terms, the manner in which the proceeds from sale of the bonds shall be kept, invested, disbursed and accounted for and the manner in which the indebtedness shall be retired as the Council prescribes. The prescription may not be changed for a particular bond after it is issued.	Not in LOC	REMOVE	These bonds are all part of bond covenants under state law.
10.5—Presumption of Validity of City Action.	Not in LOC	REMOVE	Covered by state law.

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<p>In every proceeding in any court concerning the exercise or enforcement by the City or any of its officers or agencies of any power by this act given to the City or any of its officers or agencies, all acts by the City or any of its officers or agencies shall be presumed to be valid and no error or omission in any such act invalidates it, unless the person attacking it alleges and proves that he or she has been misled by the error or omission to his or her damage. The court shall disregard every error or omission which does not affect a substantial right of the person. Any action by this Charter committed to the discretion of the Council, when taken, shall be final and shall not be reviewed or called into question elsewhere.</p>			
<p>10.6—Existing Ordinances Continued. All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.</p>	<p>Section 11.2. Ordinance Continuation. All ordinances consistent with this charter in force when it takes effect remain in effect until amended or repealed.</p>		<p>Moved this section to the Ordinance section of the Charter (Section 8).</p>
<p>10.7.2— Repeal. All Charter provisions adopted before this Charter takes effect are repealed.(1) All Charter provisions of the City enacted prior to the time that this Charter is approved by the voters are hereby repealed except the sanitary sewer rates and charges established in subsection 67 of Section 33 of the 1907 Charter as</p>	<p>Section 11.3. Repeal. All charter provisions adopted before this charter takes effect are repealed.</p>	<p>LOC Language</p>	<p>New language is more concise and accurate. The old Charter language is outdated and no longer relevant.</p>

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<p>amended, and except bond issuing power that have not been exhausted.</p> <p>(2) No repeal of a feature of the 1907 Charter or any amendment or addition thereto that has repealed an earlier such feature revives the earlier.</p> <p>(3) No repeal of a feature of the 1907 Charter or an amendment or addition thereto affects the validity of an outstanding bond issued by the City or impairs the obligation of the City under the bond or the rights of the holders of the bond.</p>			
<p><u>Section 10.3 - Severability.</u> <u>The terms of this Charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the Charter.</u></p>	<p>Section 11.4 Severability. The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.</p>	<p>LOC language</p>	<p>Severability is important in the event someone challenges one part of the Charter, it won't invalidate the rest of the Charter.</p>
<p>10.8.4 – Effective Date of Revision This revised Charter takes effect on January 1, 1983<u>July 1, 2023.</u></p>	<p>Section 11.5. Time of Effect. This charter takes effect _____, 20__.</p>	<p>Current Charter language</p>	<p>After official results are received from County and declared by the Mayor.</p>

ROSEBURG CITY CHARTER

INTRODUCTORY PROVISIONS

98.1.1 - Title.

This revision shall be referred to as the Roseburg City Charter of ~~1982~~2023.

98.1.2 - Corporate Name and Capacity.

The ~~inhabitants of the~~ City of Roseburg, Oregon ~~have been and are hereby constituted~~continues as a municipal corporation ~~by with~~ the name ~~of the~~ City of Roseburg ~~and by that name have perpetual succession and may sue and be sued in all courts of justice.~~

98.1.3 - Boundaries.

The City includes all territory ~~encompassed by within~~ its boundaries as they now exist ~~when this revision of the Charter is adopted or as they are subsequently~~or are legally modified in accordance with state law. ~~The repository of City records shall include at least two copies of this Charter each containing an accurate, up-to-date description of the boundaries. The copies and description shall be available for public inspection during regular office hours. The City will maintain as a public record an accurate and current description of the boundaries.~~

98.2 - POWERS

98.2.1 - Vesting, Grant and Construction of Powers.

- (1) Except as this Charter provides to the contrary, all power of the City is vested in the Council, the representative legislative body of the City. The Council has legislative, administrative and quasi-judicial authority. The Council exercises legislative and quasi-judicial authority by ordinance, and administrative authority by resolution. The Council may not delegate its authority to adopt ordinances.
- (2) The City has all powers that the constitution or laws of the United States or of this state expressly or impliedly grant or allow cities, as fully as if this Charter specifically stated each of those powers.
- (3) In this Charter no mention of a particular power may be construed to be exclusive or to restrict the scope of the powers that the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City has all powers necessary or convenient for the conduct of its affairs, including all powers that cities may assume under state laws or the provisions of the state constitution regarding municipal home rule.

98.3 - CITY COUNCIL AND MAYOR

98.3.1 - Council: Membership.

Eight councilors constitute the Council of the City.

98.3.2 - Council: Election.

The councilors shall be elected two from each ward classified into positions: one position designated as Position 1 and the other as Position 2 for each ward. Each councilor shall be elected for four years and shall hold office until a qualified successor ~~is elected or appointed~~takes office. Councilors in Position 1 shall be elected in ~~1982~~2026 and every fourth year thereafter and councilors in Position 2 shall be elected in ~~1984~~2024 and every fourth year thereafter, to take office as provided in this Charter.

98.3.3 - Mayor: Election.

The term of the mayor in office when this Charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.

~~A mayor shall be elected each even-numbered year for two years and hold office until a qualified successor is elected or appointed.~~

98.3.4 - Council: Meetings.

The Council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules and laws of the state of Oregon.

~~The Council shall prescribe times and places for its meetings. It shall meet regularly at least once each month. At a meeting it may adjourn to the next succeeding regular meeting or to some specified time prior thereto. The mayor or a majority of the councilors may call special meetings of the Council in a manner prescribed by ordinance.~~

98.3.5 - Council: Quorum.

A majority of the Council members is a quorum to conduct business. In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly. In the event of an absence, a smaller number may meet and compel attendance of absent members as prescribed by council rules.

~~A majority of the councilors constitute a quorum for the transaction of Council business, except that a lesser number may meet and compel the attendance of absent members. A quorum may also compel the attendance of absent members.~~

98.3.6 - Council: Journal.

The Council shall keep a journal of its proceedings. Except where exempted by state law, the Council's deliberations and proceedings shall be public and its records available for inspection during business hours.

98.3.7 - Mayor: Functions.

The mayor shall preside at Council meetings but may not vote on matters before the Council, except in case of a tie, when ~~he or they~~ shall cast the deciding vote. The mayor shall, at least once each year, state to the Council the condition of the City and recommend such measures as ~~he or she~~they may deem expedient and proper.

98.3.8. - Council: President.

At the first meeting of the Council each year or as soon thereafter as practical, the Council shall choose one of its members to preside over the Council and perform the duties of mayor in the

absence of the mayor from the City or in case of the mayor's inability to act as such. In functioning as mayor while the mayor is absent from the City for thirty days or physically unable to function as mayor for thirty days, the president of the Council has the legal powers, and is subject to the legal limitations of the mayor, including veto power and voting only in the event of a tie.

~~98.3.10 - Council and Mayor: Immunity.~~

~~No councilor or mayor may be held liable or questioned in any other place, for words uttered in any meeting of the Council, its subcommittees, commissions and boards.~~

98.4 - CITY MANAGER

98.4.1 - City Manager: Appointment and Qualifications.

The Council shall appoint a city manager for an indefinite term who shall hold office during at the pleasure of the Council and may be removed at any time with or without cause by two-thirds vote of the entire Council. The city manager shall be chosen without regard to political considerations and solely on the basis of executive and administrative qualifications. ~~The city manager need not be a resident of the city or state at the time of appointment, but promptly thereafter shall become and remain a resident of the city while in office.~~ No councilor nor mayor may be appointed as city manager until one year after the expiration of ~~his or her~~their service in the office of councilor or mayor.

98.4.2 - City Manager: Vacancy.

If the office of city manager becomes vacant or if the city manager is absent from the City or ~~disabled~~unable to perform the duties of city manager, the Council may designate a city manager pro tem. The city manager pro tem shall perform the duties of city manager but may appoint or dismiss a department head only with the approval of the Council. The term of office of the city manager pro tem ends when the city manager returns to the City or takes office.

98.4.3 - City Manager: Powers and Duties.

The city manager shall be the chief executive officer and head of the administrative branch of the City government and shall be responsible to the Council for the proper performance of ~~his or her~~their duties. The city manager shall:

- (a) Supervise and control all administrative and business affairs of the City;
- (b) Enforce all ordinances;
- (c) See that the provisions of all franchises, contracts, leases, permits and privileges granted by the City are fully observed and enforced;
- (d) Except for municipal court judge(s), generally supervise and control all employees of the City including, but not limited to, employing, disciplining and discharging employees ~~at pleasure~~, assigning duties and accounting for performances;
- (e) Delegate duties, but remain responsible for all subordinates.
- ~~(ef)~~ Organize, disband or reorganize departments;
- ~~(gf)~~ Prepare the annual budget;
- ~~(hg)~~ Make all purchases;

- (i) Execute all contracts;
- (j) At ~~his or her~~their discretion, appoint advisory boards to assist the city manager;
- (k) Prepare and furnish reports requested by the Council;
- (l) Devote full time to the office of city manager; and
- (m) Perform other duties as the Council directs.

98.4.4 - City Manager: Council Meetings.

The city manager and such other ~~officers-officials~~ of the City as the Council designates may sit with the Council but may not vote on questions before the Council. The city manager may take part in all Council discussions.

98.4.5 - City Manager: Interference in Administration.

~~No mayor or council member may directly or indirectly attempt to coerce the city manager or a candidate for the office of city manager in the appointment or removal of any City employee, or in administrative decisions regarding City property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In Council meetings, the mayor or councilors may discuss or suggest anything with the city manager relating to City business. No councilor or mayor may influence or attempt to influence the city manager in personnel decisions or in the purchase of supplies, nor may any councilor or mayor exact any promise relative to any personnel decision by the city manager. Violation of this section forfeits the office of the violator. The mayor and any councilor may, however, in open Council meeting discuss with or suggest to the city manager anything pertaining to City affairs.~~

98.4.6 - City Manager: Exclusive Powers.

~~The powers herein granted to the city manager are exclusive.~~

98.5 - MUNICIPAL COURT AND JUDGE

98.5.1 - Municipal Court: Creation and Jurisdiction.

The Council may continue the court known as the municipal court and prescribe the time and place the court shall transact judicial business. The jurisdiction and proceedings of the municipal court are governed by the general laws of the state for justices of the peace and justice courts except as City ordinance prescribes to the contrary. The municipal court has ~~original and~~ jurisdiction over all offenses defined and made punishable, and over all actions to recover or enforce forfeitures or penalties defined or authorized, by the ordinances of the City.

98.5.2 - Municipal Court: Powers.

- (21) The municipal judge may:
 - (a) Render judgements and may impose sanctions for the enforcement thereof on persons and property within its jurisdiction;
 - (b) Cause the arrest of any person accused of an offense against the City;
 - (c) ~~Commit to jail or admit to bail anyone accused of a City offense; Commit to jail pending trial any person accused of an offense against the City;~~
 - (d) Issue and compel obedience to subpoenas;

- (e) Compel witnesses to appear and testify or jurors to serve in the trial of any cause before the municipal court;
- (f) Punish witnesses and others for contempt of court;
- (g) Issue any process necessary to carry into effect the judgment of the municipal court, including search warrants; and
- (h) Perform other judicial or quasi-judicial functions as the Council prescribes by general ordinance.

98.5.3 - Municipal Judge: Appointment.

The Council may appoint a municipal judge and such pro tem judges as it deems necessary to serve for indefinite terms to hold office at the pleasure of the Council and may remove any of them any time, with or without cause, by two-thirds vote of the entire Council.

98.5.4 - Municipal Judge: Vacancy.

If the office of municipal judge becomes vacant or if the municipal judge is absent from the City or ~~disabled~~unable to perform the duties of municipal judge, the City Council may appoint an ~~an~~ acting-municipal judge pro tem. The ~~acting~~ acting municipal judge pro tem shall perform the duties of municipal judge. The term of ~~acting~~ acting-municipal judge pro tem shall end when the municipal judge returns to the City or takes office.

98.6 - MUNICIPAL OFFICERS ~~AND EMPLOYEES~~.

6.1 – Municipal/City Officer. City officers are elected officers, the city manager and the municipal judge.

98.6.1 ~~2~~ - Qualifications.

No person may hold an elective City office unless a legal elector under the laws and constitution of the state, a resident of the City for one year immediately before being elected or appointed to the office, a resident of the City or ward ~~he or she~~they ~~seeks~~ to represent when nominated, elected or appointed and assuming the office and receiving the highest number of the votes cast for candidates for the office at the election at which the office is to be filed.

98.6.2 ~~3~~ - Certificate of Election.

Immediately after the votes at a municipal election for filling an elective office have been canvassed, the City ~~officer~~ official in charge of administering elections shall issue a certificate of election to each person declared by the canvassers to have been elected at the election. The certificate shall be prima facie evidence of the facts therein stated, but the Council shall be the judge of the election and qualifications of the mayor and councilors. Neither the mayor nor a councilor may be employed by the City, and in case of a contest between two or more persons claiming an elective city office shall determine the contest.

98.6.3 ~~4~~ - Terms.

The term of an officer elected at a general election begins at the first Council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office, unless the office becomes vacant under Section 6.6.

~~The term of city elective offices shall commence on the first day in January following the officer's election.~~

98.6.4-5 - Oath of Office.

Each elective officer, the city manager and municipal judge before entering upon the duties of office shall take an oath or affirmation to support the constitution and laws of the United States and of the State of Oregon and to faithfully perform the duties of ~~his or her~~their office.

98.6.5-6 - Offices: Vacancies.

The mayor or a Council office becomes vacant:

a) Upon the incumbent's:

- 1) Death;
- 2) Adjudicated incompetence; or
- 3) Recall from the office.

b) Upon declaration by the Council after the incumbent's:

- 1) Failure to qualify for the office within 10 days of the time the term of office is to begin;
- 2) Absence from the City for 30 days without Council consent, or from all Council meetings within a 60-day period;
- 3) Ceasing to reside in the City;
- 4) Ceasing to be a qualified elector under state law;
- 5) Conviction of a felony crime;
- 6) Resignation from the office; or
- 7) Removal under Section 4.5.

6.7 - Filling Vacancies. A mayor or councilor vacancy will be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

~~(1) An office becomes vacant upon its incumbent's death, adjudication of incompetence, conviction of a felony, removal from the City, resignation or ceasing to be a qualified elector of the City. An elective City office becomes vacant whenever its incumbent is absent from the City for thirty consecutive days without the consent of the Council or whenever the elected City officer has been absent from meetings of the Council for sixty days without the Council's consent or whenever a councilor removes his or her residence from the ward from which he or she is elected or appointed.~~

~~(2) The Council shall judge when an office becomes vacant.~~

98.6.6 - Compensation.

~~Councilors and the mayor shall receive no pay for their services but may be reimbursed for actual expenses they incur when performing their duties. The compensation of other officers shall be prescribed by the Council.~~

98.6.7-8 - Liability for Unauthorized Expenditures.

(1) A city officer or employee who knowingly participates in, advises, consents to, or allows City money to be diverted to any purpose other than the purpose for which the money is raised may be removed from office and be charged with relevant criminal offenses as provided by statute.

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~~A city officer who participates in, advises, consents to, or allows City money to be diverted to any purpose other than the one for which it is raised is guilty of malfeasance and removable from office as provided by law.~~

~~(2) If any City money is diverted from the purpose for which it is raised, if any money is unlawfully used or if any void evidence of debt is paid, any qualified elector or taxpayer of the City may bring a civil action in the name of the City against any officer voting for, approving of, or in any way directing the diversion, unlawful use, or void payment, to recover that amount, with interest, for the benefit of the City.~~

98.6.8-9 - State Ethics Laws.

State of Oregon ethics laws shall govern the conduct of all city officers, employees, appointees and agents. ~~(Res. 94-6, approved 4/11/94)~~

98.7 - ELECTIONS.

98.7.1 - Elections.

City elections, insofar as not governed by this Charter or City ordinance shall be conducted as prescribed by state law governing popular elections.

98.7.2 - Wards.

The Council shall divide the City into wards and redefine the boundaries thereof as necessary to accord persons in the City ~~the equal~~ protection of the laws~~representation~~.

98.7.3 - Voter's Qualifications.

No person may vote at a city election who is not a qualified voter of the state. No person may vote in a ward other than that in which ~~he or she~~they resides.

98.7.4 - Notice.

The ~~officer~~official in charge of city elections shall give ten days' public notice of each city election. The notice shall state the officers to be elected and the measures to be submitted at the election. ~~The notice shall also state the places for the election.~~

98.7.5 - Nomination.

The Council shall provide by ordinance the mode for nominating elective officers.

98.8 - ORDINANCES.

98.8.1 - Ordaining Clause.

The ordaining clause of an ordinance shall read: "The City of Roseburg ordains as follows:".

98.8.2 - Adoption.

(1) Except as subsection (2) and (3) of this section provide to the contrary, before being put upon its final passage, every ordinance of the Council shall be read fully and distinctly in open Council meeting on two different days.

- (2) Except as subsection (3) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by three-fourths vote of the entire Council upon being read first in full and then by title.
- (3) Any of the readings may be by title only if no Council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for public inspection in the office of the mayor or city manager no later than one week before the first reading of the ordinance and if notice of their availability is posted at City Hall ~~or published once in a newspaper of general circulation in the city.~~
- (4) An ordinance adopted after being read by title only has no legal effect if it differs substantially from its terms as they stand when so read, unless each section incorporating such a difference, as finally amended prior to being adopted by the Council, is fully and distinctly read in open Council meeting.

98.8.3 - Attestation and Approval.

Upon the adoption of an ordinance a true duplicate original thereof shall be submitted to the mayor. If the mayor approves the ordinance, the mayor shall date and sign the ordinance. The city recorder shall attest to all ordinances.

98.8.4 - Veto.

If not approving an ordinance so submitted, the mayor shall, within ten days after receiving it, return it to the city manager, with the reasons for not approving it. If not so returned, the ordinance shall have legal effect as if so approved.

98.8.5 - Overriding of Veto.

At the first meeting of the Council after the mayor returns an ordinance not so approved, the city manager shall present the ordinance to the Council with the objections of the mayor, the ordinance shall then be put upon adoption again, and if three-fourths of the entire Council vote in favor of the ordinance, it takes effect in accordance with Section 8.6 of this Charter.

98.8.6 - ~~Times of Effect~~Effective Date of Ordinances.

Ordinances normally take effect on the 30th day after adoption, passage over the mayor's veto, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption or passage over the mayor's veto, if it contains an emergency clause.~~An ordinance takes effect thirty days after its adoption by the Council and approval by the mayor or passage over the mayor's veto, unless it is necessary to have immediate effect for the preservation of the peace, health and safety of the city, states in a separate section the reasons why it is so necessary, and is approved by the affirmative vote of three-fourths of the entire Council. In that event it takes effect immediately upon its adoption by the Council and approval by the mayor or passage over his or her veto or at whatever subsequent time the ordinance specifies.~~

8.7 - Ordinance Continuation.

All ordinances consistent with this Charter in force when it takes effect remain in effect until amended or repealed.

98.9 - PUBLIC IMPROVEMENTS

98.9.1 - Procedure.

~~The Council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement. A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.~~

~~(1) Except as provided in this section, the procedure for making, altering, vacating or abandoning a public improvement shall be governed by the applicable general laws of the state.~~

~~(2) If a remonstrance against a street or alley improvement or repair is filed by the owners of two-thirds or more of the front footage of the property abutting the street or alley, the proposed improvement or repair may not be made and may not be initiated again for six months, except on the petition of the owners of one-half or more of the front footage of the real property abutting the proposed street or alley.~~

98.9.2 – Special Assessments.

The procedure for levying, collecting and enforcing ~~the payment of~~ special assessments for public improvements or other services ~~to be charged~~ against real property ~~shall will~~ be governed by ~~general~~ ordinance.

98.9.3 – Liens.

~~The docket of city liens is a public writing, and the original or a certified copy of any matter authorized to be entered in the docket shall have the force and effect of a judgment. From the time of the Council's authorization of an improvement on account of which an assessment is entered in the docket, the sum so entered is a lien against the property. The lien has priority over all other items and encumbrances upon the property and may be enforced in the manner authorized by the Council.~~

98.10 - MISCELLANEOUS PROVISIONS.

98.10.1 – Revenue Bonds.

~~The Council may issue revenue bonds without voter approval only for commercial or industrial development or a municipal utility.~~

98.10.2 – City Manager Tax Levy.

~~The Council shall in each year levy a tax not to exceed two and one-half mills upon the assessed valuation of all taxable property in the City. The tax shall be in addition to and in excess of constitutional limitations on taxation by the City and shall be used to assist in defraying the cost of the office of city manager.~~

98.10.3_1 - Indebtedness: Limits.

- (1) Indebtedness of the City may not exceed the limits on city indebtedness under state law.
- (2) Approval by the voters of City indebtedness need not be in the form of a Charter amendment.

98.10.4 – Terms, Proceeds and Retirement of Bonds.

~~Bonds issued by the City as evidence of indebtedness shall include such terms, the manner in which the proceeds from sale of the bonds shall be kept, invested, disbursed and accounted for~~

~~and the manner in which the indebtedness shall be retired as the Council prescribes. The prescription may not be changed for a particular bond after it is issued.~~

~~98.10.5 – Presumption of Validity of City Action.~~

~~In every proceeding in any court concerning the exercise or enforcement by the City or any of its officers or agencies of any power by this act given to the City or any of its officers or agencies, all acts by the City or any of its officers or agencies shall be presumed to be valid and no error or omission in any such act invalidates it, unless the person attacking it alleges and proves that he or she has been misled by the error or omission to his or her damage. The court shall disregard every error or omission which does not affect a substantial right of the person. Any action by this Charter committed to the discretion of the Council, when taken, shall be final and shall not be reviewed or called into question elsewhere.~~

~~98.10.6 – Existing Ordinances Continued.~~

~~All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.~~

~~98.10.7.2 - Repeal~~

~~(1) All Charter provisions adopted before this Charter takes effect are repealed.~~

~~All Charter provisions of the City enacted prior to the time that this Charter is approved by the voters are hereby repealed except the sanitary sewer rates and charges established in subsection 67 of Section 33 of the 1907 Charter as amended, and except bond issuing power that have not been exhausted.~~

~~(2) No repeal of a feature of the 1907 Charter or any amendment or addition thereto that has repealed an earlier such feature revives the earlier.~~

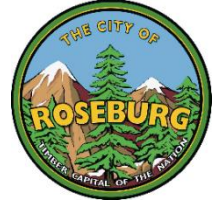
~~(3) No repeal of a feature of the 1907 Charter or an amendment or addition thereto affects the validity of an outstanding bond issued by the City or impairs the obligation of the City under the bond or the rights of the holders of the bond.~~

10.3 – Severability.

The terms of this Charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the Charter.

98.10.8.4 - Effective Date of Revision.

This revised Charter takes effect on ~~January 1, 1983~~ July 1, 2023.



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

CITY MANAGER ACTIVITY REPORT

Meeting Date: December 12, 2022

Department: Administration

www.cityofroseburg.org

Agenda Section: Informational

Staff Contact: Nikki Messenger, City Manager

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

At each meeting, the City Manager provides the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's part. The reports are intended to provide a mechanism to solicit feedback and enhance communication between the Council, City Manager and City Staff. For your December 12, 2022, meeting, the following items are included:

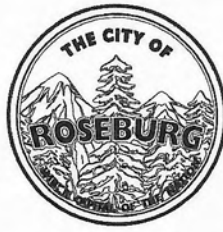
- Department Head Meeting Agendas
- Tentative Future Council Agenda Items



Agenda
Department Head Meeting
PSC Umpqua Conference Room
December 5, 2022 - 10:00 a.m.

1. December 12, 2022 City Council Meeting Agenda
2. Review Tentative Future Council Meeting Agendas
3. Documents, Events, or Grants to review and/or sign
 - A. Event Permit – December 16, 2022
4. Discussion Items

- Department Year-End Reports due to Koree by Friday, December 9, 2022.



Agenda
Department Head Meeting
PSC Umpqua Conference Room
November 29, 2022 - 10:00 a.m.

1. IT Update/Discussion – Erik Nielsen
2. December 12, 2022 City Council Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
(none received)
5. Discussion Items

- Department Year-End Reports due to Koree by Friday, December 9, 2022.



Agenda
Department Head Meeting
PSC Umpqua Conference Room
November 21, 2022 - 10:00 a.m.

1. December 12, 2022 City Council Meeting Agenda
2. Review Tentative Future Council Meeting Agendas
3. Documents, Events, or Grants to review and/or sign
4. Discussion Items
 - a. City Hall front automatic door

- Department Year-End Reports due to Koree by Friday, December 9, 2022.



Agenda
Department Head Meeting
PSC Umpqua Conference Room
November 15, 2022 - 10:00 a.m.

1. November 14, 2022 City Council Meeting Synopsis
2. December 12, 2022 City Council Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
5. Discussion Items

- Department Year-End Reports due to Koree by Friday, December 9, 2022.

TENTATIVE FUTURE COUNCIL AGENDA



Unscheduled

- 2023-2025 Council Goals
- ARPA Funds Discussion
- RPEA Labor Negotiation
- Umpqua Basin Urban Services Agreement
- Urban Growth Boundary Swap

January 9, 2023

Mayor Reports

- A. State of the City Address
- B. Commission Chair Appointments
- C. Commission Appointments

Commission Reports/Council Ward Reports

- A. Election of Council President

Consent Agenda

- A. December 12, 2022 Meeting Minutes

Ordinances

- A. Ordinance No. 3579 - Comprehensive Plan Amendment and Zone Change – Terra Firma, Second Reading

Informational

- A. City Manager Activity Report

January 23, 2023

Special Meeting – Planning Commission Interviews

- A. Planning Commission Interviews
- Time - TBD

Commission Reports

- A. Planning Commission Appointment

Consent Agenda

- A. January 9, 2023 Meeting Minutes

Ordinances

- A. Ordinance No. --- - Amending RMC Chapter 9.25 Telecommunication Providers, First Reading.

Department Items

- A. Navigation Center Improvement Contract
- B. Five-Year Water Distribution Main Replacement Program Statement of Qualifications Award, Project No. WA-23-01
- C. Parking Funding Discussion
- D. Goal Setting Discussion

Informational

- A. City Manager Activity Report
- B. Municipal Court Quarterly Report

February 13, 2023

Special Presentation

- A. Annual Comprehensive Financial Report (ACFR) – Auditor Jeff Cooley
- B. Quarterly Report – Quarter Ended December 31, 2022
- C. 2023-2024 Budget Calendar

Consent Agenda

- A. January 23, 2023 Meeting Minutes

Resolutions

- A. Resolution No. 2023 -- - Ballot Title for Roseburg City Charter

Ordinances

- A. Ordinance No. --- - Amending RMC Chapter 9.25 Telecommunication Providers, Second Reading

Informational

- A. City Manager Activity Report
-

February 27, 2023

Consent Agenda

- A. February 13, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
-

March 13, 2023

Mayor Reports

- A. American Red Cross Month Proclamation

Consent Agenda

- A. February 27, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
-

March 27, 2023

Mayor Reports

- A. Child Abuse Prevention Month Proclamation
- B. National Library Week Proclamation

Consent Agenda

- A. March 13, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
-

April 10, 2023

Mayor Reports

- A. Recognition of City Volunteers and Volunteer Recognition Month Proclamation
- B. Oregon Arbor Month Proclamation

Consent Agenda

- A. March 27, 2023 Meeting Minutes
- B. 2023 OLCC Annual Liquor License Renewal Endorsement

Informational

- A. City Manager Activity Report
-

April 24, 2023

Mayor Reports

- A. Historic Preservation Month Proclamation
- B. Bike and Safety Month, Walk and Bike to School Week and Bike to Work Day Proclamation
- C. Thrive Umpqua Day Proclamation

Consent Agenda

- A. April 10, 2023 Meeting Minutes

Special Presentation

- A. Umpqua Economic Development Partnership Annual Report

Informational

- A. City Manager Activity Report

- B. Finance Quarterly Report
- C. Municipal Court Quarterly Report

May 8, 2023

Mayor Reports

- A. EMS Week Proclamation
- B. National Public Works Week Proclamation

Consent Agenda

- A. April 24, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report

May 22, 2023

Mayor Reports

- A. Pride Month Proclamation

Consent Agenda

- A. May 8, 2023 Meeting Minutes

Resolutions

Annual Fee Adjustment

- A. Resolution No. 2023- -- - General Fees
- B. Resolution No. 2023- -- - Water Related Fees

Informational

- A. City Manager Activity Report

June 12, 2023

Mayor Reports

- A. Camp Millennium Week Proclamation
- B. Juneteenth Independence Day Proclamation

Consent Agenda

- A. May 22, 2023 Meeting Minutes

Public Hearing

- A. Resolution No. 2023- -- - 2023-2024 Budget Adoption

Informational

- A. City Manager Activity Report

Roseburg Urban Renewal Agency Board Meeting

Consent Agenda

- A. Minutes of previous meeting

Public Hearing

- A. Resolution No. UR2023--- - 2023-2024 Budget Adoption

June 26, 2023

Mayor Reports

- A. 2022 Roseburg Optimist Club Officer of the Year - ---

Special Presentation

- A. Anvil NW, Experience Roseburg, Destination Marketing Annual Report

Consent Agenda

- A. June 12, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report

July 10, 2023

Mayor Reports

- A. Parks and Recreation Month Proclamation

Special Presentation

- A. Gary Leif Navigation Center One-Year Report

Consent Agenda

- A. June 26, 2023 Meeting Minutes

Executive Session ORS 192.660(2)(i) – City Manager Report/Evaluation

Informational

- A. City Manager Activity Report
-

July 24, 2023

Consent Agenda

- A. July 10, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
 - B. Municipal Court Quarterly Report
-

August 14, 2023

Consent Agenda

- A. July 24, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
 - B. Quarterly Financial Report
-

August 28, 2023

Consent Agenda

- A. August 14, 2023 Meeting Minutes

Executive Session ORS 192.660(2)(i) – City Manager Performance Evaluation

Informational

- A. City Manager Activity Report