

ROSEBURG CITY COUNCIL AGENDA – OCTOBER 12, 2015
City Council Chambers, City Hall,
900 S. E. Douglas Avenue, Roseburg, OR 97470



6:00 p.m. Special Meeting

1. Marijuana Regulation Options
 - A. Ordinance No. _____, Repealing Local Marijuana Sales Tax

7:00 p.m. - Regular Meeting

1. **Call to Order – Mayor Larry Rich**
2. **Pledge of Allegiance**
3. **Roll Call**

Alison Eggers	Ken Fazio	Victoria Hawks	Steve Kaser
Lew Marks	John McDonald	Tom Ryan	Andrea Zielinski
4. **Mayor Report**
 - A. Tribute to U.C.C. Shooting Victims
5. **Commission Reports/Council Ward Reports**
6. **Audience Participation – See Information on the Reverse**
7. **Consent Agenda**
 - A. Minutes of September 28, 2015 Meeting
8. **Public Hearings**
 - A. Interchange Area Management Plan 127 (Edenbower), Ordinance No. _____
9. **Ordinances**
 - A. 2nd Reading Ordinance No. 3450, Vacation of Short/Burke Streets
10. **Items From Departments**
 - A. Transmission Main Cathodic Protection Contract Award
 - B. Single Lot Local Improvement Districts
11. **Items From Mayor, Council or City Manager**
12. **Informational**
 - A. Activity Report
13. **Executive Session ORS 192.660(2)**
14. **Adjournment**

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

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (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 Service at 1-800-735-2900.

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:

Persons addressing the Council must state their name and address for the record, including whether or not they are a resident of the City of Roseburg. 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 shall not have been previously presented to Council.

CITIZEN PARTICIPATION – AGENDA ITEMS

Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item. If you wish to address an item on the Consent Agenda, please do so under "Audience Participation. For other items on the agenda, discussion typically begins with a staff report, followed by questions from Council. If you would like to comment on a particular item, please raise your hand after the Council question period on that item.

CITIZEN PARTICIPATION – NON-AGENDA ITEMS

We also allow the opportunity for citizens to speak to the Council on matters not on this evening's agenda on items of a brief nature. A total of 30 minutes shall be allocated for this portion of the meeting.

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.

Thank you for attending our meeting – Please come again.

The City Council meetings are aired live on Charter Communications Cable Channel 191 and rebroadcast on the following Tuesday evening at 7:00 p.m. Video replays and the full agenda packet are also available on the City's website: www.cityofroseburg.org.

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10/6/15



ROSEBURG CITY COUNCIL SPECIAL MEETING AGENDA ITEM SUMMARY

CONTINUED DISCUSSION ON HB 3400 – REMAINING MARIJUANA ISSUES

Meeting Date: October 12, 2015 at 6:00 P.M.

Department: City Recorder

www.cityofroseburg.org

Staff Contact: Sheila R. Cox *SR*

Contact Telephone Number: 492-6866

At the July 27, 2015 meeting, Council tabled the discussion on HB3400 which granted cities the authority to adopt an ordinance prohibiting certain commercial marijuana activities identified in the bill and refer the matter to the voters at the November 2016 general election. This continued discussion is the sole topic of the Special Council meeting scheduled for 6:00 p.m. on Monday, October 12, 2015.

At this special meeting, Council will need to act or give direction on the following four items:

1. REPEAL OF TAX IMPOSED BY ORDINANCE NO. 3438: Ordinance No. 3438 was adopted on October 27, 2014. The ordinance added Chapter 9.15 to the Roseburg Municipal Code and imposed a 0% tax on the sale of marijuana by a licensed medical marijuana dispensary under the Oregon Medical Marijuana Program and a 10% tax on "recreational" marijuana. However, under HB 3400, the 2015 Oregon Legislature vested the authority to impose a tax or fee on the production, processing or sale of marijuana items solely in the Legislative Assembly, except as provided by law – which effectively made the tax imposed by Ordinance No. 3438 an illegal tax which must be repealed.

Status/Action Requested: An ordinance repealing RMC 9.15 is attached to this memo as Attachment #1. Staff recommends Council proceed with first and second readings, followed by adoption of the ordinance at the Special meeting. Our next ordinance is number 3451.

2. CONFIRM DECISION NOT TO BAN RECREATIONAL MARIJUANA: At the July 27, 2015 meeting, Council also directed staff to prepare an ordinance prohibiting medical marijuana dispensaries from selling recreational marijuana beginning October 1, 2015. Staff presented that ordinance at the following meeting (August 10, 2015), but after further testimony from the public and discussion among Councilors, the ordinance failed to receive support for first reading by a vote of 5 to 3. Based on that vote, it appears the majority of

Council is *not* in favor of referring a potential ban of recreational marijuana and the other related activities outlined in HB 3400 to the voters. A copy of the memo presented at the July 27, 2015 Council meeting which outlines the six marijuana-related activities Council could potentially refer to the voters is attached as Attachment #2.

Status/Action Requested: Staff is asking for confirmation on Council's implied desire not to refer the six marijuana related activities outlined in HB 3400 to the voters at the November, 2016 general election.

3. REFERRAL OF 3% SALES TAX ON RECREATIONAL MARIJUANA: While HB 3400 directed that cities could *not arbitrarily* levy a tax on recreational marijuana if they chose not to ban such activities, it stated cities *could* adopt an ordinance imposing a tax of up to 3 percent on the sale of marijuana items by a retail licensee *if such ordinance was referred to the voters in a statewide general election.*

Status/Action Requested: If Council wants to allow the voters to decide at the November, 2016 general election if there should be a 3% local sales tax imposed on recreational marijuana sales, Staff will need direction to prepare the ordinance to accomplish the referral process in a timely manner.

4. LUDO AMENDMENTS RELATING TO LEGAL MARIJUANA ACTIVITIES: If Council has opted not to refer the HB 3400 issues to the voters, the City must begin the process of developing zoning regulations for recreational marijuana-related activities and commercial grow sites in our community – much like we did with the sale of medical marijuana in 2014.

State law places restrictions on where certain marijuana activities can locate, including prohibiting certain processors, dispensaries and retail establishments from locating in residential zones. Under HB 3400, before issuing a producer, processor, wholesaler or retailer license, the OLCC will be required to obtain a statement from the City that the requested license is for a location where the proposed use of the land is either a permitted or conditional use. In addition to those state requirements, cities can impose their own more stringent land use requirements and restrictions.

HB 3400 provides that cities may regulate marijuana facilities by imposing reasonable restrictions on:

- The hours of operation of recreational marijuana retailers and medical marijuana grow sites, processing sites and dispensaries;
- The location of recreational marijuana producers, processors, wholesalers and retailers, as well as medical grow sites, processing sites and dispensaries (with the 1,000-foot buffer between retailers);
- The manner of operation of recreational marijuana producers, processors, wholesalers and retailers, as well as medical marijuana processors and dispensaries; and

- The public's access to the premises of recreational marijuana producers, processors, wholesalers and retailers, as well as medical marijuana grow sites, processing sites and dispensaries.

In summary, the City can regulate all marijuana-related activities that it has chosen not to ban and Staff recommends getting those regulations in place as soon as possible. Medical dispensaries were legally authorized to begin selling limited quantities of recreational marijuana on October 1, 2015 and that authority is set to end on December 31, 2016. By then recreational retail facilities will be open and selling recreational marijuana. The state plans to start accepting applications for recreational dispensaries on January 4, 2016 and at that same time, medical marijuana growers will also be able to apply for an OLCC license to grow recreational marijuana at the same site. Therefore City regulations must be in place as soon as possible, preferably before the state starts accepting applications for recreational dispensaries and communal grow sites.

Further, we would recommend that the regulations for recreational marijuana be developed to basically "mirror" those we've established for medical marijuana – for both land use and business registration purposes. Adopting new land use regulations takes time; notice of the intent to implement such regulations must be published locally at least 20 days prior, and filed with the state 35 days prior to the Planning Commission hearing the matter. Once Planning Commission has agreed on a recommendation, it would be forwarded to Council for final action. Staff would hope to have the proposed business registration regulations for recreational marijuana dispensaries ready for Council's consideration very soon thereafter.

Status/Action Requested: Staff would like Council direction to begin work on the LUDO amendments that will be required to implement land use regulations for all recreational marijuana activities and Code amendments relating to the business operations of recreational dispensaries.

FINAL NOTE: Just as a reminder, HB 3400 contained provisions that exempted licensed medical marijuana processors and dispensaries that have already registered with the state or that had applied to be registered by July 1, 2015, from the local prohibition if they have successfully completed the City's land use application process. Therefore, regardless of what Council does on these remaining issues, the medical marijuana dispensaries that are now legally operating in Roseburg will be allowed to continue providing medical marijuana to OMMP patients and limited quantities of recreational marijuana to persons without a medical marijuana card until the OLCC regulations are in place for recreational sales.

Attachments: **#1** – Proposed Ordinance No. 3451 Repealing RMC 9.15 "*Establishing Tax on the Sale of Marijuana and Marijuana Infused Products*"; and

 #2 – July 27, 2015 Agenda Staff Report regarding "*Options for Regulation of Recreational Marijuana*".

ORDINANCE NO. 3451
AN ORDINANCE REPEALING ROSEBURG MUNICIPAL CODE CHAPTER 9.15
ESTABLISHING A TAX ON THE SALE OF MARIJUANA AND MARIJUANA-INFUSED
PRODUCTS AND DECLARING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, under the authority of a home rule municipal corporation, on October 27, 2014, the Roseburg City Council adopted Ordinance No. 3438, entitled *An Ordinance Adding Chapter 9.15 To The Roseburg Municipal Code Establishing A Tax On The Sale Of Marijuana And Marijuana-Infused Products In The City of Roseburg*; and

WHEREAS, Roseburg Municipal Code Chapter 9.15 as adopted by Ordinance No. 3438 imposed a 0% tax on the sale of marijuana by a licensed medical marijuana dispensary under the Oregon Medical Marijuana Program and a 10% tax on any and all gross sale amounts paid to the seller of marijuana and marijuana-infused products by persons who were purchasing marijuana and marijuana-infused products but were not doing so under the Oregon Medical Marijuana Program; and

WHEREAS, under HB 3400 (2015), the Oregon Legislature vested the authority to impose a tax or fee on the production, processing or sale of marijuana items solely in the Legislative Assembly, except as provided by law; and directed that cities could not arbitrarily adopt or enact an ordinance imposing such tax or fee, but could adopt an ordinance imposing a tax or fee of up to 3 percent on the sale of marijuana items by a retail licensee if such ordinance was referred to the voters in a statewide general election;

WHEREAS, the Legislature's adoption of HB 3400 brings to question the status of the tax imposed under Ordinance No. 3438 and the Council desires to repeal said ordinance rather than be subjected to a legal challenge regarding the tax;

NOW THEREFORE THE ROSEBURG CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Roseburg Municipal Code Chapter 9.15 establishing a tax on the sale of marijuana and marijuana-infused products, as adopted by Ordinance No. 3438 on October 27, 2014, is hereby repealed in its entirety.

Section 2. Whereas the tax enacted under Roseburg Municipal Code Chapter 9.15 became an unlawful tax upon the Legislature's adoption of HB 3400, pursuant to Section 8.6 of the Roseburg City Charter, the Council hereby finds it necessary for the preservation of the peace, health and safety of the City for this ordinance to take effect immediately.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS 13TH DAY OF OCTOBER, 2015.
APPROVED BY THE MAYOR THIS 13TH DAY OF OCTOBER, 2015.

LARRY RICH, MAYOR

ATTEST:

SHEILA R. COX, CITY RECORDER



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OPTIONS FOR REGULATION OF RECREATIONAL MARIJUANA

Meeting Date: July 27, 2015
Department: City Recorder
www.cityofroseburg.org

Agenda Section: ITEMS FROM DEPARTMENTS
Staff Contact: Sheila R. Cox
Contact Telephone Number: 492-6866

ISSUE STATEMENT AND SUMMARY July 1, 2015 marked the end of the prohibition of marijuana possession and consumption in Oregon, which leaves Council with certain options regarding the regulation of recreational marijuana within our City limits. Staff will acquaint Council with those options and request direction on how to proceed.

BACKGROUND

A. Council Action History. As I'm sure everyone recalls, a great deal of time was spent in 2014 drafting regulations relating to the sale of medical marijuana under the Oregon Medical Marijuana Program ("OMMP"). Passage of Measure 91 will make recreational marijuana legally available next year and once again, Council is under a "time line" to make decisions on how that will be regulated within our City limits.

B. Analysis. Beginning October 1, 2015, unless the Council adopts an ordinance prohibiting it, medical marijuana dispensaries operating in Roseburg will be allowed to sell limited amounts of marijuana to people who do not have a medical marijuana card. Senate Bill 460 authorizes "early-sales" of recreational marijuana by medical marijuana dispensaries *before* the state - or local - regulations are even in place and before medical marijuana growers can apply for an OLCC license to grow recreational marijuana on the same site where medical marijuana is grown. The City can prohibit these "early sales" simply by adopting an ordinance prohibiting the sale of marijuana retail products by licensed medical dispensaries and providing a copy of the ordinance to the Oregon Health Authority ("OHA") and the Oregon Liquor Control Commission ("OLCC"). In order to meet this deadline, Council would need to adopt such an ordinance in August.

Another matter the Council will need to decide upon is whether or not to allow City voters to determine if the six marijuana activities regulated under House Bill 3400A, which cities *can* ban with voter approval, should indeed be banned in the City of Roseburg. Cities in counties that defeated Measure 91 by a margin greater than 55 percent of the vote may do so by Council adoption of an ordinance. Cities in counties where Measure 91 received 45 percent

of the vote or more may refer an “opt-out” measure to their voters. In Douglas County, the vote was 45.59% in favor and 54.51% opposed, so a referral would be required. In the City, the votes were as follows:

	<u>Yes</u>	<u>No</u>
Ward 1:	846	847
Ward 2:	838	1,245
Ward 3:	965	1,014
Ward 4:	1,131	850
Total	3,780	3,956

Such a referral could place a moratorium on the following marijuana-related activities until after the general election in November, 2016:

1. Medical marijuana processors (preparing edibles, skin and hair products, concentrates and extracts – for medical purposes);
2. Medical marijuana dispensaries (would only apply to *new* applications);
3. Recreational marijuana processors (preparing edibles, skin and hair products, concentrates and extracts – for “non-medical” purposes);
4. Recreational marijuana producers (growers);
5. Recreational marijuana wholesalers; and
6. Recreational marijuana retailers.

If the Council wants to refer the matter to the voters, the first step would be to adopt an ordinance banning any or all of the marijuana activities listed above and provide a copy of the ordinance to OHA (if prohibiting medical marijuana activities) and/or the OLCC (if prohibiting recreational marijuana activities). The OHA and OLCC would then stop registering and licensing the prohibited activities and the Council would refer the ordinance to the voters at the next state-wide general election on November 8, 2016. This action would at a minimum, delay recreational sales of marijuana in Roseburg until after the outcome of the 2016 election. This ordinance would need to be adopted within 180 days of the governor signing the bill into law – and Governor Brown signed the bill on Tuesday, July 14, 2015.

If no action is taken to prohibit recreational sales of marijuana, Council could instead present a measure at the 2016 election imposing a tax of 3% on its sale. If that passed, the 3% tax would be *in addition to* the 17% tax that the state will impose on recreational sales of marijuana – of which the City would receive a portion of the 10% that will be distributed to cities that do not prohibit marijuana activities. Needless to say, if the City prohibits recreational sales of marijuana, it cannot impose a local marijuana tax and it is not eligible to receive state marijuana tax revenues. Additionally, the 10% sales tax on the sales of marijuana and marijuana infused products approved by Council in 2014 will be moot.

C. Financial and/or Resource Considerations. At this time, it would be very difficult to determine the true financial and/or resource impact these matters might have on the City.

D. Timing Issues. As stated above, if Council wants to adopt an ordinance prohibiting medical marijuana dispensaries from participating in the “early sales” of recreational marijuana, the ordinance must be effective and filed with the state prior to October 1, 2015. If Council wants to give City voters an opportunity to “ban” any or all of the six marijuana-related activities that *can be banned by the voters*, an ordinance referring the matter to the voters at the November, 2016 election must be adopted within 180 days of July 14, 2015.

Just so Council is aware, HB 3400 also contained provisions that exempted licensed medical marijuana processors and dispensaries that have already registered with the state or that have applied to be registered by July 1, 2015, from the local prohibition if they have successfully completed the city land use application process. So regardless of what Council does on these two issues, the medical marijuana dispensaries that are now legally operating in Roseburg, will be allowed to continue providing medical marijuana to OMMP patients.

STAFF RECOMMENDATION Staff recommends that Council direct Staff to draft two ordinances: one prohibiting licensed medical marijuana dispensaries from selling recreational marijuana; the other referring the matter of the other identified marijuana-related activities to the voters at the November, 2016 general election.

SUGGESTED MOTION If Council concurs with Staff’s recommendation, the appropriate motions would be as follows:

1. ***“I MOVE TO DIRECT STAFF TO PREPARE AN ORDINANCE PROHIBITING MEDICAL MARIJUANA DISPENSARIES FROM SELLING RECREATIONAL MARIJUANA IN THE CITY OF ROSEBURG.”***
2. ***“I MOVE TO DIRECT STAFF TO PREPARE AN ORDINANCE, TO BE REFERRED TO THE VOTERS IN THE NOVEMBER, 2016 GENERAL ELECTION, PROHIBITING THE SIX MARIJUANA-RELATED ACTIVITIES OUTLINED IN THIS MEMORANDUM IN THE CITY OF ROSEBURG.”***

ATTACHMENTS

1. League of Oregon Cities Publication: *2015 Marijuana Legislations: What Local Governments Need to Know.*

**MINUTES OF THE REGULAR MEETING
OF THE ROSEBURG CITY COUNCIL**

September 28, 2015

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on Monday, September 28, 2015, in the City Hall Council Chambers, 900 SE Douglas, Roseburg, Oregon. Councilor Hawks led the Pledge of Allegiance.

ROLL CALL

Present: Councilors Ken Fazio, Tom Ryan, Steve Kaser, Andrea Zielinski, John McDonald and Victoria Hawks.

Absent: Councilors Lew Marks and Alison Eggers.

Others present: City Manager Lance Colley, City Attorney Bruce Coalwell, City Recorder Sheila Cox, Public Works Director Nikki Messenger, Police Chief Jim Burge, Finance Director Ron Harker, Human Resources Director John VanWinkle, Community Development Director Brian Davis, Management Technician Debi Davidson, Troy Brynelson of The News Review and Kyle Bailey of KQEN Radio.

MAYOR REPORT

Rich proclaimed October 7, 2015 as "Walk & Bike to School Day". Dan Bain reported that more schools are participating in the event which is designed to encourage extra exercise on that one day in hopes of spurring more physical activity throughout the year.

COMMISSION REPORTS/COUNCIL WARD REPORTS

Zielinski reported on her attendance at the League of Oregon Cities Conference and expressed appreciation for the opportunity to attend.

Kaser commended Compliance Officer Dennis Randolph for his response to a call regarding a broken water main which turned out to be a loose sprinkler on private property.

AUDIENCE PARTICIPATION

Wayland Pound spoke about immoralities he sees in the treatment of the homeless.

John Read, 421 Braunda Drive, asked the Council to reconsider the Stewart Parkway improvement project.

Martha Bryson, 1026 SE Stephens; Sean O'Neill and Cassandra O'Neill, 1607 SE Giles; and Linda Rahmeyer, 2736 W Oriole requested that all park restrooms be open around the clock for the homeless to use, with additional restrooms and trash cans in specific areas.

Bernie Woodard, 3261 NE Follett, raised five issues which impacted his development of Elk Island as a recreational retreat; 1) eliminate that portion of the Highway 138 project which closes river access between the Travelodge and the Oak Street Bridge; 2) requested City help in protecting Elk Island from erosion; 3) requested City determine that Pine Street goes to the front of 320 Pine Street rather than considering that area an alleyway; 4) City recognize

Elk Island as a model eco village for the homeless; and 5) City acknowledge legal use of zip-lines as a mode of travel.

CONSENT AGENDA

Ryan moved to approve the following Consent Agenda items:

- A. Minutes of September 14, 2015 regular meeting.
- B. Intergovernmental Agreement with RUSA to include sanitary sewer improvements in the Spruce/Parrott Street Improvement Project.

Motion was seconded by Fazio and carried unanimously.

PUBLIC HEARING – PROPOSED VACATION OF PORTIONS OF SE SHORT AND SE BURKE RIGHT-OF-WAY – ORDINANCE NO. 3450

At 7:39 p.m., Rich opened the public hearing regarding the proposed vacation of portions of SE Short and SE Burke right-of-way. Cox reported the location abuts Umpqua Dairy and is used by the Dairy for plant operations. If the vacation is approved, the area would be fenced off to increase plant security, expand parking and improve travel flow. An easement would need to be retained for utilities. An appraisal was conducted for the 14,920 square feet and came in at \$3,730. Staff recommended an assessment not be charged for the value of the property. It was noted the nearby alley would not be affected by the vacation.

Discussion was held on Council history in regard to value assessment. Cox indicated assessment depends upon each situation. The only time a vacation has been assessed was when the property reverted to three private owners that intended to use the property solely for their personal benefit and not any community improvement or economic benefit.

Mike and Danese Linderman, 1526 SE Mill, expressed concern regarding the potential adverse impact on their property value and requested that a sound barrier fence be installed. Debbie Hadwen, 1516 SE Mill, hoped that the vacation would result in less trucks parking and idling on Burke Street in the early morning hours.

As no one else wished to speak, the hearing was closed at 8:00 p.m. Hawks noted that Hadwen is her step-daughter. Coalwell indicated that based on Hadwen's testimony and the fact she did not express concern about any impacts on the value of her property, Hawks would not have a conflict. Discussion was held on the sound barrier fencing. Staff stated that the fencing was a separate issue from the vacation, but noted the owner of Umpqua Dairy was present at the meeting and would likely address the neighborhood concerns regarding noise. Consensus was to not charge an assessment for the property. Cox read Ordinance No. 3450 for the first time, entitled: An Ordinance Vacating Portions of SE Short Street and SE Burke Avenue in the City of Roseburg.

CONSTRUCTION PROJECT LIFE CYCLE

Messenger shared a presentation outlining the elements that comprise bringing a construction project to completion. A copy of that presentation is on record with the meeting packet.

PERIODIC GOAL REVIEW

Colley provided a report outlining progress on the four goals adopted by the City Council in February. Councilors indicated the written report was sufficient and no further discussion was necessary.

ITEMS FROM MAYOR, COUNCIL OR CITY MANAGER

Hawks complimented the downtown project contractors and expressed upset with those that have vandalized the project. Colley encouraged everyone to support downtown businesses during construction and indicated all intersections will be open for Veterans Day Parade.

Meeting adjourned at 8:32 p.m.


Debi Davidson
Management Technician

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

PUBLIC HEARING A



*Spec Item
10/6/15*

Exit 127 (Edenbower) Interchange Area Management Plan (File CPA-15-2)

Meeting Date: October 12, 2015
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Brian Davis *BD*
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

The proposal is to take legislative action and adopt by reference the Interchange Area Management Plan (IAMP) for Interchange 127 (see map below) into the Roseburg Urban Area Comprehensive Plan. An on-line copy of the IAMP may be found at [http://www.oregon.gov/ODOT/HWY/REGION3/docs/Draft Final Dec2014 Exit 127 IAMP Volume1 %20Rev.pdf](http://www.oregon.gov/ODOT/HWY/REGION3/docs/Draft%20Final%20Dec2014%20Exit%20127%20IAMP%20Volume1%20Rev.pdf). The executive summary and Findings of Fact and Order document adopted by Planning Commission are attached to this report.



BACKGROUND

A. Council Action History.

None.

B. Analysis.

IAMP 127 examines how the Edenbower Interchange and surrounding street system operate both now and over the next 20 years. It then identifies strategies to preserve and improve the interchange for the foreseeable future by implementing projects that maximize the function of the interchange and surrounding street system.

The attached Findings of Fact and Order document provides the analysis used by the Planning Commission to recommended approval.

B. Financial and/or Resource Considerations.

None.

D. Timing Issues.

None.

COUNCIL OPTIONS

1. Adopt Findings of Fact approving the proposal
2. Do not adopted Findings of Fact denying the proposal

STAFF RECOMMENDATION

The Planning Commission recommended approval at their September 21 meeting. Staff recommends the Council adopt Planning Commission's Findings of Fact.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT APPROVED BY THE PLANNING COMMISSION FOR FILE NO. CPA -15-2."

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

ATTACHMENTS

IAMP 127 Executive Summary
Planning Commission Findings of Fact & Order
Draft Ordinance

EXECUTIVE SUMMARY

The I-5 Exit 127 Interchange Area Management Plan (IAMP) examines how the interchange and surrounding street system operate both now and over the next 20 years. The IAMP identifies strategies to preserve and improve safety and capacity of the interchange for the foreseeable future.

IAMP Goals and Objectives

The goal of this IAMP is to develop a plan for improvements for I-5 Exit 127 and the surrounding system that can be implemented over time to maximize the function of the existing interchange and address the long-term needs of Roseburg and other nearby Douglas County communities. Eight objectives provide more specific direction for the IAMP.

Regulatory Framework

The I-5 Exit 127 IAMP establishes mobility and access management standards for the interchange itself based on policy in the Oregon Highway Plan (OHP) policies. City of Roseburg standards for mobility and access spacing apply to IMSA roadways and intersections that are not under state jurisdiction.

Baseline Conditions and Identified Deficiencies

Baseline conditions were evaluated to understand land use, identify potential environmental constraints, and determine existing (year 2012) and future (year 2035) transportation deficiencies. Identified deficiencies include:

- Adjacent public road intersections do not meet interchange spacing standards
- High crash frequency at one local intersection (Edenbower Boulevard/Stewart Parkway)
- Future operations show forecast demand would exceed available capacity at one local intersection (Edenbower Boulevard/Stewart Parkway)
- Queuing issues were identified at three intersections (Edenbower Boulevard/Stewart Parkway, Edenbower Boulevard/Aviation Drive, Edenbower Boulevard/Stephens Street)

IAMP Improvements

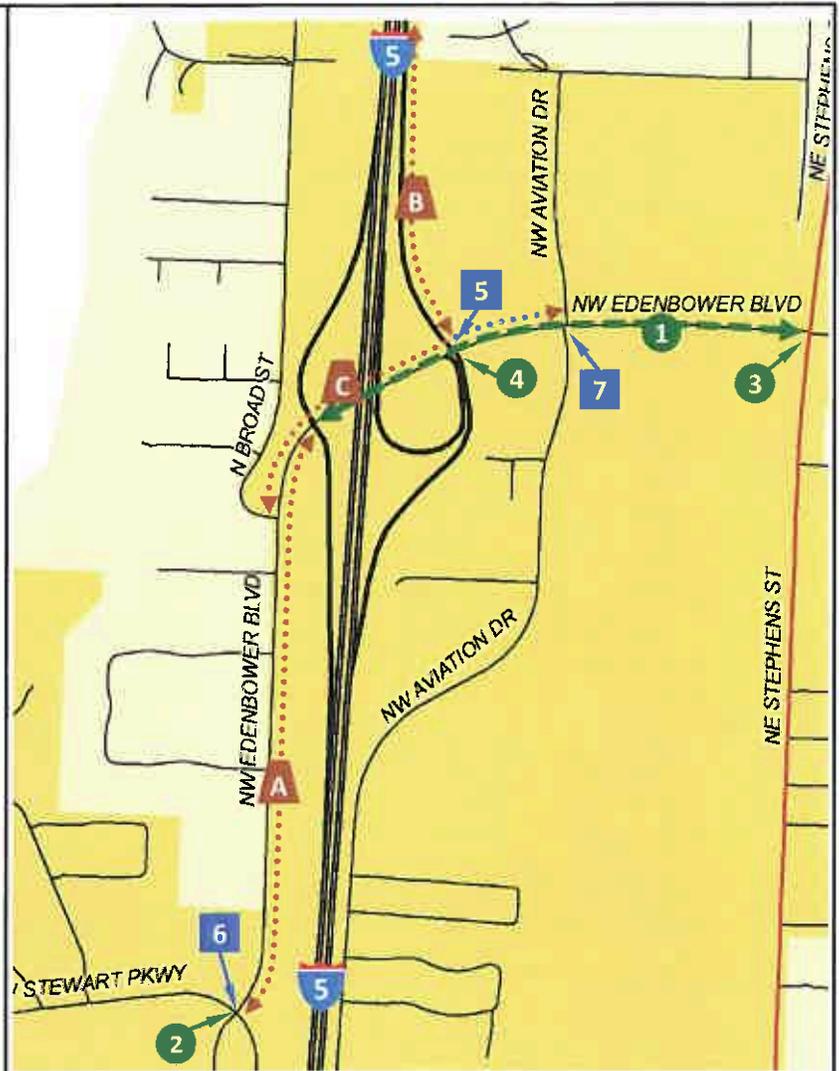
The I-5 Exit 127 IAMP improvements address identified deficiencies, improve multimodal functionality, and accommodate traffic, including freight, safely and efficiently into the future. Figure ES-1 indicates the location of IAMP improvements and includes a brief description of the project along with a general priority. Detailed project sheets have been prepared for each improvement.

IAMP Projects

- 1** **Edenbower Boulevard Signal Timing Coordination:** *Maintain signal coordination from the I-5 southbound ramp terminal through Stephens St (Ongoing)*
- 2** **Edenbower Boulevard/Stewart Parkway Sight Distance Improvements:** *Mitigate the existing sight distance limitations that restrict visibility for drivers traveling through the intersection on the eastbound (Stewart Pkwy) and northbound (Edenbower Blvd) approaches (Medium Priority)*
- 3** **Edenbower Boulevard/Stephens Street Intersection Improvements:** *Extend eastbound and northbound left-turn bays (Medium Priority)*
- 4** **Edenbower Boulevard/I-5 Northbound Ramp Terminal Intersection Improvement:** *Install traffic signal (Low Priority)*
- 5** **Edenbower Boulevard/I-5 Northbound Ramp Terminal Pedestrian Improvement:** *Improve pedestrian crossing on north side (High to Medium Priority)*
- 6** **Edenbower Boulevard/Stewart Parkway Intersection Improvements:** *Add a second left-turn lane on the eastbound approach of Stewart Pkwy and add a second northbound receiving lane by widening Edenbower Blvd (Medium Priority). This project could be constructed in phases.*
- 7** **Edenbower Boulevard/Aviation Drive Intersection Improvements:** *Modify the northeast corner of the intersection to extend the existing westbound right-turn bay (Low Priority)*

IAMP Monitoring Actions

- A** **Edenbower Boulevard:** *Reassess travel and posted speeds between Stewart Parkway and the I-5 southbound ramp terminal following the implementation of Project 6*
- B** **Northbound On Ramp:** *Monitor crashes on the WB-to-NB ramp for patterns that may be mitigated with treatments that improve channelization and merging behavior*
- C** **Edenbower Boulevard:** *Conduct a traffic analysis to identify the preferred location for transit stops for any future fixed-route bus service along Edenbower Boulevard.*



Legend

- Transportation System Management Improvements
- Infrastructure Improvements
- ▲ Transportation System Monitoring Actions

I-5 Exit 127 (North Roseburg) IAMP

Figure ES-1
Locations of Recommended
IAMP Improvements

All travel modes were considered in the development of the IAMP improvements. One pedestrian facility improvement was identified to augment the existing multi-modal transportation network. Considerations for future transit needs were also incorporated into the IAMP.

In addition to the IAMP improvements, other management actions are included to protect and extend the life of the interchange. These actions are summarized in Section 4. Management Strategies and include an access management plan, transportation demand and system management measures, and land use management measures.

Implementation

Implementation of the I-5 Exit 127 IAMP will need to occur at the local and state level. The plan will be adopted as an amendment to the Oregon Highway Plan by the Oregon Transportation Commission (OTC). It will also be adopted as part of the City of Roseburg Transportation System Plan. The elements recommended for formal adoption as part of this IAMP are specified below.

State Actions:

- After the City of Roseburg IAMP adoption, the OTC will adopt the I-5 Exit 127 (North Roseburg) IAMP as a transportation facility plan—an amendment to the OHP, per PLA 01, ODOT Transportation Facility Plan Adoption Process effective October 12, 2006.
- ODOT will continue to coordinate with the City of Roseburg as planning documents get updated and amended and during the development review process to ensure the interchange is protected.

City of Roseburg Actions:

- Adopt this IAMP as a refinement plan to its TSP (City of Roseburg Urban Area Comprehensive Plan amendment).
- Retain, through adoption of the IAMP, current adopted Comprehensive Plan and Land Development Ordinance designations and regulations to ensure that the land uses within the IAMP study area remain supportive of the function of the interchange.
- When future land use actions are proposed, continue to coordinate with ODOT to ensure that actions and improvements are consistent with the defined function of the IAMP.

Adoption of provisions of the City of Roseburg Urban Area Comprehensive Plan and LUDO by reference into this IAMP ensures that there would be no violation of the mobility performance standards for the interchange and related facilities. No amendments to the City of Roseburg Urban Area Comprehensive Plan, TSP, or LUDO are recommended, including overlay zones.

In the matter of legislative of action) Comprehensive Plan Amendment: CPA-15-2
by the City of Roseburg)

BEFORE THE ROSEBURG PLANNING COMMISSION

FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

In accordance with federal highway regulations and state statutes and policies related to transportation planning, the Oregon Department of Transportation and City of Roseburg jointly drafted an Interchange Area Management Plan for Exit 127 (Edenbower). The city proposes a legislative amendment to the Comprehensive Plan Land to adopt, by reference, the 127 IAMP.

II. PUBLIC HEARING

A public hearing was held on the application before the Roseburg Planning Commission on September 21, 2015. At that hearing the Planning Commission reviewed Land Use File CPA-15-2 and it was made part of the record.

III. 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 the Roseburg Land Use and Development Ordinance (LUDO) No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, as both may have been amended from time-to-time.
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.
3. The proposal consists of amending the Comprehensive Plan Land to adopt, by reference, the 127 IAMP.
4. The purpose of the IAMP is to identify strategies to preserve and improve safety and capacity of the interchange for the foreseeable future.

B. PROPOSAL

The city proposes a legislative amendment to the Comprehensive Plan Land to adopt, by reference, the 127 IAMP.

C. AGENCY COMMENTS

No agency comments were received as of the writing of this staff report.

D. PUBLIC COMMENTS

Notice of the public hearing was given by publication in The News Review at least 20 days prior to the hearing, and no letters of remonstrance were received.

E. ANALYSIS

Comprehensive Plan Amendments are required to satisfy approval criteria contained within Roseburg Land Use and Development Ordinance (LUDO) Section 5.3.040(2).

F. REVIEW CRITERIA

Pursuant to LUDO 5.3.040(2) the following criteria must be demonstrated as being satisfied by the application for approval of the Comprehensive Plan Amendment:

- a) **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.**

Goal No. 1 - Citizen Involvement - To ensure the opportunity for citizen involvement in all phases of the planning process.

Finding: The City of Roseburg has an adopted an acknowledged Comprehensive Plan for the Roseburg Urban Area. In order to implement the Comprehensive Plan, the City has adopted the Roseburg Land Use and Development Ordinance (LUDO). Within LUDO the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City, as well as through provisions that meet State of Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided notice of this proposal as mandated through ORS requirements and LUDO, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing is held in order to provide an opportunity for interested citizens to be involved, provide comments and present issues, influence the Commission and eventually the Council, provide technical information, and/or provide information regarding conditional approval.

Goal No. 2 - Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Finding: As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re adopted in Ordinance No. 2980 on December 9, 1996.) Implementation of the Comprehensive Plan is accomplished through the adopted LUDO. LUDO has been acknowledged by the State of Oregon and has been amended from time-to-time in order to comply with ORS. (Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996.) Both the Comprehensive Plan and LUDO have been amended from time-to-time.

Goal No. 12 – Transportation - To provide and encourage a safe, convenient and economic transportation system.

Finding: The IAMP's text and policies were drafted with the intent of satisfying Goal 12 and the Transportation Planning Rule of OAR 660-012. The final IAMP draft, the full text of which is referenced in this finding, is consistent with Goal 12.

- b) That the amendment complies with applicable policies of the Comprehensive Plan.

Transportation Policy No. 1

The City shall develop a transportation master plan which will serve as the basis for guiding surface transportation improvements in the Roseburg urban area. The master plan shall be coordinated with the transportation planning activities of Douglas County.

Transportation Policy No. 4

The City will encourage the development of alternate traffic routes which will reduce traffic volumes.

Transportation Policy No. 5

The movement of resource materials and products, as an essential component of the local economy, will be a principal element of transportation planning, and as such the terminals and channels of resource movement shall be planned with maximum efficiency in mind.

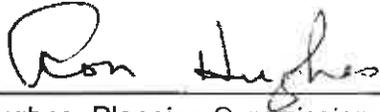
Finding: The IAMP serves as a component to the City's Transportation System Plan. The standards in the IAMP exceed those of the above transportation policies and include provisions for alternate modes and the transportation disadvantaged.

IV. CONCLUSION

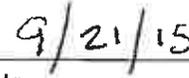
Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in LUDO 5.3.04.

V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends **APPROVAL** of this application to the City Council.



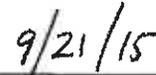
Ron Hughes, Planning Commission Chair



Date



Brian Davis, Community Development Director



Date

Planning Commission Members:

Ron Hughes, Chair

Kerry Atherton

Duane Haaland

Dan Onchuck

Patrick Parson

Matthew Powell

Brook Rienhard

ORDINANCE NO. _____

**AN ORDINANCE DECLARING A COMPREHENSIVE PLAN TEXT AMENDMENT
ADOPTING BY REFERENCE THE 1-5 EXIT 127 INTERCHANGE AREA
MANAGEMENT PLAN**

WHEREAS, the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996; and

WHEREAS, the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, establishes hearings procedures for Comprehensive Plan Amendments and Zone Changes; and

WHEREAS, the Planning Commission held a Public Hearing on File No.CPA-15-2 after duly and timely notice; and

WHEREAS, the Planning Commission adopted Findings of Fact supporting a recommendation to approve a Comprehensive Plan Text Amendment to adopt the 1-5 Exit 127 Interchange Area Management Plan (IAMP 127) by reference as it applies to properties within the City Urban Growth Boundary; and

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 September 21, 2015, recommending approval of the proposed Comprehensive Plan Amendment and Zone Change.

SECTION 2: The City Council hereby adopted the Findings of Fact and Decision regarding the proposed amendment to the Comprehensive Plan as adopted by the Planning Commission making them their own Findings of Fact.

SECTION 3: Based on the evaluation detailed in the Planning Commission's Findings and information considered through the public hearing process, it has been determined that the proposal conforms to the City of Roseburg Comprehensive Plan and applicable Statewide Planning Goals.

SECTION 4: The City Council hereby approves the Comprehensive Plan Text Amendment as set for in the Findings of Fact and detailed in the Planning Commission staff report for File No. CPA-15-2.

SECTION 5: The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Roseburg Municipal Code and/or the Roseburg Urban Area Comprehensive Plan as amended by the provisions added, amended or repealed herein.

PASSED BY THE CITY COUNCIL THIS ____ DAY OF _____ 2015.

APPROVED BY THE MAYOR THIS ____ DAY OF _____ 2015.

Larry Rich, Mayor

ATTEST:

Sheila R. Cox, City Recorder

**ORDINANCE NO. 3450
AN ORDINANCE VACATING PORTIONS OF SE SHORT STREET
AND SE BURKE AVENUE IN THE CITY OF ROSEBURG**

WHEREAS, pursuant to Roseburg Municipal Code Chapter 4.06, upon receipt of a report from the Community Development Department, the City Recorder initiated proceedings to vacate portions of SE Short Street and SE Burke Avenue in the City of Roseburg, more particularly described in Section 1 of this ordinance and shown on the map attached hereto as Exhibit "A" of this ordinance; and

WHEREAS, the City Recorder published a notice of a public hearing on the proposed vacation to be held before the Roseburg City Council on September 28, 2015, in The News-Review, a newspaper of general circulation in the City of Roseburg, Oregon, on September 6 and 13, 2015, posted said notice at or near each end of the vacation area and mailed the same to all affected property owners, not less than 14 days prior to the date of the hearing, all of which more fully appear in the proof of publication, posting and mailing on file in the City Recorder's Office; and

WHEREAS, such public hearing was duly held before the Roseburg City Council on the above-mentioned date, and all persons desiring to be heard on said matter were heard;

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

Section 1. Portions of SE Short Street and SE Burke Avenue, further described as follows:

A parcel of land lying in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 27 South, Range 6 West of the Willamette Meridian, Douglas County, State of Oregon being the portion of vacated SE Burke Avenue and SE Short Street described as follows:

Beginning at a $\frac{5}{8}$ inch iron rod at the Northeast corner of Lot 9, Block 90, Third Southern Addition to the City of Roseburg as recorded in Volume 1, Page 6 of the official Subdivision Records of Douglas County, Oregon; thence North $27^{\circ}34'11''$ East 60.00 feet to the Southeast corner of Lot 16, Block 87, Rose's Second Southern Addition to Roseburg as recorded in Volume 2, Page 12; thence along the southerly boundary of said Lot 16 North $62^{\circ}00'00''$ West 131.71 feet; thence leaving said southerly boundary South $27^{\circ}40'38''$ West 30.00 feet to a $\frac{5}{8}$ inch iron rod at the center of Burke Avenue; thence continuing along the easterly boundary of the land vacated per Ordinance Number 2316 as recorded in Book 723, Page 8444 South $27^{\circ}40'38''$ West 191.32 feet to a $\frac{5}{8}$ inch iron rod; thence leaving said easterly boundary along the northerly boundary of the vacated Right

of Way of Short Street as described in Ordinance 2848 as recorded in Book 1296 Page 69 South 62°30'02" East 30.00 feet to a point on the boundary of said Block 90, Third Southern Addition to the City of Roseburg; thence along said boundary North 27°40'38" East 161.06 feet and South 62°00'00" East 101.82 feet to the Point of Beginning, containing 0.29 acres more or less.

Section 2. A public and private utility easement shall be granted and reserved over the entire property described in the above Section 1 and being vacated by this ordinance, in addition to the Water Line Easement granted to the City of Roseburg by Douglas County Lockers & Storage, LLC recorded with the Douglas County Clerk's Office, Recording No. 2015-014567 on September 17, 2015, to allow for possible future utility installation and maintenance.

Section 3. The title to the property being vacated by this ordinance shall attach to the lands bordering on such equal portions in accordance with ORS 271.140.

Section 4. Pursuant to ORS 271.150, the City Recorder is hereby directed to file a certified copy of this ordinance and the map attached hereto as Exhibit "A" with the Douglas County Clerk, Douglas County Assessor and Douglas County Surveyor.

ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF OCTOBER, 2015.

APPROVED BY THE MAYOR THIS ____ DAY OF OCTOBER, 2015.

Larry Rich, Mayor

ATTEST:

Sheila R. Cox, City Recorder

10/6/15

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



Transmission Main Cathodic Protection Bid Award

Meeting Date: October 12, 2015
Department: Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

The City received bids for the Transmission Main Cathodic Protection project. The issue for Council is whether to award the construction contract for this project.

BACKGROUND

A. Council Action History. On September 22, 2014, the Council authorized an amendment to the engineering services contract. *The original contract amount was under \$50,000 and did not require Council authorization. The amendment took it over \$50,000.*

B. Analysis. The City has two parallel transmission mains that run for approximately five miles along NE Stephens Street between the Water Treatment Plant and Reservoir Hill. One main varies between 20 and 24-inches in diameter and the other is 30-inches in diameter. In 1981 a Galvanic Anode Corrosion Protection (GACP) system was installed on some of the steel pipe to mitigate corrosion and prolong the life of the pipe. The GACP protected most of the 20-inch main and only a limited section of the 30-inch main. The GACP system was successful at reducing corrosion and the number of leaks. However, in 2011, a study was performed after leaks began to occur on a more frequent basis. The study revealed that areas of the system were no longer adequately protected from corrosion because the anodes had exceeded their useful life.

In March of 2014, the City contracted with RH2 Engineering, Inc. to design a new Impressed Current Cathodic Protection (ICCP) system to protect approximately 13,500 feet of 20-inch pipe and 6,500 feet of 30-inch pipe. The ICCP system will protect the 30-inch pipe from Hooker Road to Newton Creek Road and the 20-inch pipe from Hooker Road to Garden Valley Boulevard. The system will include a buried anode field located near Tom Thumb Storage on airport property. The anode bed type system allows for protection of long sections of pipeline without having to dig down and attach an anode to each pipe section. This provides a cost effective and less disruptive solution to protecting the two force mains.

The project was advertised on August 27th and four bids were received on September 16th. They are summarized below.

Bidder	Total Bid Amount
Cathodic Protection Engineering, Inc.	\$ 133,971.89
Tornado Soft Excavation, LLC	\$ 143,835.75
Alisto Engineering Group	\$ 179,189.00
K&E Excavating, Inc.	\$ 251,785.00
<i>Engineer's Estimate</i>	<i>\$ 156,145.00</i>

C. Financial and/or Resource Considerations. The FY 2015-16 Water Department budget includes \$250,000 for this project and a summary of remaining projected costs is shown below. The total project cost is within the budgeted amount.

Construction	\$133,972
Construction Mgt. Support	\$ 24,659
Contingency (10%)	<u>\$ 13,397</u>
Total	\$172,028

D. Timing Issues. If the project is awarded, the Notice to Proceed will be given immediately after the execution of a construction contract. The contractor is allowed 120 calendar days to complete the project.

COUNCIL OPTIONS

Council has the following options:

1. Award the contract to the lowest responsive bidder, Cathodic Protection Engineering, Inc.; or
2. Reject all bids; or
3. Request additional information.

STAFF RECOMMENDATION

The Public Works Commission will discuss this project at their October 8th meeting. Staff will report on their recommendation. The bids appear to be both responsive and responsible. Money has been budgeted and is available to construct the project. Therefore, staff recommends awarding the project to Cathodic Protection Engineering, Inc.

SUGGESTED MOTION

I move to award the Transmission Main Cathodic Protection project to the low bidder, Cathodic Protection Engineering, Inc. for \$133,971.89.

ATTACHMENTS

None.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



DEPARTMENT ITEMS B
10-12-15

NJM
10/16/15

Single Property LID – Policy Discussion

Meeting Date: October 12, 2015
Department: Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

Staff is considering bringing a policy to Council regarding single property local improvement districts. The issue for Council is whether to provide staff direction on implementing a new policy via updates to the Roseburg Municipal Code.

BACKGROUND

A. Council Action History. None.

B. Analysis. Staff is requesting that Council consider a program to assist developers in constructing or reconstructing sidewalks as part of their re-development or addition plans. The intent would be to lower the requirement of when sidewalks are required but provide a mechanism to get the improvements in place and allow the property owner to make payments on the improvements instead of adding it directly to the up-front development costs. In other words, if a developer chose the single property LID option, the City would construct the improvements and the property owner would be responsible for reimbursing the City over a period of up to ten years.

Council has previously adopted four goals, three of which could be applied to this potential program:

- Infrastructure
- Community livability/beautification
- Business friendly/improved City image

The Community Development Department is currently working on an update to the Land Use and Development Ordinance (LUDO). One section that staff believes needs to be addressed pertains to sidewalk improvements. In the current code, a developer is required to install or bring existing sidewalks up to current standards if they are constructing an addition equal to 20 percent or more of the existing building square footage. Bringing sidewalks up to current standards often involves re-constructing sidewalk access ramps to meet ADA standards. All new development is required to install sidewalks and related improvements at the time of development. The only exception to both of these requirements is the case where the street width and/or curb alignment are not known. In that case, a developer can sign a document stating that they will participate in a Local Improvement District (LID) for the improvements in the future. Historically, the City has done LID projects as large projects, usually involving multiple blocks. In general terms, if the City forms an LID for street improvements, at least fifty percent of the property owners must have agreed to the LID. Due to that constraint, many of these improvements are not made.

Staff is proposing to lower the requirement of when sidewalks are required for two reasons. The first is that Council's goals for infrastructure, community livability and beautification all

point towards the Council's commitment to making improvements happen. The second reason is that there are developers and/or engineers that have avoided this requirement to install or improve the sidewalks by installing a 19.5 percent addition or breaking construction permitting up so that each addition is under the 20 percent, but cumulatively would have required sidewalks if LUDO was re-written. As staff discussed ways to better implement the requirement, the idea of a lower trigger and City assistance came forth. Staff is still working through the proposed standard that will trigger the improvements. This will be included in the LUDO update that Council will consider late this year or early next year. The component for consideration as part of this discussion is the way the City could assist in making the improvements.

Staff would propose updating Roseburg Municipal Code Chapter 4.04 to include provisions for a single property LID. This would give a property owner that is required to make public improvements as part of his/her addition or re-development a choice of making the improvements or signing a single property LID document. If the LID option were chosen, the City would contract the improvements out and the property owner would be responsible for re-paying the City in the same manner as outlined for other LID projects. The program could also be expanded to include a commercial sidewalk replacement program and could provide a mechanism for commercial property owners to replace damaged sidewalks and pay over time.

C. Financial and/or Resource Considerations. Staff would propose utilizing the Assessment Improvement Fund to facilitate the program. The Assessment Fund currently has a balance of about \$1.475 million. In FY 15-16, staff programmed \$200,000 in the fund with the intent of developing a commercial sidewalk program. The other resource consideration will be staffing in the Public Works Department. The department is currently understaffed and if a program is instituted and development continues to increase, this will become a bigger issue.

D. Timing Issues. Staff is in the process of writing LUDO updates with the intent of bringing them to Council in December or January. If Council is interested in considering an update to the Municipal Code to allow for the new single property LID program, it would make sense to have it in place early next year to coincide with the LUDO adoption.

COUNCIL OPTIONS

At this time, staff is seeking direction on whether to draft an ordinance updating RMC Chapter 4.04 for Council consideration.

STAFF RECOMMENDATION

Staff would recommend implementing a requirement for the improvements as part of the LUDO update *and* a mechanism to assist property owners in the construction of the improvements. This will not only help achieve a Council goal, it will also facilitate ADA improvements needed throughout the City.

SUGGESTED MOTION

No motion is needed at this time. Staff is seeking consensus on whether to prepare an ordinance for Council's consideration.

ATTACHMENTS None.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

SLC
10/15/15

INFORMATIONAL A
10-12-15



ACTIVITY REPORT

Meeting Date: October 12, 2015
Department: City Manager
www.cityofroseburg.org

Agenda Section: City Manager Reports
Staff Contact: C. Lance Colley
Contact Telephone Number: 492-6866

ISSUE STATEMENT AND SUMMARY

At each meeting I will provide 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 October 12, 2015, meeting, I provide the following items:

- Department Head Meeting Agendas
- Tentative Future Council Agenda Items
- City Manager Weekly Messages



Agenda
Department Heads Meeting
October 5, 2015 – 10:00 a.m.

1. Review Tentative October 12, 2015 City Council Agenda
2. Tentative Future Agenda
3. Document Signing/Grants
4. Employee Recognitions
 - 15 years – Doug Walton, Police Officer
 - 10 years – Jeremy Sanders, Police Corporal
 - 10 years – Keith Young, Police Officer
5. Dress a Child Program
6. Department Items



Agenda
Department Heads Meeting
September 29, 2015 – 10:00 a.m.

1. Review September 28, 2015 City Council and Urban Renewal Agendas
2. Review Tentative October 12, 2015 City Council and Urban Renewal Agendas
3. Tentative Future Agenda
4. Document Signing/Grants
 - Indoor Concert Event at Arts Center with Alcohol – 10/3/2015
 - Indoor Fundraising Events at Arts Center with Alcohol – 10/9, 11/6, 12/4, 2/5, 4/1
 - Outdoor Barbecue at Arts Center with Alcohol – 7/22/2016
5. Department Items

TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- CDBG Grant Architectural Selection (depending upon grant award)
- City Hall Entry/Finance Department Remodel
- Parking Enforcement Agreement
- Police K-9 Patrol Vehicle Purchase
- Roadside Memorial Policy
- Tree Ordinance
- Urban Services Agreement
- Amending RMC 5.04 Water Rules and Regulations
- Workers Comp Fund Update – City Manager Authority

October 26, 2015

Consent Agenda

- A. Minutes of October 12, 2015

Ordinances

- A. 2nd Reading, Ordinance No. ____ Interchange Area Management Plan 127

Department Items

- A. Resolution No. 2015-____ - Park Rules and Regulations re: Smoking Policy
- B. OLCC New Outlet Application Approval Process
- C. Urban Renewal Line of Credit Authorization

Informational

- A. Activity Report (Court & Quarterly Financial Report – Quarter Ended Sept 30)

Urban Renewal Agency Board

- A. Approval of Minutes
- B. Line of Credit Authorization

November 9, 2015

Consent Agenda

- A. Minutes of October 26, 2015
- B. Resolution No. 2015-____, Authorization Transportation Enhancement Grant Application

Department Items

- A. Resolution No. 2015-____ - Water Fee Schedule Amendment

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Review

November 23, 2015

Council Report

- A. Manager's Contract

Consent Agenda

- A. Minutes of November 9, 2015

Ordinances

- A. Smoking Policy – City Parking Lots and Abutting Sidewalks, Ordinance No. ____

Informational

- A. Activity Report

December 14, 2015

Consent Agenda

- A. Minutes of November 23, 2015

Public Hearing

- A. LUDO Phase 3, Ordinance No. ____

Ordinances

- A. 2nd Reading, Ordinance No. ____ Smoking Policy – City Parking Lots and Abutting Sidewalks

Department Items

- A. Capital Improvement Plan Update

Informational

- A. Activity Report

December 28, 2015

Consent Agenda

- A. Minutes of December 14, 2015

Ordinances

- A. 2nd Reading, Ordinance No. ____, LUDO Phase 3

Informational

- A. Activity Report

January 11, 2016

Mayor's Report

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

City Council Ward Reports/Commission Reports

- A. Election of Council President
- B. Planning Commission Appointments

Consent Agenda

- A. Minutes of December 28, 2015

Informational

- A. Activity Report

January 25, 2016

Consent Agenda

- A. Minutes of January 11, 2016

Informational

- A. Activity Report (Municipal Court Quarterly Report)

February 8, 2016

Special Presentation (Invite Budget Committee)

- A. Annual Financial Report – Tom Davidson
- B. Quarterly Financial Report – December 31, 2015
- C. Budget Calendar

Consent Agenda

- A. Minutes of January 25, 2016

Informational

- A. Activity Report

February 22, 2016

Consent Agenda

- A. Minutes of February 8, 2016

Department Items

- A. The Partnership Annual Report

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

March 14, 2016

Consent Agenda

- A. Minutes of February 22, 2016

Department Items

- A. Visitors Bureau Annual Report

Informational

- A. Activity Report

March 28, 2016

Consent Agenda

- A. Minutes of March 14, 2016

Informational

- A. Activity Report

April 11, 2016

Mayor's Report

- A. Volunteer Recognition Month Proclamation

Consent Agenda

- A. Minutes of March 28, 2016

Informational

- A. Activity Report (Budget Calendar Reminder)

April 25, 2016

Mayor's Report

- A. Historic Preservation Month Proclamation

Consent Agenda

- A. Minutes of April 11, 2016
- B. OLCC License Renewals

Informational

- A. Activity Report (Quarterly Reports)

May 9, 2016

Mayor Reports

- A. Bike to Work Proclamation

Consent Agenda

- A. Minutes of April 25, 2016
- B. U-Trans Services Contract
- C. Fee Amendment Resolutions

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

May 23, 2016

Consent Agenda

- A. Minutes of May 9, 2016

Informational

- A. Activity Report

June 13, 2016

Mayor's Report

- A. Camp Millennium Week Proclamation

Consent Agenda

- A. Minutes of May 23, 2016

Public Hearing

- A. Resolution No. 2016-____ - 2016/17 Budget Adoption

Informational

- A. Activity Report



Urban Renewal Agency Board Meeting

- A. Approval of Minutes
- B. Public Hearing - Resolution – 2016/17 Budget Adoption

June 27, 2016

Consent Agenda

- A. Minutes of June 13, 2016

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

July 11, 2016

Consent Agenda

- A. Minutes of June 27, 2016

Informational

- A. Activity Report

July 25, 2016

Consent Agenda

- A. Minutes of July 11, 2016

Informational

- A. Activity Report (Quarterly Reports)

August 8, 2016

Consent Agenda

- A. Minutes of July 25, 2016

Informational

- A. Activity Report

August 22, 2016

Consent Agenda

- A. Minutes of August 8, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation



September 12, 2016

Council Reports

- A. Implementation of City Manager Annual Performance Evaluation

Consent Agenda

- A. Minutes of August 22, 2016

Department Items

- A. Downtown Roseburg Association Annual Report

Informational

- A. Activity Report

September 26, 2016

Mayor Reports

- A. Walk and Bike to School Day Proclamation

Consent Agenda

- A. Minutes of September 12, 2016

Informational

- A. Activity Report

October 10, 2016

Consent Agenda

- A. Minutes of September 26, 2016

Informational

- A. Activity Report

October 24, 2016

Consent Agenda

- A. Minutes of October 10, 2016
- B. Cancellation of December 26, 2016, Meeting

Informational

- A. Activity Report (Quarterly Reports)

November 14, 2016

Consent Agenda

- A. Minutes of October 24, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Review



November 28, 2016

City Council Reports

- A. City Manager Contract

Consent Agenda

- A. Minutes of November 14, 2016

Informational

- A. Activity Report

December 12, 2016

Mayor Reports

- A. Election Results

Consent Agenda

- A. Minutes of November 28, 2016

Informational

- A. Activity Report
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Friday September 25, 2015

Good Friday afternoon everyone! By the time you receive this Councilor Zielinski and I will have completed our second day at the annual League of Oregon Cities Conference. We will update you briefly at your Monday meeting and I will follow up with some highlights in a written correspondence in the next week or two.

Once again, it has been a busy week on the project front, with significant work being completed on our Oak/Washington project. We hope the two intersections on Oak will be open for traffic next week, and the contractor will move down to Washington's two intersections at Main and Jackson. Street light pole installation has begun and the overall project is beginning to take shape. It is clear that some of our local businesses have begun to experience a drop off in traffic, so please encourage people to come downtown and support their local businesses!



Work is continuing out on NE Stephens from Stewart Parkway to Newton Creek. The grind/inlay portion of the project was recently completed with four lane miles of repaving completed. Work on the Stephens Street crossing near the Cow Creek Tribal headquarters is nearing completion and the ADA ramp work is almost done. The contractor still has some slurry work in the center turn lane to complete and striping to do and that project can be wrapped up.

Alex Campbell from the Partnership and I met with a local business to confirm our interest in working on some incentives to help them acquire additional property for business expansion and job retention. Alex has been working with the State through Business Oregon to get State resources added to the incentive to make this attractive to

the business and allow us to help local businesses expand and thrive in our community. We hope to have something back to Council in the next two to four weeks.

And speaking of the Partnership, Alex and company are hosting an industry tour today that involves three different very modern, very technologically advanced forest products manufacturers in south Douglas County. The contingent will tour the Engineered Wood Products plant operated by Roseburg Forest Products in Riddle as well as C & D Lumber, who is completing a multi-million dollar expansion, and D. R. Johnson Company, who was recently certified as the first cross-laminated timber ("CLT") producer in the US. The State has been instrumental in working on the CLT process which has been hailed as the "greenest" structural construction process developed in many years. I was hoping to attend, but the LOC conference started on Thursday as well. I will get an update from Alex early next week.

On the recruiting and hiring front, Chief Timm has narrowed the Assistant Fire Chief candidates down to five finalists who have been invited to Roseburg for interviews and an assessment center in mid-October. Once that process is wrapped up, focus will shift to the Battalion Chief position. We are encouraged by the pool of qualified candidates we have seen from across the country for both positions. Testing for Firefighter and Police Officer positions is complete with interviews for both positions scheduled in early October.

On Wednesday I had an opportunity to meet with Molly McCarthy from Senator Ron Wyden's office. Molly has been the Field Representative for a number of years now and represents most of southern Oregon for the Senator. We had a great discussion primarily around transportation funding, economic development and the Veteran's Home/Housing project that has been tentatively approved for our area. I attended a Med-Com meeting on Thursday with Councilors Ryan and Hawks. I don't usually attend those meetings, but Gregg Timm was out this week on a well deserved vacation so I joined our representatives for the Med-Com Board meeting. We will update Council on their activities in the near future.

We look forward to our Monday evening meeting at which we will provide Council with a short review of our contract procurement process under the agenda item titled "Construction Project Lifecycle", and an update related to Council's 2015-17 goals under the "Goal Review" agenda item. Have a great weekend everyone! We will see you all Monday night!