



**7:00 p.m. - Regular Meeting**

1. **Call to Order – Mayor Pro-Tem Tom Ryan**
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**
5. **Commission Reports/Council Ward Reports**  
A. Revenue Sharing Grant Application
6. **Audience Participation – See Information on the Reverse**
7. **Consent Agenda**  
A. Minutes of July 13, 2015 Meeting
8. **Public Hearing**  
A. OLCC New Outlet, Starbucks Coffee, 1122 NW Garden Valley
9. **Ordinances**  
A. Ordinance No. \_\_\_\_ - Amending RMC 7.02.900 Deposit of Refuse
10. **Items From Departments**  
A. Downtown Portable Restroom Discussion  
B. Options for Regulation of Recreational Marijuana
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.

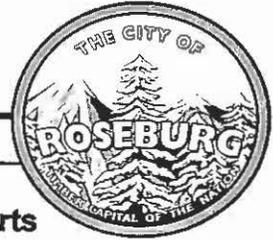
*The Mayor and City Council reserve the right to respond to audience comments after the audience participation portion of the meeting has been closed.*

***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](http://www.cityofroseburg.org).***

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

*LC*  
*7/27/15*



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## REVENUE SHARING GRANT APPLICATION

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**Meeting Date:** July 27, 2015  
**Department:** City Manager's Office  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

**Agenda Section:** Council Reports  
**Staff Contact:** Lance Colley  
**Contact Telephone Number:** 541-492-6866

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### ISSUE STATEMENT AND SUMMARY

The City Council has received an application from Umpqua Community College Foundation for a \$10,000 grant to support capital construction of UCC's Health, Nursing and Science Center.

### BACKGROUND

**A. Council Action History.** On November 18, 2013, the City Council adopted Resolution No. 2013-19 (attached) which outlined the policy and process for accepting funding applications from non-profit organizations.

**B. Analysis.** As required by the resolution, on April 1, 2015, the City publicized the availability of applications to apply for a maximum of \$10,000 in funding from State Revenue Sharing funds. One application was received from the UCC Foundation. Several weeks after application deadline, a letter was received from Casa de Belen requesting \$10,000. However, no application was received and the grant requirements were not followed.

The resolution sets out the following criteria for funding award:

Does the proposed service promote the City of Roseburg's goals and responsibility to provide basic services to its citizens? Is the applicant a legal non-profit or nongovernmental organization with whom the City of Roseburg may contract for services? Has the applicant completed the required application form and submitted requested information to the City by established deadlines? Does the applicant have significant prior experience providing the proposed services? Has the applicant demonstrated a capacity to immediately implement and sustain the proposed service? Does the applicant's proposal present a cost-effective plan for the delivery of the desired services? Measures might include cost/unit of service, cost/benefit ratios, numbers of persons to be positively (directly or indirectly) affected, etc. If the applicant has been a past recipient of City funding was their performance satisfactory? When was the last date funding for the applicant was approved? How does the financial proposal leverage the requested City funds with other resources? What efforts have been expended to acquire alternate sources of funding? Do you have a current audit report or review for your most recent fiscal period?

The UCC Foundation grant application, which is attached, addresses that criteria and is self-explanatory. Documentation regarding organizational bylaws and financial statements were submitted as required by the grant application process. Due to the volume of those documents, they are not included in this report but are on file in the City Recorder's Office.

The UCC Foundation worked closely with the Board of Trustees of Umpqua Community College in an effort to provide the necessary resources to allow the College to meet the matching requirements from the State of Oregon. Members of the Foundation had approached the City to request City participation in the fundraising effort to show community support for the "work force development" aspect of the facility which will replace the current schools of Health, Nursing and Science which have not been significantly upgraded since the college was built in 1970.

The City previously participated in funding for the construction of UCC's Southern Oregon Wine Institute through Economic Development and Tourism funding in the total amount of \$100,000 over the last four years. The final payment to UCC will be made during the current fiscal year, 2015-16.

**C. Financial and/or Resource Considerations.** The State of Oregon awarded UCC an \$8.5 million grant to match local contributions toward this project. UCC reported they have received \$8.2 million in other grant funds and local corporate, business and individual contributions. In the event the City Council wishes to provide the requested financial assistance, \$10,000 has been included in the City Manager's Office budget for fiscal year 2015-16.

**D. Timing Issues.** Ground breaking for the project occurred on May 15, 2015. There are no timing issues for the City other than the funds are only available for expenditure within the current fiscal year.

#### **COUNCIL OPTIONS**

The City Council has the option to:

1. Grant the \$10,000 as requested.
2. Grant a portion of the funds requested.
3. Ask for more information.
4. Decline to provide funding.

#### **STAFF RECOMMENDATION**

Umpqua Community College is a tremendous asset for our community and work force development is a key component of the area's economic development strategy. The medical community relies heavily on UCC for nursing professionals and other training in medical related fields. If Council chooses to grant the \$10,000 request, it will be matched 100% by the State of Oregon pledged amount. UCC cannot receive the entire amount of the State pledge unless they provide proof of their commitment. It is my understanding that any amount not received in pledges would require UCC to borrow the balance of the commitment.

The allocation of the Revenue Sharing proceeds is a Council decision and as such Staff has no recommendation.

**SUGGESTED MOTION**

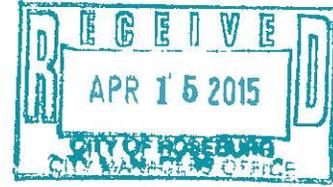
1. Should Council choose to allocate the funds in part or in whole, the appropriate motion would be

"I MOVE TO DIRECT STAFF TO ENTER INTO AN AGREEMENT WITH UCC FOUNDATION GRANTING \$\_\_\_\_\_ TOWARD CONSTRUCTION OF THE HEALTH, NURSING AND SCIENCE CENTER."

2. Should Council like more information you may just direct Staff to obtain whatever additional information you are interested in receiving.
3. Should Council choose not to grant any funds, no action is necessary

**ATTACHMENTS**

Grant Application  
Resolution No. 2013-19



April 15, 2015

Lance Colley, City Manager  
City of Roseburg  
900 SE Douglas Avenue  
Roseburg, OR 97470

Dear Lance and Committee,

The Umpqua Community College Foundation is pleased to present this proposal for your review. We look forward to partnering with the City of Roseburg to provide a promising future for Douglas County with your support for the UCC Health, Nursing, and Science Center. Umpqua Community College celebrated its 50<sup>th</sup> year by embarking on a new chapter in its history of contributing to the economic wellbeing and quality of life in Douglas County.

Umpqua Community College is responding to the future medical and dental educational needs of our region by building a new facility, the regional Health, Nursing, and Science Center (HNSC). The Center will provide state-of-the-art education to improve health and dental services, preventative services, and science education. With a new updated facility, health care professionals trained in Douglas County will gain knowledge and skills necessary to provide the best patient care possible.

### Request

An investment of \$10,000 will support capital construction of UCC's Health, Nursing, and Science Center. This new facility will provide education and training for the future of healthcare and science in Douglas County, and 100% of this investment will be matched with funds from the State of Oregon, doubling the value of your contribution.

We appreciate the City of Roseburg taking an interest in the success of our students and our community. If you require any further information or have questions regarding this request, please do not hesitate to contact me at (541) 440-7678.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis O'Neill".

Dennis O'Neill  
Executive Director



**APPLICATION FOR NON-PROFIT ORGANIZATION GRANT  
For Fiscal Year 2015-2016 (begins July 1)**

Organization Name: Umpqua Community College Foundation

Address: P.O. Box 967, Roseburg, OR 97470

Contact person and title: Dennis O'Neill, Executive Director

Telephone: (541) 440-7678 E-Mail: Dennis.O'Neill@umpqua.edu

Federal Tax Identification Number: 23-7287018

Amount of Funding Request: \$10,000

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***Responses may be provided on a separate sheet, but must be responded to in the order below.***

*1. Description and purpose of organization. Attach bylaws and current list of board members and officers.*

Umpqua Community College Foundation's mission is to creatively develop partnerships, programs, and support that furthers UCC's mission, improves the lives of students, meets the needs of businesses, and adds to the quality of life for the community. The UCC Foundation provides approximately \$500,000 in scholarships annually to students, and continuously assists UCC students with food, bus passes, child care, emergency loans, and textbooks. The UCC Foundation also has been responsible for managing two major capital campaigns for UCC in order to improve and enhance the economic and educational atmosphere for Roseburg and Douglas County.

The mission of Umpqua Community College is to provide high quality degree programs, workforce development, and community learning opportunities. This public institution serves as a cultural and recreation center for the area, and as the only institute for higher education in Douglas County. UCC provides leadership in workforce training and supports the economic development of the area. UCC is a fully accredited institution of higher education offering a comprehensive curriculum consisting of professional / technical training programs, university transfer courses, community education classes, and business / workforce development. In addition to instructional programs, the

College makes campus facilities available to a variety of community-based organizations.

*2. Describe the program(s) or work proposed for funding. Be specific. Attach additional information/documents as needed.*

The State of Oregon has awarded UCC an \$8.5 million grant to match local contributions to build a regional Health, Nursing, and Science Center on the campus of Umpqua Community College. The proposed



36,000 square-foot center will bring together in one state-of-the-art facility UCC's departments of allied health, nursing, and physical sciences, currently dispersed throughout campus in outdated and undersized buildings and classrooms. The center will house training programs in Nursing (Registered Nurse, Practical Nurse, and Certified Nursing Assistant), Dental Assisting/Hygiene, as well as other health and science related programs. With current UCC facilities, none of these programs can be expanded to meet the growing demand for these professions in Douglas County. The science program will include laboratories for biology, anatomy/physiology, chemistry, general science, geology, and physics.

Umpqua Community College is responding to the future medical and dental needs of our region by building a new facility, the Health, Nursing, and Science Center (HNSC). The HNSC will provide state-of-the-art training and education to improve health and dental services, preventative services, and science education. With a new updated facility, health care professionals trained in Douglas County will gain knowledge and skills necessary to provide the best patient care possible.

Based on a master plan developed campus-wide in 2006-2007, UCC was awarded an \$8,500,000 matching grant from the State in 2009 for the HNSC. The plan was developed based on college facility needs paired with regional workforce demands. An external feasibility study was completed in 2011 with highly favorable results. Campus-wide forums were held to garner input from every faculty and staff impacted. A bond levy for major capital construction, including the HNSC, had strong community support from partners, but was rejected by voters in 2012. With a scaled-back plan, UCC now embarks on a capital campaign for the HNSC.

Funds will provide capital in order to provide critical training and education for the future of healthcare in Douglas County. This includes a nursing skills lab, dental lab, chemistry and biology labs with a prep room, anatomy and physiology lab, physics and geology lab, four classrooms, faculty offices, and four conference rooms (two large and two small). This will



move health sciences instruction on-site. Currently, the dental assisting students use a dentist's office at night to utilize equipment, and the students must clean up the space. Nursing students must travel from campus to town to participate in the simulation lab.

#### Expected Project Outcomes:

- 1) The Health, Nursing, and Science Center will provide state-of-the-art training for 4,500 students each year.
- 2) UCC will retain more students because they have access to adequate training facilities.
- 3) UCC graduates will have a heightened understanding of the use of technology in healthcare and sciences.
- 4) Graduates of UCC healthcare and science programs will be better prepared for the workforce and/or university transfer because of excellent training facilities.
- 5) Douglas County will increase its capacity for job growth in healthcare and sciences.

*3. Who and how many persons will benefit from the City's funding? Include demographic information and numbers proposed to receive benefits. (Note: Preference will be given to applicants who can provide specific details so that the Council/Budget Committee can determine if program objectives were met.)*

The Health, Nursing, and Science Center will provide state-of-the-art training for 4,500 UCC students each year. Additionally, each and every resident of Roseburg will benefit directly or indirectly from the UCC Health, Nursing, and Science Center. Local patients benefit from a well-trained workforce, especially in a medically underserved area such as Douglas County.

*4. What is the applicant's prior experience and expertise in performing the proposed program or work? Highlight any previous work for the City of Roseburg.*

Umpqua Community College has served Roseburg for 50 years as the only higher education institute in Douglas County. UCC provides nationally recognized excellence in higher education, as it was ranked 13<sup>th</sup> in the nation among community colleges by Washington Monthly (2010) and was recognized in 2014 by the White House for

excellence in adult basic skills. UCC's nursing program is highly regarded in our community and contributes extensively to the medical workforce in Roseburg.

*5. What makes this organization the most or uniquely qualified to receive City funding for this purpose?*

As the sole provider of postsecondary education in Douglas County, UCC is uniquely suited to provide health, nursing, and science degree programs for residents of Roseburg.

*6. How does this proposal address the Roseburg City Council's goals and responsibility to provide basic City services?*

According to the U.S. Health Resources and Services Administration (HRSA), Douglas County is considered to be in a Primary Care Health Professional Shortage Area, a Mental Health Professional Shortage Area, and a Dental Care Health Professional



Shortage Area. Douglas County has been classified as a "medically underserved area" by the HRSA Office of Rural Health Policy. Additionally, Douglas County and Roseburg suffer from a number of risk factors impacting the health of children and families: high unemployment, high poverty rates, low education levels, increased substance abuse, and a higher incidence rate of chronic illness. According to the County Health Rankings, Douglas County is among the unhealthiest counties in the state of Oregon (2015).

Dr. Bob Dannenhoffer, MD, states, "UCC healthcare programs are housed in very old facilities that are not suited for teaching modern healthcare. It is difficult to properly train the people who will be providing our healthcare in the future in these environments." Registered nurses are second behind physicians on the list of "high-wage, high-demand" jobs in Douglas County, according to a study by WorkSource Oregon (2010). Health services jobs comprise eight of the top ten jobs in highest demand in Oregon. Grant funding will ultimately strengthen the healthcare workforce in Douglas County, improving patient care and the regional economy.

*7. How does this proposal leverage the requested City funds with other resources? Identify the source(s) and amount(s) of other funding to be used in conjunction with City funds.*

Funding from the City of Roseburg will be matched 100% with funds from the State of Oregon, doubling the impact of the City's contribution. Other current contributors include:

State of Oregon - \$8,500,000

The Ford Family Foundation - \$1,500,000

Meyer Memorial Trust - \$500,000

Cow Creek Band of the Umpqua Tribe of Indians - \$100,000

Douglas County Industrial Board - \$250,000

Whipple Foundation Fund of the Oregon Community Foundation - \$200,000

Many local corporations, businesses, individuals, and smaller foundations also awarded funds to the project, totaling \$5,668,321.

*8. Are there other facts or considerations the City should use to evaluate the proposal?*

Each and every resident of Roseburg will benefit from the Health, Nursing, and Science Center. Patients benefit from a well-trained workforce, especially in a medically underserved area such as Douglas County. Umpqua Community College health and science students benefit from having the most up-to-date facility and equipment available for proper education and training. "The medical community is a critical economic engine for Douglas County and is extremely important to seniors, our fastest growing group of citizens," notes Kelly Morgan, CEO of Mercy Medical Center in Roseburg. "To remain strong, we must have access to up-to-date facilities and technologies to train our future employees."

*9. Attach a budget that shows how the City's money will be spent. The budget shall include such information as the cost of materials, labor, overhead, administration, transportation and contract services, plus any additional expenses that are relevant. Be specific.*

The project budget is attached. Funds from the City of Roseburg will be spent on capital construction for the project.

*10. Attach most current financial statement and independent financial review or audit report.*

*11. Attach five most recent federal Form 990s.*

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By signing this application below, the organization applying for this grant hereby agrees that:

- the organization will be required to execute a standard City services contract;
- the organization will provide certification naming the City as an additional insured for commercial and liability insurance in the minimum amounts required by Oregon Tort Law;
- the organization will provide the City of Roseburg, its agents, officers, employees and auditors access to all organization documents and records for five years following the grant of any City funds.
- if funds are granted, City of Roseburg, its agents, officers and employees will, upon 24 hours' notice, be entitled to have access to and inspect any organization offices, locations or facilities;
- the organization shall provide a complete financial report at the conclusion of the service contract.

Name and Title:

  
 DENNIS ONEILL, EXECUTIVE DIRECTOR  
 UCC FOUNDATION

Date:

April 15, 2015

**Umpqua Community College  
Regional Health, Science, and Nursing Center  
Project Budget**

<b>PROJECT BUDGET SUMMARY</b>	
<b>Total Project Expenses</b>	
Construction Cost at \$320/sq. ft x 36,000 sq. feet	11,520,000
Base Site Work	400,000
State of Oregon (1.5% Solar)	166,320
Infrastructure Mechanical	250,000
Infrastructure Technology	70,000
Infrastructure Site Work	580,000
Furnishings	440,000
Equipment / Technology / IT	780,000
Artwork	129,863
Project Manager	75,000
Permits / Testing / Commissioning	150,000
CMGC Pre-Construction Services	194,795
Owner's Construction Contingency	389,590
Project Contingency	324,658
A/E Basic & Supplemental Services	1,351,253
Services Contingency	80,000
Reimbursable	67,563
<b>TOTAL EXPENSES</b>	<b>\$16,969,041</b>
<b>Total Project Revenues</b>	
State of Oregon matching grant	8,500,000
Capital campaign fundraising	1,500,000
Private donor challenge gift	850,000
Grants from private and public sources	3,000,000
Umpqua Community College contribution	500,000
UCC Foundation contribution	500,000
UCC – work already completed with Opsis Architecture	381,123
Loan amount	1,737,918
<b>TOTAL REVENUE</b>	<b>\$16,969,041</b>

**RESOLUTION NO. 2013-19**

**A RESOLUTION OF THE CITY OF ROSEBURG, OREGON DEFINING CITY  
POLICY FOR CONTRIBUTIONS TO NON-PROFIT ORGANIZATIONS**

**WHEREAS**, the economic recession has resulted in financial limitations for both public and private interests; and

**WHEREAS**, such financial limitations have resulted in non-profit organizations requesting funding assistance from the City of Roseburg; and

**WHEREAS**, the City of Roseburg is currently working toward resolution of a goal regarding sustainability of City services; and

**WHEREAS**, the City of Roseburg needs to prioritize the use of its limited funding to ensure that basic City services are provided;

**NOW, THEREFORE, BE IT RESOLVED** by the Roseburg City Council that:

1. The City of Roseburg shall fulfill all current financial contractual obligations to outside non-profit organizations.
2. When General Fund budgeted expenditures for basic services exceed budgeted revenues in the General Fund and require a reduction in City staffing, contributions to non-profit organizations for operational purposes shall not be considered.
3. In the event the City's budgeted revenues exceed General Fund budgeted expenses, non-profit organizations may formally apply for financial assistance from the City for operational or capital expenditures pursuant to the process outlined in the attached Exhibit A.
4. The City Council has the sole authority to approve, deny or modify any funding requests received under Section 3 above.

**BE IT FURTHER RESOLVED** that the City Council may override any or all provisions of this policy by the affirmative vote of five Councilors.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its adoption by the City Council.

**APPROVED BY THE CITY COUNCIL OF ROSEBURG, OREGON, AT ITS REGULAR  
MEETING ON THE 18<sup>TH</sup> DAY OF NOVEMBER 2013.**



Debi Davidson  
Acting City Recorder

**RESOLUTION NO. 2013-19**  
**EXHIBIT "A"**

**GUIDELINES**

Should budgetary projections suggest General Fund expenditures for the ensuing fiscal year shall not exceed General Fund revenues, on April 1<sup>st</sup> City Staff shall publish notice via the news media on and the City's website indicating the potential availability of funding.

An eligible organization is defined as a legally recognized non-profit organization whose proposed programs directly benefit the City of Roseburg and its residents. Profit making ventures are deemed ineligible and will not be considered for funding. Political action committees or organizations with proposals of a clearly political nature are also ineligible. Limited special interest groups or organizations with restricted membership may too be deemed ineligible. Any organization or proposals that violate Federal, State or local laws or regulations are not eligible.

Completed applications, with all required attachments, must be submitted to the City Manager by 5:00 p.m. on April 15th.

Applications will be considered by a subcommittee of the Budget Committee during the last two weeks of April with recommendations forwarded to the full Budget Committee during the May budget hearings. Funds awarded will be subsequent to July 1.

Funding provided to non-profit organizations shall not exceed 10% of the anticipated State Revenue Sharing funds. Additionally, no single organization shall receive more than 50% of that 10% allocation.

**CRITERIA**

1. Does the proposed service promote the City of Roseburg's goals and responsibility to provide basic services to its citizens?
2. Is the applicant a legal non-profit or nongovernmental organization with whom the City of Roseburg may contract for services?
3. Has the applicant completed the required application form and submitted requested information to the City by established deadlines?
4. Does the applicant have significant prior experience providing the proposed services?
5. Has the applicant demonstrated a capacity to immediately implement and sustain the proposed service?
6. Does the applicant's proposal present a cost-effective plan for the delivery of the desired services? Measures might include cost/unit of service, cost/benefit ratios, numbers of persons to be positively (directly or indirectly) affected, etc.
7. If the applicant has been a past recipient of City funding was their performance satisfactory? When was the last date funding for the applicant was approved?

8. How does the financial proposal leverage the requested City funds with other resources?
9. What efforts have been expended to acquire alternate sources of funding?
10. Do you have a current audit report or review for your most recent fiscal period?

**APPLICATION FOR NON-PROFIT ORGANIZATION GRANT**  
**For Fiscal Year \_\_\_\_\_ (begins July 1)**

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact person and title \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_

Amount of Funding Request: \_\_\_\_\_

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***Responses may be provided on a separate sheet, but must be responded to in the order below.***

1. Description and purpose of organization. Attach bylaws and current list of board members and officers.
  
2. Describe the program(s) or work proposed for funding. Be specific. Attach additional information/documents as needed.
  
3. Who and how many persons will benefit from the City's funding? Include demographic information and numbers proposed to receive benefits. (Note: Preference will be given to applicants who can provide specific details so that the Council/Budget Committee can determine if program objectives were met.)
  
4. What is the applicant's prior experience and expertise in performing the proposed program or work? Highlight any previous work for the City of Roseburg.
  
5. What makes this organization the most or uniquely qualified to receive City funding for this purpose?
  
6. How does this proposal address the Roseburg City Council's goals and responsibility to provide basic City services?
  
7. How does this proposal leverage the requested City funds with other resources? Identify the source(s) and amount(s) of other funding to be used in conjunction with City funds.

8. Are there other facts or considerations the City should use to evaluate the proposal?
9. Attach a budget that shows how the City's money will be spent. The budget shall include such information as the cost of materials, labor, overhead, administration, transportation and contract services, plus any additional expenses that are relevant. Be specific.
10. Attach most current financial statement and independent financial review or audit report.
11. Attach five most recent federal Form 990s.

\*\*\*\*\*

*By signing this application below, the organization applying for this grant hereby agrees that:*

- *the organization will be required to execute a standard City services contract;*
- *the organization will provide certification naming the City as an additional insured for commercial and liability insurance in the minimum amounts required by Oregon Tort Law;*
- *the organization will provide the City of Roseburg, its agents, officers, employees and auditors access to all organization documents and records for five years following the grant of any City funds.*
- *if funds are granted, City of Roseburg, its agents, officers and employees will, upon 24 hours' notice, be entitled to have access to and inspect any organization offices, locations or facilities;*
- *the organization shall provide a complete financial report at the conclusion of the service contract.*

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

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

**July 13, 2015**

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on Monday, July 13, 2015, in the City Hall Council Chambers, 900 SE Douglas, Roseburg, Oregon. Councilor Fazio led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilors Steve Kaser, Tom Ryan, Ken Fazio, John McDonald, Alison Eggers, Lew Marks, Victoria Hawks and Andrea Zielinski.

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

**SISTER CITY PRESENTATION**

Sister City President Thomas McGregor invited the Mayor and Council to attend a rededication ceremony with Sister City Kuki at 6:30 p.m. on August 2<sup>nd</sup> at the UCC Danny Lang Center. Mayor Tanaka of Kuki will be attending.

**MAYOR REPORTS**

Council was reminded to inform Staff of any anticipated upcoming City Council meeting absences.

Rich expressed appreciation to Staff for their participation in the Graffiti Week activities.

OSU Student/Intern Jasmine Vogel briefly shared with the Council her experience in working with the City Staff over previous weeks. She will now complete her internship with Douglas County.

**COMMISSION REPORTS/COUNCIL WARD REPORTS**

Ryan reported the MedCom Board discussed Douglas County's proposed fees for Ambulance Service Areas.

**MUNICIPAL JUDGE CONTRACT**

Ryan moved to approve the proposed contract with Ken Madison for Municipal Judge services as presented. Motion was seconded by Marks and carried unanimously. McDonald noted that the Council had discussed the contract at length at multiple meetings.

**SPECIAL PRESENTATION – STACEY CROWE – DOWNTOWN PROJECTS**

Stacey Crowe, 759 SE Kane, thanked Council for their support of the downtown improvement project that is now underway. Crowe explained that she and downtown business owner Vicki Nielsen used to organize the Land of Umpqua Discovery Days Festival which had \$9,000 in residual funds. They will use those funds to advertise, promote and educate people about

the project via social media. She also thanked the City for assistance with the flower basket project which is in its fifteenth year. Colley, in turn, expressed appreciation for Crowe and Nielsen's efforts.

CONSENT AGENDA

Ryan moved to approve the following Consent Agenda items:

- A. Minutes of June 22, 2015 regular meeting.
- B. Resolution No. 2015-10 repealing temporary t-hangar rental rates.

Motion was seconded by Fazio and carried unanimously.

PUBLIC HEARING – OLCC NEW OUTLET – HV CELLARS, 1247 SE PINE

At 7:12 p.m., Rich opened the public hearing regarding a new OLCC outlet. Cox reported that Terry and Evelyn Luce submitted an application for a wine tasting bar. Background investigation and public notification have found no reason to deny the application. As no one else wished to speak, the hearing was closed at 7:13 p.m. Marks moved to recommend OLCC approval of the new location application for a winery license for HV Cellars located at 1247 SE Pine Street. Motion was seconded by Eggers and carried unanimously. Ryan noted that Walla Walla, Washington has approximately 40 wine tasting rooms downtown which drive the economy in that City; he is pleased to see more in Roseburg.

ORDINANCE NO. 3448 – LUDO UPDATE PHASE 2

Cox read Ordinance No. 3448 for the second time, entitled: An Ordinance Amending the Roseburg Land Use and Development Ordinance by Adopting Changes to Reorganize and Simplify the Ordinance. Fazio moved to adopt the ordinance, seconded by Hawks. Roll call vote was taken and motion carried unanimously. Rich proclaimed the adoption of Ordinance No. 3448.

CAPITAL IMPROVEMENT PLAN – WATERFRONT OVERLOOKS

Colley stated that a petition was presented requesting the Council reconsider inclusion of waterfront overlooks in the Capital Improvement Plan. He stated the Waterfront Master Plan (WMP) was adopted after a comprehensive process which included a citizen advisory committee, multiple Commission meetings and significant public participation. When the Urban Renewal component of the Capital Improvement Plan was recently adopted, it included waterfront projects which were relatively high priority in the WMP. Overlooks will be constructed on the Oak/Washington bridges. The next high priority would be an overlook at the Visitors Center. Overlooks on Lane and Mosher, which are currently barricaded at the western dead ends, are low priority. The purpose was to incorporate natural walking areas and areas where residents could get to the riverfront without crossing private property.

Dirk Kryzman, 730 W Indianola, Finance Officer for American Legion Post on SE Oak, expressed concern regarding an appraiser evaluating their property and noted strong opposition to selling the building. It was determined this was outside the scope of the agenda topic. Colley indicated he would clarify the situation with Mr. Kryzman.

Stuart Leibowitz, 143 SE Lane, stated Mosher Avenue resident T. Rice could not attend the meeting but wished to express his strong opposition to overlooks on Mosher. Leibowitz

stated the neighborhood would be less safe and experience increased car and foot traffic for which the streets were not designed. He feared it would exacerbate problems with transients in the area. He supported an overlook for Riverside Park which is publicly accessible without negatively impacting a residential neighborhood. He then read a letter from Thomas Murphy of 105 SE Mosher who was also opposed to the overlooks.

The following people spoke in opposition to the overlooks largely due to safety, traffic and transient concerns: Cindi Christensen, 172 SE Lane; Terry George, 124 SE Mosher; Bill Brownberger, 12165 Driver Valley, Oakland; Linda Sidebotham, 153 SE Lane (via letter); Roshin Brown, 142 SE Lane; Milton Vernheisel 146 SE Hoover; Kirsten Chiesna, 640 W Fairhaven; and Martha Strevers, 146 SE Hoover.

Councilors shared their views on the issue with Ryan and Marks agreeing that there appeared to be a potential safety concern, but it would be helpful to receive Police input on that. Fazio did not believe the overlooks would serve as a destination but would be an enhancement to the neighborhood. Kaser requested an opportunity to hear from those involved in the decision to place the overlooks in the WMP before making a final decision. McDonald pointed out that given other priorities it was unlikely the overlooks would be built any time in the near future. Consensus was to leave the waterfront overlooks in the Capital Improvement Plan. When or if it appears that the project may be funded sometime in the future, a public hearing would be scheduled to receive input from the community.

#### CITY HALL HVAC CONTROL SYSTEM UPGRADES

Messenger reported on the need to upgrade the City Hall heating, ventilation and air conditioning system which is antiquated. Temperatures cannot be regulated, and the system requires constant manual manipulation of the system valves. The upgrade will allow for electronic manipulation and energy efficiency savings. Hawks expressed concern about City Hall doors being open during the Council meetings causing loss of heat/air. Colley stated Staff will install a sign at the Main Street entrance directing people to the Douglas/Jackson entrance which does not remain open. Ryan moved to authorize the City Manager to enter into a contract with Johnson Controls Inc. for \$49,745 to upgrade the City Hall HVAC control system. Motion was seconded by Marks and carried unanimously.

#### ITEMS FROM MAYOR, COUNCIL OR CITY MANAGER

McDonald invited everyone to attend the Wings and Wheels event at the Airport on July 18<sup>th</sup>, expressed pleasure with the number of people who lined the streets to welcome home Charlie Company and encouraged Councilors to take advantage of online FEMA training as part of the potential Cascadia Event preparedness.

Meeting adjourned at 8:26 p.m.



Debi Davidson  
Management Technician

*OC*  
*7/20/15*

PUBLIC HEARING A  
07-27-15

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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### OLCC APPLICATION-NEW OUTLET STARBUCKS COFFEE

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**Meeting Date:** July 27, 2015  
**Department:** City Manager's Office  
***www.cityofroseburg.org***

**Agenda Section:** Public Hearing  
**Staff Contact:** Sheila Cox  
**Contact Telephone Number:** 492-6866

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### ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code Chapter 9.12 requires staff review of all applications submitted to the Oregon Liquor Control Commission 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.

### BACKGROUND

We have received an application for a new outlet location for Starbucks Coffee #14304 located at 1122 NW Garden Valley. This is a "Limited On-Premises Sales" license application submitted by Regina Yutzie.

- A. Council Action History.** Council is required to hold a public hearing before recommending OLCC denial or approval of any application for a new outlet.
- B. Analysis.** Notice of the public hearing was published and posted, and a background investigation was conducted on the applicants in accordance with Roseburg Municipal Code Chapter 9.12. Our office received no objections to issuance of the license, and the Police Department found no reason to deny the application as presented. Council is required to allow an opportunity for comment regarding the license during the public hearing.
- C. Financial and/or Resource Considerations.** The applicants have paid the appropriate fee for City review of the application.
- D. Timing Issues.** The applicant is 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 OLCC APPROVAL OF THE NEW LOCATION APPLICATION FOR A LIMITED ON-PREMISES SALES LICENSE FOR STARBUCKS COFFEE LOCATED AT 1122 NW GARDEN VALLEY.*

## **ATTACHMENTS**

A. Subject Application

c: Applicant  
OLCC



# OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

**LICENSE TYPES**

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: \_\_\_\_\_

**ACTIONS**

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other \_\_\_\_\_

**90-DAY AUTHORITY**

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

**APPLYING AS:**

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

**CITY AND COUNTY USE ONLY**

Date application received: \_\_\_\_\_

The City Council or County Commission:

\_\_\_\_\_  
(name of city or county)

recommends that this license be:

- Granted
- Denied

By: \_\_\_\_\_  
(signature) (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**OLCC USE ONLY**

Application Rec'd by: CM

Date: 7/7/15

90-day authority:  Yes  No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Coffee House Holdings, Inc. ③ \_\_\_\_\_  
② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): Starbucks Coffee #14304

3. Business Location: 1122 NW Garden Valley Blvd. Roseburg Douglas OR 97471  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Attn: Mailstop S-TAX2 License Services, PO Box 34442, Seattle, WA 98124-1442  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-672-3729 \_\_\_\_\_  
(phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: \_\_\_\_\_ Type of License: \_\_\_\_\_

8. Former Business Name: \_\_\_\_\_

9. Will you have a manager?  Yes  No Name: Regina Yutzie  
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Roseburg  
(name of city or county)

11. Contact person for this application: Duke Tufty 503-517-8137  
(name) (phone number(s))  
621 SW Morrison St., Ste. 1300, Portland, OR 97205 503-273-9135 dt@wysekadish.com  
(address) (fax number) (e-mail address)

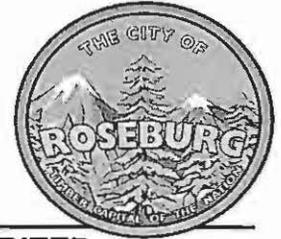
I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Sophie Hegler Hume Date 5.21.15 ③ \_\_\_\_\_ Date \_\_\_\_\_  
② \_\_\_\_\_ Date \_\_\_\_\_ ④ \_\_\_\_\_ Date \_\_\_\_\_

OC  
7/20/15

ORDINANCE A  
07-20-15



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

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### ORDINANCE AMENDING RMC 7.02.090 REGARDING PROHIBITED DEPOSIT OF REFUSE AND DECLARING AN IMMEDIATE EFFECTIVE DATE

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**Meeting Date:** July 27, 2015  
**Department:** City Recorder  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

**Agenda Section:** ORDINANCES  
**Staff Contact:** Sheila R. Cox  
**Contact Telephone Number:** 541/492-6866

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**ISSUE STATEMENT AND SUMMARY:** Council will be considering an ordinance, which if adopted, will make it a Code violation for someone to deposit household garbage or any other sort of trash in a container they do not own, or have the authority to use.

#### BACKGROUND

**A. Council Action History.** N/A

**B. Analysis.** As everyone is aware, Douglas County will start charging for use of the landfill beginning September 1, 2015. Even though the fees are not yet being charged, concerns are already being expressed by private property owners who fear people will start using their trash containers and/or dumpsters in order to avoid having to pay to take their trash to the landfill. Roseburg Disposal recently told us they were *already* hearing that complaint from their customers and asked if the City would consider adopting an ordinance prohibiting that sort of activity.

In reviewing the Code, we found that RMC Section 7.02.090 prohibits the use of trash containers *provided by the City* unless the trash is generated on the premises, but it does not address improper use of trash containers on private property. In response to these concerns, Staff has drafted an ordinance adding a new subsection to that section of the Code making it "unlawful" for a person to deposit trash in any container they do not own – or have the authority to use. The new provisions will continue to take care of City provided containers on City-owned property, while also addressing containers located on private property for the property owner's use.

**C. Financial and/or Resource Considerations.** N/A

**D. Timing Issues.** Staff has added an immediate effective date to the ordinance to avoid any further delay in addressing the problem which will also allow the provisions to be in place in advance of the date the County will start charging at the landfill.

**COUNCIL OPTIONS**

Council may direct Staff to proceed with first reading of the proposed ordinance, followed by second reading and adoption; direct that amendments be made to the proposed draft or take no action, leaving the subject Code provisions as they currently exist.

**STAFF RECOMMENDATION**

Staff recommends Council proceed with first and second reading of the ordinance, and follow with adoption.

**SUGGESTED MOTION**

If Council concurs with Staff's recommendation, we will first need a consensus to proceed with first reading and subsequently, the two following motions:

***"I MOVE TO SUSPEND THE RULES AND HAVE SECOND READING OF ORDINANCE NO. \_\_\_\_\_."***

***"I MOVE TO ADOPT ORDINANCE NO. \_\_\_\_\_."***

**ATTACHMENT:** Ordinance No. \_\_\_\_ Amending RMC 7.02.090

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 7.02.090 OF THE ROSEBURG MUNICIPAL CODE REGARDING THE PROHIBITED DEPOSIT OF REFUSE AND DECLARING AN IMMEDIATE EFFECTIVE DATE**

**THE ROSEBURG CITY COUNCIL ORDAINS AS FOLLOWS:**

**SECTION 1.** Section 7.02.090 of the Roseburg Municipal Code is hereby amended to read as follows:

**7.02.090 Prohibited deposit of refuse.**

**A. Purpose and Definitions.** The purpose of this Section is to prohibit individuals from dumping garbage, trash or any other sort of refuse in containers other than those provided for the use of or owned or controlled by the person disposing of the refuse. As used in this Section, the following words and phrases shall mean:

“**Container**” shall include, but not be limited to, a trash can, dumpster, recycle bin or any other sort of receptacle located on public or private property and used for the purpose of disposing refuse.

“**Generated on the premises**” means the refuse resulted from a person’s lawful use of the premises.

“**Property or premises**” means a public or private place where refuse is generated from a person’s lawful use of the property or premises.

“**Refuse**” shall include, but is not limited to, garbage, trash, solid or liquid waste, food, paper, cardboard, cans, bottles, plastic, rubber, metal, household waste, yard debris and any other sort of rubbish being disposed of.

**B. Prohibited Deposit.**

1. No person shall place, deposit or cause to be placed or deposited in a trash container provided by the City, any refuse not generated on the premises where the container is located.

2. No person shall cause rubbish, trash, debris or refuse of any kind to be placed in a dumpster, drop-box, garbage can or other container located on private property unless the person either owns or has authority to use the container or the container is provided for the use of the person.

**SECTION 3.** 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 upon its adoption by Council and approval by the Mayor.

ADOPTED BY THE CITY COUNCIL ON THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

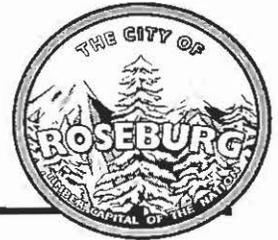
APPROVED BY THE MAYOR ON THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY RICH, MAYOR

ATTEST:

\_\_\_\_\_  
SHEILA R. COX, CITY RECORDER

*LC*  
*7/21/15*



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

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### DOWNTOWN PORTABLE RESTROOMS

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**Meeting Date:** July 27, 2015  
**Department:** City Manager's Office  
**www.cityofrosburg.org**

**Agenda Section:** Department Items  
**Staff Contact:** Lance Colley  
**Contact Telephone Number:** 492-6866

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#### ISSUE STATEMENT AND SUMMARY

The Downtown Roseburg Association (DRA) has been investigating the possibility of locating portable toilet(s) in the downtown area as a pilot project. The City Council is being asked to consider placement of such facilities on public property.

#### BACKGROUND

**A. Council Action History.** No formal action has been taken by the City Council on this issue. A brief discussion was held under "Items from Mayor, Council or City Manager" at the closing of the June 22, 2015 regular meeting.

**B. Analysis.** There are currently no public restroom facilities in the downtown area and most privately owned establishments only allow use by customers. Unfortunately, there has been an increase in the transient population which urinates and defecates on public and private property in the downtown area. In an effort to curtail that, the Roseburg Downtown Association has discussed locating portable toilets in the area on a trial basis to evaluate whether or not the availability of those toilets makes a difference in the public urination/defecation.

One issue to resolve is the location of such facilities which staff is evaluating from a public safety, security and aesthetic standpoint. Likely locations which have been proposed include one near the south end of the Central Business District, one near the north end of the Central Business District and one in or near the Parking Structure. We have discussed pros and cons of each of these locations.

Council members have expressed varying opinions on whether location of restrooms in the core area would be appropriate. DRA has formally asked for permission to identify locations and locate portable restrooms for a trial period of up to one year. If it appears that the portable restrooms are successful, we will evaluate if and how to work with DRA to potentially provide for longer term solutions.

**C. Financial and/or Resource Considerations.** The Downtown Roseburg Association intends to pay all expenses for the trial evaluation period. This includes cost of portable toilet

rental, maintenance and paper supply. There has been no discussion as to who will bear the costs of the facilities if they become permanent.

**D. Timing Issues.**

DRA formally asked if the City would cooperate in moving forward with this trial period. Staff would like to provide a response by the end of July.

**COUNCIL OPTIONS**

1. Direct staff to work with DRA to locate portable restrooms in or near the Central Business District on publicly owned property at no cost to the City.
2. Direct staff to inform DRA that the City will not allow portable restrooms on publicly owned property.

**STAFF RECOMMENDATION**

Staff has reviewed the proposed trial period proposal provided by DRA, and we support any attempt to curtail the incidents occurring in the downtown area on both public and private property. This appears to be the most appropriate way to determine if provision of public restrooms will alleviate all or a portion of the problems occurring.

**SUGGESTED MOTION**

I move to direct Staff to work with DRA to identify appropriate locations within the Central Business District for a trial period not exceed one year at no cost to the City.

*Sheila R. Cox*  
*7/21/15*



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

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### OPTIONS FOR REGULATION OF RECREATIONAL MARIJUANA

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**Meeting Date:** July 27, 2015  
**Department:** City Recorder  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

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

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**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.*

## 2015 Marijuana Legislation: What Local Governments Need to Know

### Bills

- HB 3400: Omnibus bill that amended the Oregon Medical Marijuana Act and the Measure 91
- HB 2041: Revised the state tax structure for commercial marijuana
- SB 460: Authorized early sales of commercial marijuana by medical marijuana dispensaries
- SB 844: Miscellaneous provisions

### Home Rule

Home rule is the power of a local government to set up its own system of governance and gives that local government the authority to adopt ordinances without having to obtain permission from the state. City governments in Oregon derive home rule authority through the voters' adoption of a home rule charter as provided for in the Oregon Constitution. A home rule charter operates like a state constitution in that it vests all government power in the governing body of a municipality, except as expressly stated in that charter, or preempted by state or federal law. Where the Legislature's intent to preempt local governments is not express and where the local and state law can operate concurrently, there is no preemption. As a result, generally a negative inference that can be drawn from a statute is insufficient to preempt a local government's home rule authority.

Although this document summarizes the provisions of HB 3400A, cities may be able to impose regulations in addition to those authorized under HB 3400A under their home rule authority.

### Local Government Ban (effective June 30, 2015)

#### What Cities Can Ban (HB 3400A §§ 133(2), 134(1))

There are 7 types of marijuana activities regulated under HB 3400A. Cities can ban any of the following 6 marijuana activities:

- Medical marijuana processors (preparing edibles, skin and hair products, concentrates, and extracts)
- Medical marijuana dispensaries
- Commercial marijuana processors (preparing edibles, skin and hair products, concentrates, and extracts)
- Commercial marijuana producers (growers)
- Commercial marijuana wholesalers
- Commercial marijuana retailers

Cities cannot ban medical marijuana grow sites. However, the law places limits on the number of plants and the amount of marijuana that can be located at any one medical marijuana grow site (HB 3400A §§ 82, 82a):

- *General Rule*: 12 mature plants per grow site in residential zones; 48 mature plants per grow site in all other zones

- *Grandfathering*: If all growers at the site had registered with the state by January 1, 2015, the grow site is limited to the number of plants at the grow site as of December 31, 2015, not to exceed 24 mature plants per grow site in residential zones and 96 mature plants per grow site in other zones
- *Usable marijuana*: A grower may possess the amount of usable marijuana harvested from the plants not to exceed 12 pounds per plant for outdoor grow sites and 6 pounds per plant for indoor grow sites.

### How Cities Can Ban

Under HB 3400A, there are two avenues for cities to ban marijuana activities, but one of those avenues is available only to certain cities and only during a limited time period.

#### *Option 1: Voter Referral (HB 3400A § 134)*

All cities have the option of banning any of the marijuana activities listed above through the following voter referral process:

- The city council adopts an ordinance that prohibits any of the 6 marijuana activities listed above.
- The city council provides the text of the ordinance to the Oregon Health Authority (if prohibiting medical marijuana activities) and/or the Oregon Liquor Control Commission (if prohibiting commercial marijuana activities).
- The OHA and OLCC will stop registering and licensing the prohibited activities until the next statewide general election.
- The city council refers the ordinance to the voters at a statewide general election (November elections in even-numbered years).

#### *Option 2: Ban Adopted by the City Council (HB 3400A § 133)*

- A city council can adopt a ban on any of the 6 marijuana activities listed above by enacting an ordinance only if the following conditions are met:
  - The city is located in Baker, Crook, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, or Wheeler County;<sup>1</sup> AND
  - The city council adopts the ordinance by December 24, 2015 (180 days after the effective date of the legislation)
- The city council must provide the text of the ordinance to the Oregon Health Authority (if prohibiting medical marijuana activities) and/or the Oregon Liquor Control Commission (if prohibiting commercial marijuana activities).
- The OHA and OLCC will stop registering and licensing the prohibited activities.

#### Effect on Existing Medical Marijuana Processors & Dispensaries (HB 3400 §§ 133(6), (7), 134(6), (7), 135)

- Dispensaries registered with the state by the time the city adopts a prohibition ordinance, or that had applied to be registered by July 1, 2015, are not subject to the prohibition if they have successfully completed a city or county land use application process.

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<sup>1</sup> HB 3400A allows a city council ban for cities located in counties that voted against Measure 91 by 55 percent or more.

- Medical marijuana processors registered with the state by the time the city adopts the prohibition ordinance are not subject to the prohibition if they have successfully completed a city or county land use application process.

**Tax Implications** (HB 3400A §§ 133(5), 134(5); HB 2041 §14(4))

- *Local Tax:* A city that adopts an ordinance prohibiting marijuana activities in its jurisdiction may not impose a local tax on marijuana. (HB 3400A §§ 133(5), 134(5))
- *State Tax:* A city that adopts an ordinance prohibiting marijuana activities is not eligible to receive state marijuana tax revenues from the 17 percent state tax imposed on commercial sales of marijuana. (HB 2041 § 14(4))
  - Collectively, cities will receive 10% of the state marijuana tax revenues, distributed as follows to cities that do not prohibit marijuana activities (HB 2041 § 14(2)):
    - Before July 1, 2017, distributed proportionately based on population
    - After July 1, 2017, distributed based on the number of licensees in the city, with 50 percent distributed based on the number of producer, processor, and wholesale licensees and 50 percent distributed based on the number of retail licensees

**Local Government Tax (HB 3400A § 34a)  
(operative January 1, 2016)**

**What Cities Can Tax**

Under HB 3400A, cities may impose up to a 3 percent tax on sales made by those with commercial retail licenses.

**How Cities Can Impose a Tax**

Cities may adopt an ordinance imposing the tax, but it must be referred to the voters at the next statewide general election (meaning a November election in an even-numbered year). However, cities may not impose a local tax if they have prohibited marijuana activities through a local ban.

**Time, Place, and Manner Restrictions  
(medical provisions operative March 1, 2016; commercial provisions operative January 1, 2016)<sup>2</sup>**

**State Law Restrictions**

- **Medical and Commercial Marijuana Processors:** Cannot locate in residential zones if processing marijuana extracts. (HB 3400 §§ 14(2)(c), 85(3)(a))
- **Medical Marijuana Dispensaries and Commercial Retail Stores**
  - Cannot locate in residential zones (HB 3400 §§ 16, 86)
  - Cannot locate within 1000 feet of certain public and private schools, unless the school is established after the marijuana facility (HB 3400 §§ 16, 17, 86, 86a)

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<sup>2</sup> Although these provisions do not take effect immediately, some of these provisions are already part of existing state law. Cities should consult their city attorney when enacting time, place, and manner restrictions.

- Medical marijuana dispensaries cannot locate within 1000 feet of another dispensary (HB 3400A § 86)
- Medical marijuana dispensaries cannot locate at a grow site (HB 3400A § 86)
- Compliance with Zoning Requirements (HB 3400A § 34(4)): Before issuing any license, the OLCC must request a statement from the city that the requested license is for a location where the proposed use of the land is a permitted or conditional use. If the proposed use is prohibited in the zone, the OLCC may not issue a license. A city has 21 days to act on the OLCC's request, but when that 21 days starts to run varies:
  - If the use is allowed as an outright permitted use, 21 days from receipt of the request
  - If the use is a conditional use, 21 days from the final local permit approval.

#### What Cities Can Regulate (HB 3400A §§ 33, 89)

Although the League believes that the Legislature has not foreclosed other regulatory options, HB 3400A expressly provides that cities may impose reasonable regulations on the following:

- The hours of operation of retail licensees and medical marijuana grow sites, processing sites, and dispensaries
- The location of all 4 types of commercial licensees, as well as medical marijuana grow sites, processing sites, and dispensaries, except that a city may not impose more than a 1,000 foot buffer between retail licensees
- The manner of operation of all 4 types of commercial licensees, as well as medical marijuana processors and dispensaries
- The public's access to the premises of all 4 types of commercial licenses, as well as medical marijuana grow sites, processing sites, and dispensaries

The law also provides that time, place, and manner regulations imposed on commercial licensees must be consistent with city and county comprehensive plans, zoning ordinances, and public health and safety laws, which would be true of any ordinance imposed by a city.

#### **Early Sales (SB 460)** (awaiting the Governor's signature – effective on passage)

#### How Early Sales Work (SB 460 §§ 2, 3)

- Starting October 1, 2015, medical marijuana dispensaries may sell the following amounts of commercial marijuana to a person who is 21 or older:
  - 1/4 ounce of dried marijuana leaves and flowers per person per day
  - 4 marijuana plants that are not flowering
  - Marijuana seeds
- Starting January 4, 2016, sales of commercial marijuana from medical marijuana dispensaries will be subject to a 25 percent sales tax (HB 2041 § 21a)
- Commercial sales from medical marijuana dispensaries are allowed through December 31, 2016

#### How Cities Can Ban Early Sales (SB 460 § 2(3))

A city can adopt an ordinance prohibiting the early sale of commercial marijuana from medical marijuana dispensaries within its jurisdiction. No voter referral is required.

## Timeline

June 30, 2015 – HB 3400A becomes effective. However, many provisions of the law do not go into effect immediately.

July 1, 2015 – Personal possession of limited amounts of commercial marijuana is allowed for those 21 or older.

October 1, 2015 – Sales of commercial marijuana from medical marijuana dispensaries begin, unless a city has enacted an ordinance prohibiting early sales pursuant to SB 460 § 2(3).

December 24, 2015 – City councils that are eligible to adopt a prohibition on marijuana activities without a voter referral must have adopted the prohibition by this date.

January 1, 2016 – Most amendments to Measure 91 go into effect. In addition, after this date, medical marijuana growers may apply for an OLCC license to grow commercial marijuana at the same site.

January 4, 2016 – The OLCC must approve or deny commercial license applications as soon as practicable after this date. (HB 3400A § 171). In addition, medical marijuana dispensaries engaging in early sales of commercial marijuana must begin collecting a 25 percent state tax on those sales.

March 1, 2016 – Most amendments to the OMMA go into effect.

November 8, 2016 – Next statewide general election. Cities may refer measures on prohibition of marijuana activities and measures on local taxes at this election.

December 31, 2016 – Early sales of commercial marijuana from medical marijuana dispensaries end.

*alc*  
*7/20/15*

INFORMATIONAL A  
07-27-15

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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## ACTIVITY REPORT

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**Meeting Date:** July 27, 2015  
**Department:** City Manager  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

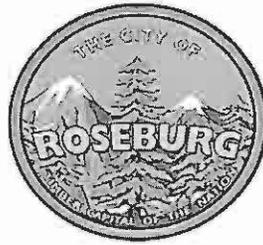
**Agenda Section:** City Manager Reports  
**Staff Contact:** C. Lance Colley  
**Contact Telephone Number:** 492-6866

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### 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 July 27, 2015, meeting, I provide the following items:

- Department Head Meeting Agendas
- Tentative Future Council Agenda Items
- City Manager Weekly Messages
- Municipal Court Quarterly Report



**Agenda**  
**Department Heads Meeting**  
**July 14, 2015 – 10:00 a.m.**

1. Review July 13, 2015 Council Agenda
2. Review Tentative July 27, 2015 Council Agenda
3. Tentative Future Agenda
4. Document Signing/Grants
  - Slurry Seal Contracts
  - Fir Grove Play Area Grant Checklist
  - ODOT Quitclaim Deed – Pine Street Right-of-Way
5. Tyler Training Schedule
6. Department Items



Agenda  
Department Heads Meeting  
July 20, 2015 – 10:00 a.m.

1. Review Tentative July 27, 2015 Council Agenda
2. Tentative Future Agenda
3. Document Signing/Grants
4. Granicus Launch
5. Agenda Item Staff Review
6. Department Items

TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- City Hall Entry/Finance Department Remodel
- Fire Engine Purchase – Public Hearing
- IAFF Collective Bargaining Contract Ratification
- Parking Enforcement Agreement
- Roadside Memorial Policy
- Tree Ordinance
- Urban Services Agreement
- Amending RMC 5.04 Water Rules and Regulations
- Workers Comp Fund Update – City Manager Authority
- Parking Structure Improvement Design/Construction Management Contract – Urban Renewal Action
- Work Session – Goal Review and Project design/construction

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August 10, 2015

Consent Agenda

- A. Minutes of July 27, 2015 Meeting

Ordinance

- A. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_ - Amending RMC 7.02.900 Deposit of Refuse

Department Items

- A. Stewart Parkway Improvements Engineering Contract
- B. Highway 138 Project Funding

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

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August 24, 2015

Special Presentation

- A. Kyle Morris, Engineering Intern Report

Consent Agenda

- A. Minutes of August 10, 2015 Meeting

Public Hearing

- A. Community Development Block Grant, Resolution No. 2015-\_\_\_\_

Department Items

- A. Park Permit Fees for Veteran Organizations

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

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**September 14, 2015**

Council Reports

- A. Implementation of Annual City Manager Performance Evaluation

Consent Agenda

- a. Minutes of August 24, 2015 Meeting

Department Items

- A. Downtown Roseburg Association Annual Report

Informational

- A. Activity Report

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**September 28, 2015**

Mayor Reports

- A. Walk and Bike to School Day Proclamation

Consent Agenda

- A. Minutes of September 14, 2015 Meeting

Informational

- A. Activity Report

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**October 12, 2015**

Consent Agenda

- A. Minutes of September 28, 2015

Informational

- A. Activity Report

\*\*\*\*\*

**October 26, 2015**

Consent Agenda

- A. Minutes of October 12, 2015

Public Hearing

- A. LUDO Phase 3, Ordinance No. \_\_\_\_

Informational

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

\*\*\*\*\*

**November 9, 2015**

Consent Agenda

- A. Minutes of October 26, 2015

Ordinances

- A. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_, LUDO Phase e

Department Items

- A. Resolution No. 2015-\_\_\_\_ - Water Fee Schedule Amendment

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Review

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**November 23, 2015**

Council Report

- A. Manager's Contract

Consent Agenda

- A. Minutes of November 9, 2015

Informational

- A. Activity Report

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**December 14, 2015**

Consent Agenda

- A. Minutes of November 23, 2015

Informational

- A. Activity Report

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**December 28, 2015**

Consent Agenda

- A. Minutes of December 14, 2015

Informational

- A. Activity Report

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**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

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**January 25, 2016**

Consent Agenda

- A. Minutes of January 11, 2016

Informational

- A. Activity Report (Municipal Court Quarterly Report)

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**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

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**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

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**March 14, 2016**

Consent Agenda

- A. Minutes of February 22, 2016

Department Items

- A. Visitors Bureau Annual Report

Informational

- A. Activity Report

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**March 28, 2016**

Consent Agenda

- A. Minutes of March 14, 2016

Informational

- A. Activity Report

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**April 11, 2016**

Mayor's Report

- A. Volunteer Recognition Month Proclamation

Consent Agenda

- A. Minutes of March 28, 2016

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Informational

- A. Activity Report (Budget Calendar Reminder)

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**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)

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**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

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**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

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Urban Renewal Agency Board Meeting

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

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**June 27, 2016**

Consent Agenda

- A. Minutes of June 13, 2016

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

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**July 11, 2016**

Consent Agenda

- A. Minutes of June 27, 2016

Informational

- A. Activity Report

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**July 25, 2016**

Consent Agenda

- A. Minutes of July 11, 2016

Informational

- A. Activity Report (Quarterly Reports)

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**August 8, 2016**

Consent Agenda

- A. Minutes of July 25, 2016

Informational

- A. Activity Report

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**August 22, 2016**

Consent Agenda

- A. Minutes of August 8, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

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**September 12, 2016**

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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

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**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

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**October 10, 2016**

Consent Agenda

- A. Minutes of September 26, 2016

Informational

- A. Activity Report

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**October 24, 2016**

Consent Agenda

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

Informational

- A. Activity Report (Quarterly Reports)

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**November 14, 2016**

Consent Agenda

- A. Minutes of October 24, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Review

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**November 28, 2016**

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City Council Reports

- A. City Manager Contract

Consent Agenda

- A. Minutes of November 14, 2016

Informational

- A. Activity Report

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**December 12, 2016**

Mayor Reports

- A. Election Results

Consent Agenda

- A. Minutes of November 28, 2016

Informational

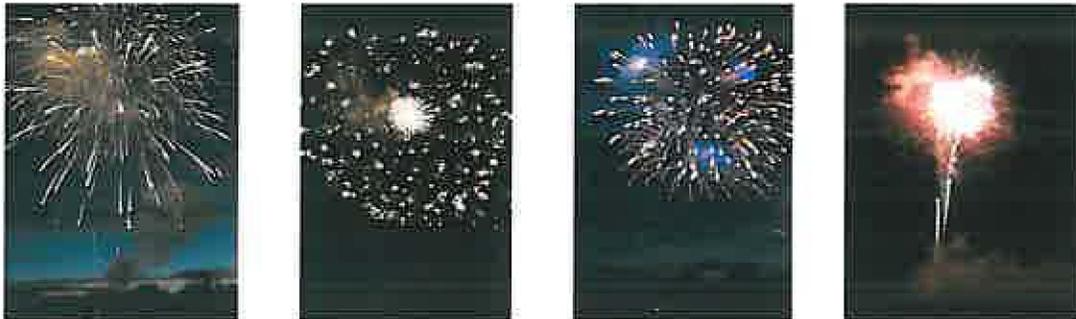
- A. Activity Report

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Good Friday afternoon everyone. Lance has been at the Oregon City/County Managers conference over in Bend since Tuesday, so I'm writing this on his behalf. He said there were around 150 attendees at the conference which will give him the opportunity to hear what other organizations around the state are doing to meet similar challenges we all face. He also mentioned there were a number of City Managers who had recently visited Roseburg and were very complimentary of our community.

On Saturday night, several thousand folks came out to Stewart Park and Fir Grove Park to enjoy the 4<sup>th</sup> of July fireworks. The fireworks are sponsored by many local businesses and private donors through the Roseburg Hometown 4<sup>th</sup> of July Committee. Entertainment started at 6:45 with three local bands playing at the Half Shell, followed by the fireworks show starting just before 10:00. The fireworks show ran about 20 minutes and appeared to be enjoyed by all. Thanks to the Committee for the work during the year to raise funds and organize the show. Also, thanks for the extra work from our Police, Fire, and especially Public Works and Parks for all the work they do to set up, clean up and keep us all safe during the event. The Fire Department was pleased with how safe the citizens and visitors were during the holiday weekend. The Department responded to only one fireworks related incident. Dry lands and extreme heat were factors that the Department prepared for. Prevention staff and online personnel continue to work together to handle fire incidents related to dry conditions in the area.



On Monday, Lance and I met with Monte Mendenhall and Diana Knous from Pacific Power to begin discussions regarding a new electric utility franchise which will need to be in place before the existing franchise expires in April of next year. Monte has been Pacific Power's Community Manager for Douglas and Coos County for years, but due to some reorganization within the company, he will now be serving as Manager for Siskiyou County and Diana will be taking his place for Douglas and Coos County. We've always had a very good working relationship with Monte and we feel confident that will continue with Diana.

The rest of the week was relatively quiet. Each department spent some time with Jasmin Vogel, the political science intern from Oregon State University who attended

our June 22<sup>nd</sup> Council meeting. I described my responsibilities as City Recorder and talked a lot about my relationship with Council. Koree explained our business registration and records management program to her. Lance took her on tour of downtown and spent time reviewing policy verses operational issues. He talked to her primarily about Council "governing" and staff implementing, and conveyed the importance of local control for rural communities. He also explained how city services differ from county and state services and how much more "direct" our services are for individual citizens. During her time with the Finance Department, she toured the IT department and got a brief explanation of the services that department provides; observed traffic court operations and met the judge and then was introduced to the world of public budgeting, financial reporting, debt management, payroll and all other functions of the Finance Department. While spending time with Community Development, she attended a pre-application meeting for the proposed UCAN building out by Costco, joined in on the site plan review for the DHS expansion at the old hospital site and helped post some abatement notices. The Fire Department administrative staff took the opportunity to give Jasmin a tour of the Public Safety Center, explain Fire Department operations, and introduce her to staff within the department. In Public Works, Jasmin toured some recent parks projects, the water treatment plant, and the City shops facility. She also sat through a Public Works staff meeting and spent some time learning about the various types of customer service Public Works provides. John spent his time with Jasmin walking through the Human Resources, benefits and risk management processes for the City. And last, but not least, Jasmin took a four-hour ride along with one of our Police Officers. I appreciate everyone taking the time to give Jasmin a glance at some of the things it takes to keep a city running.

On the project front, the Highway 138 water project is wrapping up and the contractor basically has a punch list of items to complete. And as we mentioned before, there was no onsite work this week on the Washington/Oak project in preparation for Graffiti week, but work will resume on Monday, July 13th. The contractor has been in the processing of preparing "mock ups" for approval of the colors and textures that they plan to use as part of the decorative intersections.

On Thursday, Nikki attended a meeting at ODOT where they transitioned the Highway 138 Corridor Solutions project from the design team to the construction team. They have not received a preliminary schedule from the contractor yet, but expect something later this month. Construction should begin in late July or early August which will create some traffic problems, but in the end, this project, combined with our Washington/Oak project, will bring about huge improvements to the downtown area.

In closing, I'm sure everyone is aware that we'll have more people in town *this* weekend than we have any other time of the year ~ thanks to the grand finale` of Graffiti Week – the Umpqua Flatheads' Graffiti Night Cruise in downtown Roseburg. The cooler weather should make the weekend activities more enjoyable for participants and spectators alike. This event



brings in a great deal of business to our local motels and restaurants so thanks to everyone in the community who works so hard to put the program together. Thanks also to our Public Works folks who do extra work to prepare for and help clean up after the event and to our Police Department for the extra officers they put on the street to make the event safer for all those who attend.



Have a great weekend ~ we'll see you Monday evening.

Friday July 17, 2015

Good Friday afternoon everyone. It appears after a brief reprieve, the hot weather is returning with a vengeance this weekend. I know our maintenance staff has enjoyed temperatures back down in the 60s when the sun comes up and topping out only in the 80s. This is one of the most difficult times of the year to be working outside in the afternoons. I truly appreciate the hard work that our folks do throughout the community!

Work was back in full swing this week on the downtown project. Underground work continues in the intersections and sidewalk removal and replacement is taking place on Oak Avenue. We are sending out weekly updates on the upcoming work schedule to an ever growing e-mail list. Underground boring is in process on Main Street this week in preparation for the installation of additional antique style street lighting. We have received very positive comments regarding the contractors so far and they are moving forward pretty efficiently. We will talk with a number of business owners on Main and Jackson early next week to evaluate different options for street closure and traffic flow during the intersection construction phase that will be coming up soon.

Work will begin on the removal and replacement of the multi-use path in Charles Gardner Park in the next few weeks. That project, immediately south of Albertson's and adjacent to Newton Creek, will involve the removal of a number of small trees which are causing damage to the existing trail as well as a few larger trees which are old and unsafe for pedestrians. The asphalt will be totally removed and replaced with a ten foot wide asphalt pathway. It is amazing how much use this section of the path system gets from employees and residents



who live in the area. There are two adjacent undeveloped properties on the south side of the project that are for sale. A sale pending sign has been up for a while so we are hoping that a development may be forthcoming. A contractor will also be doing bank stabilization work on the South Umpqua River bank between Deer Creek and Gaddis Park. This work is near the stabilization project that was completed last year. It is likely that we will need to do some bank restoration annually to protect this area.

Coastal Farm and Home is moving forward with their development just east of Stephens Street on Garden Valley if you have not been by there lately. They have moved a lot of fill material and are now beginning the underground work. The Rogue Valley Credit Union Building on Stephens Street next to Sonic is also coming along nicely. Community Development is staying pretty busy with a number of residential permits as well as the commercial permits mentioned here. We will put together a "building" update for you in the near future to review current trends in development both residential and commercial.

Human Resources has been busy over the last couple weeks recruiting for a part-time position in the Fire Department office as well as for the part-time compliance position. Interviews were conducted this week for both positions and I believe they have found good candidates for both. We plan to have folks in place around the first part of August. Both of

these positions will allow us to be much more efficient and expand our service to the community. As you are aware, we have been hoping to add back the compliance position for over two years and now have the budget authority to put the program back in place. As part of the service enhancements in the Community Development Department, we are also moving Chris Morgan back to full-time so we will have desk coverage from 8:00-5:00 daily for the first time in a couple of years. Human Resources and Fire Department personnel will be involved in a mediation session next Friday in an effort to resolve a few remaining issues related to our Fire collective bargaining process. That contract expired June 30<sup>th</sup> and we hope to resolve this now in a timely manner so we can move forward with a new agreement. We always hope to resolve issues short of engaging a third party, but it is sometimes a necessary step in the collective bargaining process.

We are in the process of rolling out a part of our new communications strategy that includes a third party cloud based software called Granicus. By the end of the month we should have access to a new tool on the web called SpeakUp Roseburg. It will allow us to provide for surveys, chats, and exchanges of opinions and ideas with the community. Our first two topics will be to engage folks in a conversation about voluntary water conservation and a survey of the types of compliance issues that the community thinks are most important from the list of items that are included in the municipal code. We will be starting this soon and gauging the time investment and outcomes we get as we broach new topics for discussion. We will also be rolling out a Facebook page and twitter account over the summer. According to our attorney, Council will need to adopt a social media policy prior to implementing those two communication tools.



The Economic Development Commission met this week and awarded funding through our Tourism Grant program to two groups to advertise events in the community. The Commission reviews grant applications about every six months to enhance tourism in the community. Lew Marks, Chair of the EDC and I will be attending the "Partnership" Board meeting next week. The Board will be electing new officers and receiving an update regarding a number of special projects. We will meet later this month to do some strategic planning to outline our strategies and priorities for the next couple of years. I also anticipate bringing back information to Council in the near future relating to business retention and expansion opportunities in regards to a local company. I will meet with their principles next week and hope to provide you with an update in executive session soon.

As you may be aware, the County Commissioners adopted two marijuana related ordinances at their meeting on Wednesday. The first ordinance will prohibit the sale of recreational marijuana by medical marijuana dispensaries in all rural areas within the County. That ordinance will essentially not have any impact because there are no licensed dispensaries in the County. The second ordinance will allow County voters to decide if the sale of marijuana for *both* medical and recreational purposes should be prohibited in all unincorporated parts of

the County. That matter will go before the voters at the November 2016 General Election. At your next meeting, Staff will discuss the recent legislation upon which the County's actions were based and explain the options that legislation gives the City with regard to regulating recreational marijuana.

Lastly, we have our 2015 Wings & Wheels event at the Roseburg Regional Airport tomorrow, July 18<sup>th</sup>, from 9:00 a.m. to 5:00 p.m. Airport Manager Pat has been working hard to make this year's event successful and fun for all ages. There is ramp space for up to 50 aircraft with a 1937 Eastern Airlines DC-3 taking center stage. It's believed to be the oldest flying DC-3 in existence and perhaps the oldest flying passenger plane overall. Other featured aircraft includes a 1934 Stinson flying in from the Oregon Aviation Historical Society and several firefighting and air ambulance aircraft. Plus, over 100 classic cars and hot rods are signed up to compete for trophies, along with displays of police and emergency vehicles. There are several food vendors and raffle prizes available while enjoying this free event.

Have a great weekend everyone. Stay cool.

**WINGS & WHEELS**  
**2015**  
July 18, 9am - 5pm

ROSEBURG REGIONAL AIRPORT  
10000 N. WASHINGTON ST.  
ROSEBURG, OREGON 97132  
(503) 325-2222

**FEATURED AIRCRAFT**  
Eastern Airlines DC-3 #N18121  
Highest flight time DC-3 still in service  
Manufactured in 1937

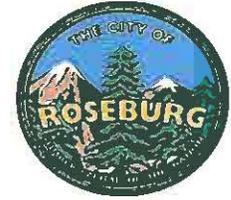
**FREE ADMISSION**  
Airplanes & Classic Cars

Model Airplane Demos  
Fun for the whole family

Model Aircraft Demos  
Food & Drink  
Games, Raffles  
Fire and Police Displays  
Face Painting

Bi-Plane Races  
Canned food donation  
for UCAN welcome

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY




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## MUNICIPAL COURT QUARTERLY REPORT

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Meeting Date: July 27, 2015  
 Department: Municipal Court  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

Agenda Section: Department Reports  
 Staff Contact: Judge Kenneth Madison  
 Contact Telephone Number: 492-6710

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### ISSUE STATEMENT AND SUMMARY

In accordance with the terms of Judge Madison's contract with the City, a report on the court's case volume and program revenues is to be presented to Council on a quarterly basis by Judge Madison.

### BACKGROUND

#### A. Council Action History.

On July 23, 2012, the Council approved an amendment to the Judge's contract to include the presentation of a quarterly financial report to Council. This report is the latest of the quarterly reports to have been provided in fulfillment of the contract amendment and covers the quarter ending June 30, 2015.

#### B. Financial and/or Resource Considerations.

	1ST	2ND	3RD	4TH	YTD	YTD
<u>COURT CASE TOTALS</u>	<u>QTR</u>	<u>QTR</u>	<u>QTR</u>	<u>QTR</u>	<u>TOTAL</u>	<u>PRIOR</u>
						<u>YEAR</u>
CRIMES	318	249	257	246	1,070	1,059
TRAFFIC CRIMES	71	66	75	48	260	343
TRAFFIC VIOLATIONS	628	562	1,003	836	3,029	2,703
NON-TRAFFIC VIOLATIONS	183	147	145	148	623	467
<b>TOTAL</b>	<b>1,200</b>	<b>1,024</b>	<b>1,480</b>	<b>1,278</b>	<b>4,982</b>	<b>4,572</b>

After four quarters the 2014-15 fiscal year has elapsed and total cases were up 9% from the prior year. By category, crimes, traffic violations, and non-traffic violations, increased by 1%, 12.1% and 33.4% respectfully while traffic crimes decreased by 24.2%.

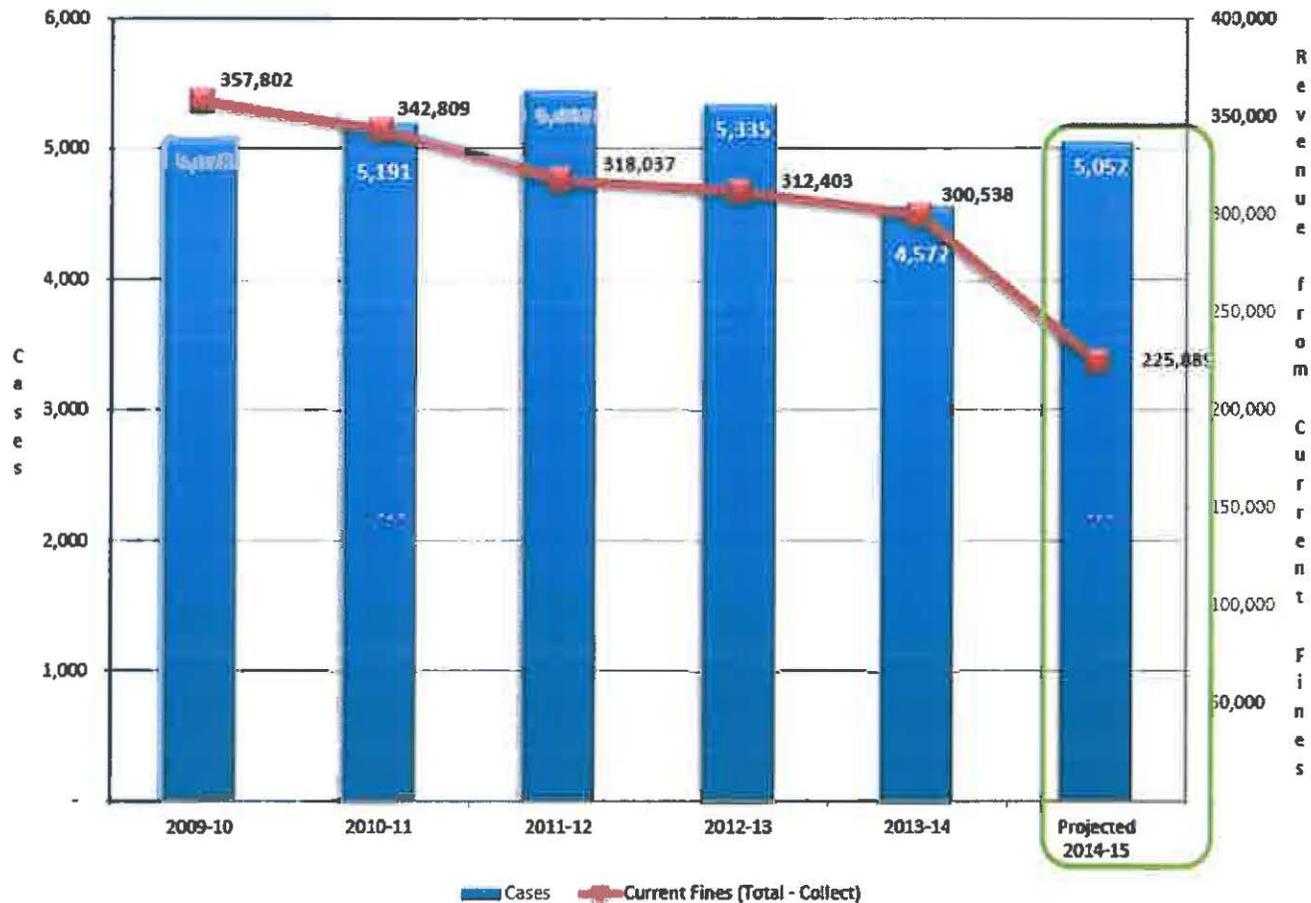
	BUDGET	1ST	2ND	3RD	4TH	YTD	PRIOR
<u>COURT REVENUES</u>	<u>2014-15</u>	<u>QTR</u>	<u>QTR</u>	<u>QTR</u>	<u>QTR</u>	<u>TOTAL</u>	<u>YTD</u>
		<u>2015</u>	<u>2015</u>	<u>2015</u>	<u>2015</u>		<u>TOTAL</u>
FINES	\$ 481,700	\$ 99,542	\$ 88,413	\$ 124,928	\$ 116,392	\$ 429,275	\$ 458,345
COURT COSTS	25,000	3,718	2,932	6,845	6,703	20,198	24,978
CRT APPT ATTORNEY	4,000	702	1,079	1,455	1,984	5,220	4,181
<b>TOTAL</b>	<b>\$ 510,700</b>	<b>\$ 103,962</b>	<b>\$ 92,424</b>	<b>\$ 133,228</b>	<b>\$ 125,079</b>	<b>\$ 454,693</b>	<b>\$ 487,504</b>

After the fourth quarter of the 2014-15 fiscal year, total court revenues were down 6.7% from the prior year. Fines and collections revenue decreased by 6.3%, and court costs revenues decreased 19.1%. Revenues for court appointed attorney increased by 24.9%.

On a budgetary basis, revenues are 89% of budget after four quarters of the fiscal year.

Actual year-end current fine revenues, which include collections revenues, exceeded initial projections that were recently reported to the City Council by \$57,094; the resulting impact on revenue trends are illustrated by the following graphs that compare the initial projections with the final year-end un-audited figures.

**City of Roseburg - Current Fine Revenues vs Cases History**



### City of Roseburg - Current Fine Revenues vs Cases History



**C. Timing Issues.**

Quarterly reports are due to the City Manager on or before the last day of the month following the end of each calendar quarter. The report is to be received by Council by the following meeting.

**COUNCIL OPTIONS**

No Action is requested

**STAFF RECOMMENDATION**

n/a

**SUGGESTED MOTION**

n/a

**ATTACHMENTS**

n/a