

ROSEBURG CITY COUNCIL AGENDA – SEPTEMBER 12, 2016
City Council Chambers, City Hall,
900 S. E. Douglas Avenue, Roseburg, OR 97470



7:00 p.m. - Regular Meeting

1. **Call to Order – Mayor Larry Rich**
2. **Pledge of Allegiance**
3. **Roll Call**
Alison Eggers Ken Fazio Victoria Hawks Steve Kaser
Lew Marks John McDonald Tom Ryan Andrea Zielinski
4. **Mayor Report**
A. Budget Committee Appointment – Elias Minaise
5. **Commission Reports/Council Ward Reports**
6. **Audience Participation – See Information on the Reverse**
7. **Consent Agenda**
A. Minutes of August 22, 2016 Regular Meeting
B. OLCC Change of Ownership – Southgate Market
C. ODOT Intergovernmental Agreement – Signal Maintenance
D. Parking Meter Removal – 600 Block of SE Stephens
8. **Public Hearing**
A. Annexation, Zone Change, Subdivision, Variance and Withdrawal of Tabor Property From Fire District No. 2, Ordinance No. 3475
B. Proposed Sale – Willis House Property
9. **Ordinances**
A. Ordinance No. 3476 - Ting, Inc. Telecommunications Franchise
10. **Resolutions**
A. Resolution No. 2016-18 - Reappropriation of Funds for Parks Reorganization
11. **Department Items**
A. Fairmount Storm Drain Project Change Order
B. Parks & Street Division - Chipper Truck Purchase
C. Downtown Roseburg Association Annual Report
12. **Items From Mayor, Council or City Manager**
13. **Informational**
A. Activity Report
14. **Executive Session ORS 192.660(2)**
15. **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.

*CJC
9/12/16*

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



BUDGET COMMITTEE APPOINTMENT

Meeting Date: September 12, 2016
Department: Administration
www.cityofroseburg.org

Agenda Section: Mayor Reports
Staff Contact: Debi Davidson
Contact Telephone Number: 492-6866

ISSUE STATEMENT AND SUMMARY

There is one vacancy to fill on the Budget Committee.

BACKGROUND

A. Council Action History. On February 22, 2016, the City Council accepted Elias Minaise's resignation from the Budget Committee due to his relocation outside of the City limits.

B. Analysis.

Staff has advertised the availability of this position since February; however, no applications have been received. Mr. Minaise recently contacted Staff and indicated he has moved back into the City limits and would like to be considered for re-appointment to the Budget Committee. Mr. Minaise meets the sole qualification that the position be filled by a resident of the City.

The Municipal Code requires that any individual who wishes to serve on a City Commission/Committee shall complete an application as provided by the City Manager's Office. The City Manager is then to submit all applications to the Mayor and Commission/Committee Chair, with a copy to City Council. After a review of all applications, the Chair shall recommend to the Mayor persons to fill any vacancies on the Commission/Committee. If the Mayor agrees with the recommendation, the Mayor shall appoint the recommended person(s) subject to confirmation by the Council. If the Mayor disagrees with the recommendation, the Mayor shall present both the Mayor's recommendation and that of the Chair to Council for a deciding vote.

C. Financial and/or Resource Considerations. n/a

D. Timing Issues. The Budget Committee will likely not meet again until 2017, so timing is not of the essence for this appointment.

RECOMMENDATION: Pursuant to the Municipal Code, Staff has not made any recommendations in regard to appointment as that responsibility lies with the Committee Chair and the Mayor.

ATTACHMENTS: Application

8. Please give a brief description of your involvement in community groups and activities.

I have served as a committee member on both the Downtown Roseburg Association (2012) and the City Budget Committee (2015). I have involved myself and my company in multiple community projects including volunteer work for the Stewart Park Bike Path project providing way-finding signs and assisting volunteer installation crews.

9. Please list community topics of particular concern to you that relate to this appointment.

General awareness of land use ordinances and public involvement in the development of these ordinances seem to be lacking. I have noticed a lack of willingness in our community by the general population to leverage the municipal resources available to them.

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

I have always expressed an interest in offering my time and resources, when possible, to serving our community. The Planning Commission deals with many topics of which I am knowledgeable, and seems to offer a good opportunity for me to utilize my experience and skills in a manner that is beneficial to my community while continuing to learn and increase my understanding.

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

Return completed application to the City Manager's Office, 900 SE Douglas, Roseburg, OR 97470.

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

Information on this form is public information.

Thank you for your expression of interest in serving the community.

Elias Minaise
Signature of Applicant

8/26/2016
Date

E-Mail Address:

██████████e@g██████████



**MINUTES OF THE REGULAR MEETING
OF THE ROSEBURG CITY COUNCIL
August 22, 2016**

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on Monday, August 22, 2016, in the City Hall Council Chambers, 900 SE Douglas, Roseburg, Oregon. Councilor Kaser led the Pledge of Allegiance.

ROLL CALL

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

Absent: Councilors Andrea Zielinski and Alison Eggers.

Others present: City Manager Lance Colley, City Attorney Bruce Coalwell, Finance Director Ron Harker, Fire Chief Gregg Timm, Public Works Director Nikki Messenger, Police Chief Jim Burge, Human Resources Director John VanWinkle, Engineering Intern Nichol Moore, Management Technician Debi Davidson and Troy Brynelson of The News Review

MAYOR REPORTS

Rich proclaimed September as "Attendance Awareness Month." Several members of the Roseburg School District Staff introduced themselves. Administrative Coordinator Kris Kelso expressed appreciation for the proclamation and hopes to create public awareness regarding school attendance issues.

Pattie LaFreniere of the Boys and Girls Club of the Umpqua Valley presented artwork created by Club participants in appreciation of the Police Department's "teaching moments" at the Club.

Rich announced that the Roseburg Morning Rotary Club will present a check to the City for the Spray ground Park on Wednesday, August 24th at 12:30 p.m. in the Fir Grove Section of Stewart Park.

COMMISSION/COUNCIL WARD REPORTS

Hawks reported the Historic Resources Review Commission toured the Floed Lane House.

Ryan reported the Public Works Commission addressed a number of issues that are included in the Council's meeting agenda.

Marks spoke about the Rotary Exchange program which hosted visitors from New York. The visitors appreciated Oregon wines, Crater Lake and Wildlife Safari, but were unaware of the UCC shooting and cited similar shootings in New York that Oregonians had not heard of.

Kaser moved to accept Matthew Powell's resignation from the Planning Commission, with regrets. Kaser noted that Powell enjoyed serving and appreciated staff assistance. McDonald served on the Commission with Powell and appreciated his input. Motion was seconded by Ryan and carried unanimously.

CONSENT AGENDA

McDonald moved to approve the following Consent Agenda item:

- A. Minutes of August 8, 2016 regular meeting.

Motion was seconded by Fazio and carried unanimously.

CASCADE COURT STORM SEWER SEPARATION CONSTRUCTION BID AWARD

Messenger reported on failing storm drainage pipe in the Cascade Court cul-de-sac. A portion of the funding for this project will come from RUSA with the balance budgeted in the Storm Drainage Fund. Kaser questioned RUSA's interpretation regarding private versus public sewer lines. Messenger explained that the pipe had been in ground since the sewer system was owned by the City. Maps turned over to RUSA showed these to be private lines. RUSA requires every house to have a separate connection to the main line. This new construction will have a separate lateral for each property which will then be considered a public line by RUSA. Kaser hoped to have future discussion on encouraging RUSA to change their opinion on private versus public lines. Ryan moved to award the Cascade Court Storm Separation Project to the lowest responsive bidder, Cradar Enterprises, Inc. for \$236,500. Motion was seconded by Marks and carried unanimously.

CASCADE COURT STORM SEPARATION – INTERGOVERNMENTAL AGREEMENT WITH ROSEBURG URBAN SANITARY AUTHORITY

Ryan moved to authorize the City Manager to negotiate and execute an intergovernmental agreement with RUSA for the Cascade Court Storm Separation Project. Motion was seconded by Marks and carried unanimously.

HARVARD STORM REHABILITATION PROJECT BID AWARD

Messenger reported that sink holes developed on Harvard Avenue requiring emergency replacement as storm drainage pipe was collapsing. More pipe replacement work needs to be done. Staff determined it would be more cost effective to rehabilitate a portion of the pipe with cured in place pipe. An advantage with that option is that it will not disturb sewer and waterlines in the same vicinity and has a shorter construction time. Ryan moved to award the West Harvard Storm Rehabilitation Project to the lowest responsive bidder, Finaliner, for \$347,229. Motion was seconded by Fazio and carried unanimously.

HARVARD STORM LINE REPLACEMENT PROJECT BID AWARD

Messenger reported Staff is pursuing FHWA emergency funding to help finance the replacement repair on Harvard, but repairs need to proceed prior to any award before winter weather sets in. The low bidder did not meet ODOT prequalification requirements and was thus considered nonresponsive. Staff will work them to help meet requirements to become eligible to bid on public projects. Ryan moved to award the West Harvard Storm Replacement Project to the lowest responsive bidder, Cradar Enterprises, Inc. for \$90,844. Motion was seconded by Fazio and carried unanimously.

PARKS DIVISION STAFFING REQUEST

Colley reminded Council of staffing reductions that were made years ago due to the recession and the 30% contingency requirement. One lost position was the horticulturist. He believed it was a high priority to reinstate that position. Since the 2016-17 budget approval, a

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Parks employee retired and another may do so in the near future. This caused Staff to evaluate restructuring the Parks Division to better meet Park needs. Harker updated the financial forecast which indicates restructuring with reinstatement of the Horticulturist is sustainable. Messenger provided a history on the staffing changes in the Parks Division and the need to reinstate the Horticulturist which works on beautification projects and coordinates volunteers. Since losing that position, the City has rebuilt two parks, added Micelli Park and traffic islands, added wetland mitigation areas, received complaints about Laurelwood Park, etc. Current staffing is not able to keep up with the growing demands of the park system.

Fazio moved to authorize the City Manager to add a horticulturist position to the Parks Maintenance Division and bring the appropriate budget amendment back to Council for adoption. Motion was seconded by Hawks. Considerable discussion ensued on the need for the position, the financial forecast and sustainability and the option of privatizing some maintenance. McDonald suggested tabling the matter pending receipt of additional information. Messenger stressed the need for the horticulturist to assist with turf maintenance, landscaped areas, greenhouse maintenance and volunteer coordination. The parks are maintained seven days a week with and seasonal employees overlapping on the weekends. Wetland mitigation areas and detention facilities in subdivisions need constant maintenance to thrive as intended. With the reduced Staffing all that work is being juggled.

Debate ensued on whether the position was necessary or whether to table a decision. Marks requested a workshop on how "recession proof" property taxes are. Colley agree to do that the next time the financial forecast is updated. Motion was then voted on and carried with McDonald voting nay. McDonald stated he would follow up with Colley as to any specific questions he has about Park Staffing.

ITEMS FROM MAYOR, COUNCILORS OR CITY MANAGER

McDonald reported that Casa de Belen will have mentor training on Wednesday and encouraged others to participate. As a mentor he hopes to bring some of the residents to a Council meeting.

Kaser reported Colley won the "bronze" medal in his age group in the Umpqua River Run. Had Kaser and Ryan participated, they could have won medals for their age group as no one else was in that category.

Kaser expressed concerns about the shopping cart ordinance and strongly encouraged that policies be written regarding what is to be done with personal belongings that may be contained in a stolen cart. Coley indicated that the Police Department has a written policy on handling items of value and will work with the grocery stores.

Meeting adjourned at 8:06 p.m.



Debi Davidson
Management Technician

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9/16/14

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



OLCC APPLICATION-CHANGE OF OWNERSHIP SOUTHGATE MARKET & DELI

Meeting Date: September 12, 2016
Department: City Recorder
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Sheila Cox
Contact Telephone Number: 492-6866

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. Changes to existing licenses must be processed in the same manner.

BACKGROUND

OLCC has received a change of ownership application for Southgate Market & Deli located at 1967 SE Stephens. This is an "Off-Premises" sales license application submitted by Alexandria and Eleazar Aragonéz.

- A. **Council Action History.** Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.
- B. **Analysis.** The Police Department conducted a background investigation on the applicant and found no reason to deny the application.
- C. **Financial and/or Resource Considerations.** The applicant has 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 APPROVAL OF THE OLCC CHANGE OF OWNERSHIP APPLICATION FOR SOUTHGATE MARKET & DELI LOCATED AT 1967 SE STEPHENS STREET."

c: Applicant
OLCC

C/C
a/6/16

**ROSEBURG CITY COUNCIL
AGENDA ITEM SUMMARY**



Intergovernmental Agreement with ODOT – Traffic Signal Maintenance

Meeting Date: September 12, 2016
Department: Public Works
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

The City currently contracts with the Oregon Department of Transportation (ODOT) to maintain City owned traffic signals through an Intergovernmental Agreement (IGA). Due to recent and upcoming changes, staff and ODOT desire to enter into a new IGA prior to the expiration of the existing agreement in 2017. The issue for Council is whether to authorize the City Manager to enter into a new agreement.

BACKGROUND

A. Council Action History. On May 23, 2005, Council approved an IGA with ODOT for traffic signal maintenance.

B. Analysis. The City has been contracting with ODOT to perform signal maintenance since 2005. Prior to contracting with ODOT, the City would go through a selection process for a local electrician to perform signal maintenance. The local electricians were not really equipped to keep up with technology changes and did not stock the equipment needed for the traffic signals.

Under the terms of the existing and proposed agreement, the City pays energy costs and maintenance of all City owned signals and the energy costs only for the signals that ODOT owns. The current agreement expires in December 2017. Each time a signal is added or deleted, an amendment to the agreement is processed. The Highway 138E Corridor Solutions Project will eliminate one signal on Washington Avenue by combining the intersections of Pine and Stephens at this location. In lieu of processing another amendment, staff is recommending executing a new IGA to replace the one set to expire in 2017. The term of the new agreement would be ten years.

C. Financial and/or Resource Considerations. The current agreement allows for maintenance costs up to \$2,000 per year for each signal. The new agreement proposes raising this amount to \$3,000 per year. The agreement also includes a maximum energy cost of \$2,000 per signal annually. The City pays the power costs directly, so the power cost is not an actual part of this contract. ODOT staff has indicated that it still needs to be part of the agreement to meet their requirements.

The following outline actual costs for signal maintenance and power over the past two fiscal years:

	Maintenance (ODOT)	Power (PP&L)	Total
FY 14-15	\$13,314.31	\$36,262.46	\$49,576.77
FY 15-16	\$15,796.10	\$35,687.94	\$51,484.04

The agreement identifies the maximum cost for power and maintenance at \$1,910,000 for the ten year time period. As demonstrated by the previous two years spending, actual costs are expected to be much lower.

D. Timing Issues. The intent is to have the new agreement signed and in effect by the end of calendar year 2016. The new agreement would be valid for ten years.

COUNCIL OPTIONS

Council has the following options:

1. Authorize the City Manager to negotiate and execute an IGA with ODOT for Traffic Signal Maintenance; or
2. Request additional information; or
3. Not authorize entering into a new IGA at this time.

STAFF RECOMMENDATION

The Public Works Commission will discuss this item at their September 8th meeting. Staff will report their recommendation at the Council meeting. Staff recommends negotiating and executing a new IGA with ODOT for Traffic Signal Maintenance.

SUGGESTED MOTION

I move to authorize the City Manager to negotiate and execute a new IGA with ODOT for Traffic Signal Maintenance.

ATTACHMENTS

Exhibit "A" from draft IGA

EXHIBIT A

The traffic signals and flashing beacons listed in the table below are both part of the city street system under the jurisdiction and control of the Agency, and under the jurisdiction of Agency, but serve both Agency and State systems. **State shall perform maintenance and timing on all Signals and Signal Illumination at the intersections listed below.**

UNIT 1

Agency-owned Traffic Signals and Signal Illumination

LOCATION	TSSU CODE #	MAINTENANCE COSTS	POWER COSTS
1. Harvard Avenue @ Umpqua	06028	Agency – 100%	Agency – 100%
2. Harvard Avenue @ Stewart Parkway	06006	Agency – 100%	Agency – 100%
3. Harvard Avenue @ Stewart Park Drive	06007	Agency – 100%	Agency – 100%
4. Harvard Avenue @ Mark's Shopping Center	06008	Agency – 100%	Agency – 100%
5. Harvard Avenue @ Keady Court	06009	Agency – 100%	Agency – 100%
6. Garden Valley @ BLM Entrance	06046	Agency – 100%	Agency – 100%
7. Garden Valley @ Goetz/Fred Meyer Entrance	06047	Agency – 100%	Agency – 100%
8. Garden Valley @ Stewart Parkway	06048	Agency – 100%	Agency – 100%
9. Garden Valley @ Kline Street	06052	Agency – 100%	Agency – 100%
10. Garden Valley @ Cedar/Airport Road	06051	Agency – 100%	Agency – 100%
11. Garden Valley @ Walnut Street	06050	Agency – 100%	Agency – 100%
12. Garden Valley @ Estelle (VA Entrance)	06043	Agency – 100%	Agency – 100%
13. Garden Valley @ Troost	06049	Agency – 100%	Agency – 100%
14. Stewart Parkway @ Harvey Avenue	06053	Agency – 100%	Agency – 100%

Agency/State
 Agreement No. 31288

15. Stewart Parkway @ Airport Road	06021	Agency – 100%	Agency – 100%
16. Stewart Parkway @ Renann	06054	Agency – 100%	Agency – 100%
17. Stewart Parkway @ Aviation/Mulholland	06055	Agency – 100%	Agency – 100%
18. Stewart Parkway @ Edenbower	06056	Agency – 100%	Agency – 100%
19. Stewart Parkway @ Wal-Mart	06057	Agency – 100%	Agency – 100%
20. Stewart Parkway @ Mercy Drive/Big 5	06058	Agency – 100%	Agency – 100%
21. Stephens @ Newton Creek	06022	Agency – 100%	Agency – 100%
22. Stephens @ Edenbower	06060	Agency – 100%	Agency – 100%
23. Stephens @ Stewart Pkwy/Alameda	06020	Agency – 100%	Agency – 100%
24. Stephens @ Garden Valley	06019	Agency – 100%	Agency – 100%
25. Stephens @ Kaiser Aetna/Sonic	06018	Agency – 100%	Agency – 100%
26. Stephens @ Lane	06001	Agency – 100%	Agency – 100%
27. Stephens @ Cass	06002	Agency – 100%	Agency – 100%
28. Stephens @ Kenneth Ford Drive	06080	Agency – 100%	Agency – 100%
29. Stephens @ Chestnut Street	06081	Agency – 100%	Agency – 100%
30. Pine @ Lane	06013	Agency – 100%	Agency – 100%
31. Edenbower @ Aviation	06077	Agency – 100%	Agency – 100%

Agency/State
 Agreement No. 31288

Agency-owned Flashing Beacons

LOCATION	MAINTENANCE COSTS	POWER COSTS
1. Stephens @ Burke	Agency – 100%	Agency – 100%
2. Stephens @ Cow Creek Indian Administrative Office Entrance (RRFB)	Agency – 100%	Agency – 100%

The traffic signals listed in the table below are part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission, and under the jurisdiction of State, but serve both Agency and State systems. **State shall perform Maintenance and timing on all Signals and Signal Illumination at the intersections listed below.**

UNIT 2

State-owned Traffic Signals and Signal Illumination

LOCATION	TSSU CODE #	MAINTENANCE COSTS	POWER COSTS
1. OR 138E - Pine @ Oak	06012	State – 100%	Agency – 100%
2. OR 138E - Stephens @ Oak	06003	State – 100%	Agency – 100%
3. OR 138E - Stephens/Pine @ Washington	06011	State – 100%	Agency – 100%
4. OR 138E - Stephens @ Douglas	06005	State – 100%	Agency – 100%
5. I-5 Exit 124 Southbound Ramp @ Bellows @ Harvard	06026	State – 100%	Agency – 100%
6. I-5 Exit 124 Northbound Ramp /RHS@ Harvard	06027	State – 100%	Agency – 100%
7. OR 138E - Harvard @ Madrone	06025	State – 100%	Agency – 100%
8. OR 138E - Diamond Lake @ Winchester/Jackson	06016	State – 100%	Agency – 100%
9. OR 138E - Diamond Lake @ Rifle Range Road	06079	State – 100%	Agency – 100%
10. OR 138E - Stephens @ Diamond Lake	06017	State – 100%	Agency – 100%

Agency/State
Agreement No. 31288

11.I-5 Exit 125 Southbound Ramp @ Garden Valley	06045	State – 100%	Agency – 100%
12.I-5 Exit 125 Northbound Ramp @ Garden Valley	06044	State – 100%	Agency – 100%
13.I-5 Exit 127 Southbound Ramp @ Edenbower	08078	State – 100%	Agency – 100%

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9/17/16

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

Removal of Parking Meters at 600 Block of SE Stephens

Meeting Date: September 12, 2016
Department: Community Development
www.cityofroseburg.org

Agenda Section: Consent Agenda
Staff Contact: Brian Davis
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

A recent accident involving the parking meters on SE Stephens and the lack of parking activity on that block has prompted a proposed change to the current parking regulations. The issue for Council is whether to authorize the removal of those meters and change to time-limit parking.

BACKGROUND

A. Council Action History:

The Council has, on occasion, authorized the removal of parking meters. Most recently, the Council removed the meters on the 1000 block of Oak and Washington to accommodate the downtown streetscape project.

B. Analysis:

Roseburg Municipal Code (RMC) Section 8.02.030 outlines the City Manager's powers as they relate to traffic control and parking regulations. RMC 8.02.030(F)(4) specifically exempts the establishment of parking meter zones or parking meter rates from the City Manager's authority. As such, removal of these parking meters will require Council action.

C. Financial and/or Resource Considerations:

Attached is a breakdown of block by block meter revenue for the downtown area from December 2015 to March 2016. The area in question, the 600 block of SE Stephens, has the lowest monthly revenue at \$20 per month; by contrast, the west end of Cass Avenue generates \$426 per month.

The loss of potential revenue is negligible. If the Council approves the meter removal, Staff will work with ParkSmart to implement a reasonable time limit for the parking on that block.

D. Timing Issues:

None.

COUNCIL OPTIONS

1. Approve the request to remove the meters on the 600 block of SE Stephens
2. Direct staff to have the meters reinstalled
3. Request additional information.

STAFF RECOMMENDATION

Staff contacted the Downtown Roseburg Association to discuss this request. The DRA supported removing these parking meters. Staff recommends removing the meters.

SUGGESTED MOTION

I move to allow the removal of the parking meters on the 600 block of SE Stephens Street.

ATTACHMENTS

Downtown Parking Meter Revenue December 2015 to March 2016

Street/Block	30-Dec	15-Jan	29-Jan	16-Feb	29-Feb	16-Mar	Totals	Monthly Average
Cass East	53.72	78.18	56.23	57.30	53.65	69.60	368.68	61.45
Cass West	314.87	443.74	383.08	521.07	400.08	493.15	2555.99	426.00
Douglas 1000 (County Building)	169.50	188.08	143.71	174.16	138.60	189.03	1003.08	167.18
Douglas 1100	2.35	8.20	33.55	71.90	46.16	68.10	230.26	38.38
Jackson (City Hall-Library)	303.37	348.70	350.18	422.68	376.33	405.35	2206.61	367.77
Kane and Washington	88.94	107.17	99.73	123.69	86.64	95.66	601.83	100.31
Sheridan, Lane, and Pine	63.99	73.78	44.24	81.54	49.25	69.94	382.74	63.79
South Main, Jackson, and Rose	86.58	110.90	110.03	151.26	135.99	150.62	745.38	124.23
Stephens 600 and Oak	35.93	19.20	18.20	22.05	15.15	10.32	120.85	20.14
Stephens 700 (Beauty College)	150.29	150.99	185.36	217.01	204.38	227.05	1135.08	189.18
Stephens 800	57.32	85.11	63.93	46.71	51.58	51.99	356.64	59.44
	1326.86	1614.05	1488.24	1889.37	1557.81	1830.81	9707.14	1617.86

Total Avg Income By Category and # of Areas

\$300+	396.88	Two Areas
\$150-300	178.18	Two Areas
\$100-150	112.27	Two Areas
\$100-	48.64	Five Areas

Thus, four areas (green and yellow) account for 71% of average income and two areas (green) for 49%

*o/c
9/16/16*



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

Annexation, Zone Change, Subdivision, Variance, and Withdrawal from DC Fire District #2
File Nos. AN-16-2, ZC-16-2, S-16-2, V-16-2

Meeting Date: September 12, 2016
Department: Community Development
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY:

Applicant Jerry Tabor has requested the annexation, zone change, and subdivision of a 5.89-acre parcel at the 1400 block of NW Troost Street (see map below). Concurrent with the application is a Variance to block standards and Withdrawal from Douglas Co. Fire District #2.



BACKGROUND:

A. Council Action History:

None.

B. Analysis:

Along with the annexation and zone change is a proposed 26-lot, single-family subdivision (see map below). The applicant is requesting a variance to the subdivision block standards to allow a loop-style access street closer than allowed by LUDO standards.



The annexation is required to satisfy ORS 222.125 and conform to the Roseburg Annexation Policies in Resolution 2006-04. The zone change, subdivision, and variance requests are required to satisfy criteria in LUDO 5.4.030, 5.5.020, 6.1.050, 6.1.180, Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public

Facilities Policies 2, and 15, the Transportation System Plan, and Statewide Planning Goals 1, 2, 10, 11, 12 & 14. For the Withdrawal from DC Fire District #2, ORS 222.524 requires Council to hold a public hearing regarding the question of withdrawal of each property from the Fire District. In accordance with such statute, a notice of the hearing was published in the News-Review once each week for two successive weeks prior to the hearing and posted in four public places in the City for a like period.

The Findings of Fact and Order document, together with the Ordinance (all attached) provide the analysis and justification for the recommended approval.

The Planning Commission held a public hearing on August 15 and recommended approval of the proposal. Four people spoke out of concern for the potential impact to their nearby properties. The minutes from the meeting the opponents' exhibits are included as attachments.

C. Financial and/or Resource Considerations:

The proposed annexation is under six acres of property adjacent to the city limits on three sides and fronts a collector street. The financial gain is negligible, as is the demand on city resources needed to serve the property.

D. Timing Issues:

None.

COUNCIL OPTIONS

After conducting the public hearing, the Council may:

1. Adopt Planning Commission's Findings of Fact for approval and proceed with first reading of the ordinance
2. Continue the matter for further consideration
3. Remand the matter back to Planning Commission
4. Adopt Findings of Fact denying the proposal

STAFF RECOMMENDATION

Staff recommends adopting the Planning Commission's Findings after holding a public hearing and proceeding with first reading of the ordinance.

SUGGESTED MOTION:

"I MOVE TO ADOPT THE FINDINGS OF FACT APPROVED BY THE PLANNING COMMISSION FOR FILE NOS. AN-16-2, ZC-16-2, S-16-2, and V-16-2."

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

ATTACHMENTS:

Planning Commission Meeting Minutes August 15, 2016
Opponents Exhibits
Planning Commission Findings of Fact and Order
Ordinance

**CITY OF ROSEBURG
PLANNING COMMISSION MEETING MINUTES
August 15, 2016**

CALL TO ORDER: Chair Ron Hughes called the regular meeting of the Roseburg Planning Commission to order at 7:03 p.m. on Monday, August 15, 2016, in the Roseburg City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

ROLL CALL

Present: Chair Ron Hughes, Commissioners Kerry Atherton, Duane Haaland, Dan Onchuck, Patrick Parson, Matthew Powell and Brook Reinhard

Others present: Community Development Director Brian Davis, Associate Planner John Lazur and Staff Assistant Sandy Cook.

APPROVAL OF MINUTES

Atherton moved to approve the June 6, 2016 Minutes as presented. Motion was seconded by Parson and passed unanimously.

AUDIENCE PARTICIPATION – none

PUBLIC HEARING – AN-16-2/ZC-16-2/S-16-2/V-16-2 – 0 NW Troost (O'Brien Subdivision)

Hughes read the hearing procedures and asked for those who wished to have party status. Those within 300 feet of the subject property requesting party status included: Theresa Goddard 1402 NW Cherry Dr.; Mark Dwan of 1070 Greenly; Jim Lockwood, 1362 Cherry Dr.; and, Bob Crawford, 1401 Cherry Dr. In response to declaration of ex-parte contacts or conflicts, Parson stated he works for Douglas County Planning and thereby works with the Douglas County Assessor's office but he did not believe it would impact his ability to make a decision. Onchuck noted he works for a local title company and has had contact with Mr. Tabor, but he did not believe it would impact his ability to make a fair decision.

Hughes then opened the public hearing. Lazur provided the Staff Report noting the proposed subdivision is adjacent to the city limits. The applicant is requesting annexation for development of a 26 lot subdivision with a variance to the subdivision block standards. The proposed annexation includes a request to change the zoning of the annexed property from County Single Family Residential (R1) to Limited Multiple Family Residential (MR14). Required notice was provided with no objections received. Staff has reviewed the request and recommends approval with conditions applied for future site development. The Commission is asked to make a recommendation to the City Council.

Davis advised this is a consolidated application which is precipitated by a request for annexation/zone change which requires a public hearing. It was noted that previous grading and fill work on the property was under Douglas County review as the property is currently located within the County. This proposal will bring the property into the City limits and will therefore fall under City regulations for development standards including storm drain requirements prohibiting drainage onto adjoining properties. The variance request pertains to the proposed road within the subdivision because it does not meet City standards in regards to the distance between the two loop accesses onto Troost St. Emergency services and Public Works have reviewed the proposal and support the

development as presented. In an effort to limit additional direct access onto Troost St., an alley is proposed to the rear of those lots fronting directly on Troost St. The current comprehensive plan designation is medium density so the proposed City zone is multi-family. The Applicant is developing this subdivision with single-family dwellings. It was noted the minimum lot size requirement for multi-family is 10,000 sq. ft and the surrounding neighborhoods are currently developed as single family and are designated with multi-family zoning. Discussion ensued.

Applicant Ben Tatone and Engineer Adam Heberly addressed the Commission and were available to answer questions. Upon questioning, Heberly explained retention and detention as it pertains to storm drainage. He went on to explain that the City has provided an exemption to the requirement to detain the water before entering the storm drainage system. Because this property was previously a field and lower in elevation, the drainage previously flowing towards Cherry Dr. will now be directed to outlet into the South Umpqua River. The applicant has been working with DSL and Army Corp including the submittal of the required 1200C permit. Roof drains will be directed by pipe to the curb line and into the storm drain. The downstream property owners should notice significant improvement of decreased storm water including those on Cherry Dr. This property is not located within the floodplain. Upon questioning, Tatone stated that even those properties with enough square footage to qualify for a multi-family unit will be deed restricted (CCR) for exclusively single family residential development.

Hughes requested testimony from those opposed to the proposal.

Teresa Goddard of 1402 NW Cherry Dr. questioned the proposal for a 20' sanitary sewer easement through property currently owned by Ron Thames who is an employee of RUSA and whether he would receive compensation for said sewer. She expressed concerned about drainage and the fact that Cherry Dr. already has flooding concerns and submitted Opponent's Exhibits #1-8. She was worried about the slope from grading/fill already placed on this property and questioned who would be responsible when there is a problem in the future. She suggested a pressure sewer and Heberly explained that gravity is always the normal process for sanitary for various reasons. In response to concerns about future drainage issues, Davis noted the concerned residents would contact City Staff once the property is annexed into the city limits and compliance could be initiated at that time.

Bob Crawford of 1401 Cherry Dr. suggested that when there is a rainstorm then water on Cherry Dr. can be over 12" deep. Asked to go on record that they cannot handle more water in that area.

Jim Lockwood of 1362 NW Cherry Dr. expressed concern about a natural spring on that property. Upon questioning, Heberly stated that a geotechnical report was prepared and followed for the grading and fill work. Lockwood was concerned about the lack of sufficient compaction. Heberly noted that compaction tests were completed to current standards and ODOT specifications were followed. Lot 4 is lower than the surrounding area and Heberly explained how the drainage can be satisfied during development of that lot.

Mark Dwan of 1070 Greenley suggested the developer show good faith in installing a detention system of some type for the storm water before it enters the river.

Additional discussion occurred regarding the City standards and requirements as well as

the procedure to follow should there be storm drainage concerns from the adjoining properties in the future.

As there was no further testimony, the public hearing was closed.

Upon questioning, Davis explained how a party could dispute the storm drain hydrology by submitting alternative information from a qualified engineer. The Planning Commission will make a recommendation tonight and all parties will be notified of the City Council hearing on September 12th for further testimony and consideration to approve of this request. Hughes advised the parties would have ten days to submit alternative information to City Staff.

Powell was sympathetic to the parties, but has faith in the City's engineering analysis unless some contrary expert opinion was presented. If this drainage system fails, it will be known very quickly. Atherton suggested improvements on Cherry Dr. could alleviate some concerns, but Davis advised the City can only require so much, as it relates to this development with conditions to not impact the adjoining properties.

Parson is satisfied that the proposal seems to meet the variance criteria. The subdivision could drastically change the character to the neighborhood, but the proposed single family dwellings match the surrounding neighborhood. The annexation is a good match. The engineers confirm that drainage into existing neighborhoods is going to be less than historic drainage. He supports this proposal as presented.

Additional discussion included clarification of the substandard block (for the variance), access from the alley, parking on Troost Street and sidewalk requirements.

Reinhard moved to adopt proposed Findings and Order recommending City Council APPROVAL of File No. AN-16-2 together with File Nos. ZC-16-2, S-16-2 and V-16-2. Atherton seconded; motion passed unanimously.

BUSINESS FROM STAFF – The next scheduled meeting is on Labor Day. A previous poll of the Commission determined the September meeting would be scheduled for September 19th.

BUSINESS FROM COMMISSION – none

ADJOURNMENT – The meeting adjourned at 8:35 pm.

SANDY COOK, Staff Assistant



1401
Cherry

Bubble
DRAIN

OPPONENT EXHIBIT 1



North W
NO
DRAINS



South
(NO DIPS)

OPPONENT EXHIBIT 3



OPPONENT EXHIBIT 4

8/15/2016

photo.JPG

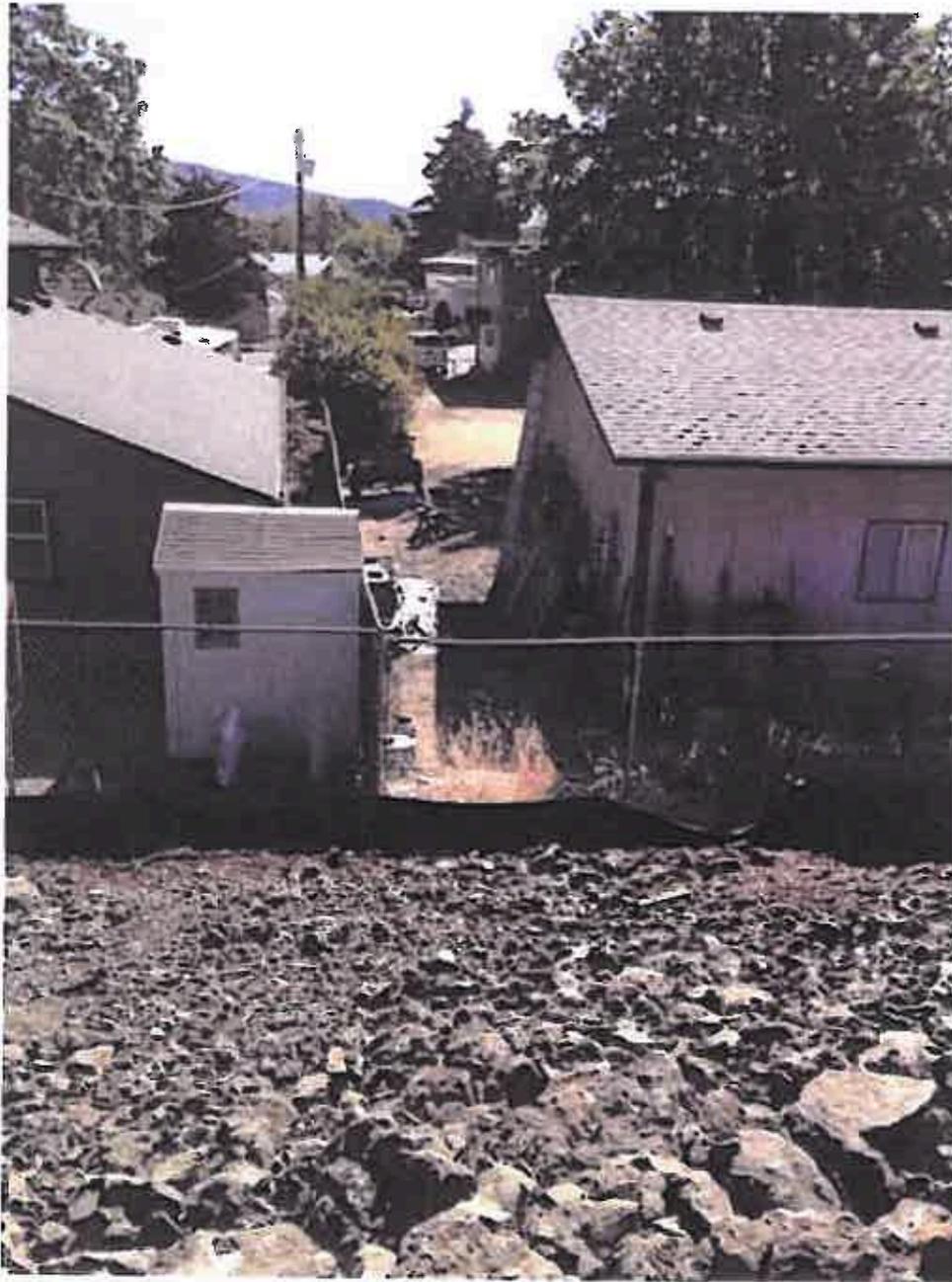




Opponent Exhibit 6



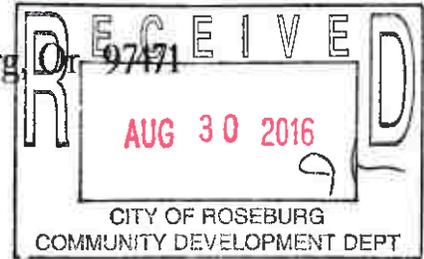
Opponent Exhibit 7



Proposed
SEWER ACCESS
WATER DRAINAGE
JUST FROM SEWER LINE

Opponent Exhibit 8

Re: Brien Heights Subdivision, 0 N.W. Troost St., Roseburg, Or 97471



We are property owners adjoining to the east of Brien Heights Subdivison. We acknowledge that we have no issues with the housing development or the property being annexed into the city.

These are our concerns:

We haved lived at 1362 N.W. Cherry Dr. for 28 years. Our property has had water issues every winter when it rains for 3-4 days straight. This is complicated by a natural spring that flows onto our property every year. The spring is located in the middle most east edge of the proposed subdivision. We are concerned with this water issue.

Due to the large size of rock and lack of compaction, we are concerned that there will be drainage problems. In some places there is up to 10' deep of only rock topped by 2' of dirt.

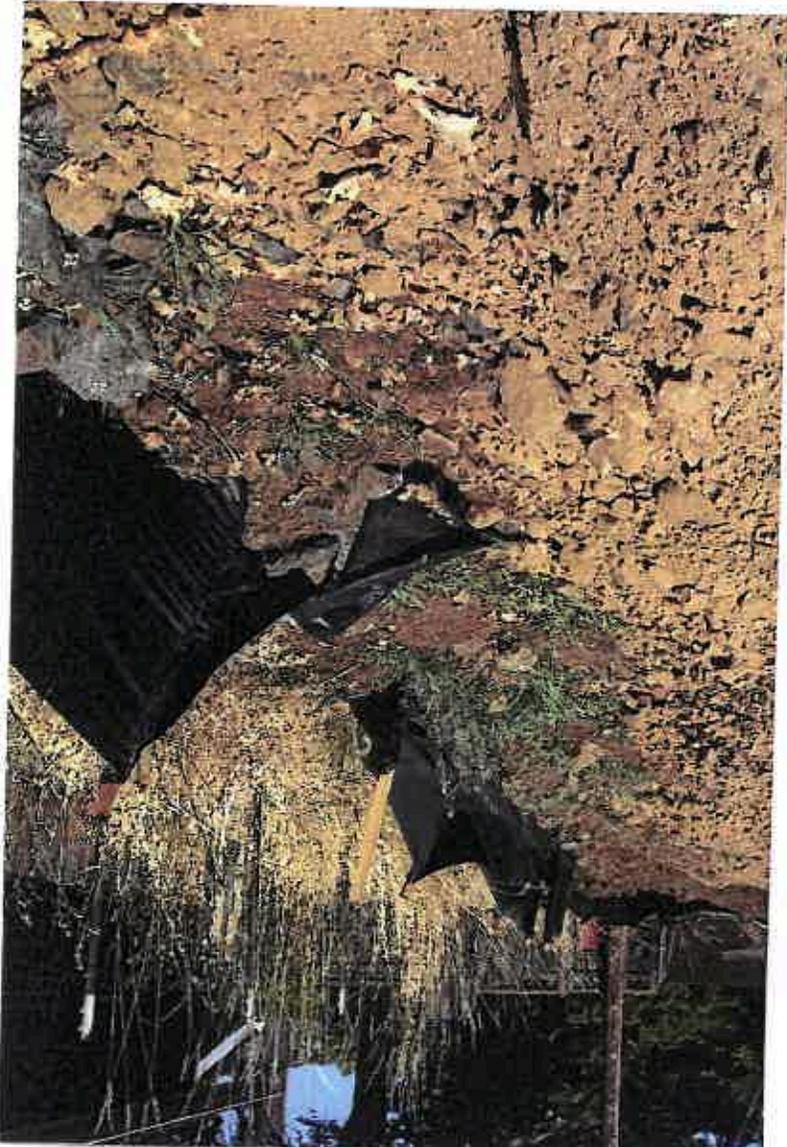
The black barrier cloth is not buried 1 ft. as required by DEQ, whcih may allow silt to flow onto our property and on to Cherry Drive. We are concerned with the runoff.

Jim Lohm
Tichi Lockwood
1362 NW Cherry
Roseburg, Or 97471

Please see enclosed photos

OPPONENTS EXHIBIT 9
PHOTOS 1 of 2





In the matter of the application
by Jerry L. Tabor Building Inc.,
0 NW Troost St

) Annexation: AN-16-2
) Zone Change: ZC-16-2
) Subdivision: S-16-2 &
) Variance: V-16-2

**BEFORE THE ROSEBURG PLANNING COMMISSION FINDINGS
OF FACT AND ORDER**

I. NATURE OF APPLICATION

Property Owner, Jerry L Tabor Building Inc., requests 5.89 acre parcel at 0 NW Troost Street be annexed into the City. Concurrent with the application is a request to change the zoning of the annexed property from County R1 to Limited Multiple Family Residential (MR14), a 26 lot subdivision, and a variance to subdivision block standards (LUDO 6.1.120).

II. PUBLIC HEARING

A public hearing was held on the application before the Roseburg Planning Commission on August 15, 2016. The Planning Commission reviewed Case No. AN-16-2/ZC-16-2/S-16-2/V-16-2, an application for an Annexation, Zone Change, Subdivision, Variance, and it was made part of the record.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The City Council takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance (LUDO) No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3459 on July 1, 2016, as both may have been amended from time-to-time.
2. Notice of the public hearing before the Planning Commission was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing before the Planning Commission was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. Notice of the public hearing and proposed land use map amendment information was sent to affected property owners per LUDO 5.1.190.

4. The property may be described as a 5.89-acre parcel described as Tax Lot 5500, Township 27 South, Range 06 West, Willamette Meridian, Section 14BC, currently addressed as 0 NW Troost.
5. The subject property has Comprehensive Plan Land Use Designation of Medium Density Residential (MDR) and Douglas County Zoning of Single Family Residential (R1).
6. The land subject to the annexation proposal is vacant; no electors reside on the site. As the site is within the Urban Growth Boundary of the City of Roseburg all utilities and urban services are available.

B. PROPOSAL

Property Owner, Jerry L Tabor Building, Inc., requests 5.89 acre parcel at 0 NW Troost Street be annexed into the City. Concurrent with the application is a request to change the zoning of the annexed property from County R1 to City MR14, a 26 lot subdivision, and a variance to subdivision block standards (LUDO 6.1.120).

C. AGENCY COMMENTS

No remonstrance's were received from Douglas County or Roseburg Urban Sanitary Authority.

D. PUBLIC COMMENTS

The Community Development Department notified all owners of surrounding properties per and LUDO 5.1.190. No comments were received.

E. ANALYSIS

The annexation is required to satisfy ORS 222.125, and to conform to the Roseburg Annexation Policies in Resolution 2006-04. The zone change, subdivision, and variance requests are required to satisfy criteria in LUDO 5.4.030, 5.5.020, 6.1.050, 6.1.180, Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public Facilities Policies 2, and 15, the Transportation System Plan, and Statewide Planning Goals 1, 2, 10, 11, 12 & 14.

F. REVIEW CRITERIA

1. Pursuant to ORS 222.125, "Annexation by consent of all owners of land," the following criteria must be demonstrated:

- a) Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

Finding: The subject property is contiguous with the city limits of Roseburg, and the applicant has given written consent, by applying for the annexation, to be annexed into the city.

2. Pursuant to City of Roseburg Resolution 2006-04, "Annexation Policies," the following Policies shall be adhered to:

- a) **Annexation Encouraged.** *Over time, the City of Roseburg shall be the primary provider of municipal water service and other urban services within the UGB, provided the City can offer these services in an efficient and cost-effective manner.*

Annexation to the City should be encouraged:

1. *For unincorporated areas that are now receiving some City services, are urban in character, or are logically served by the City because of geographic factors such as drainage basins, boundaries, or environmental constraints;*
2. *Where the availability of infrastructure and services allows for the development of urban densities.*

Finding: The subject property can be served by the City given that it is surrounded on three sides by incorporated land. Infrastructure and services necessary for urban densities can be provided when approval is granted for development consistent with the proposed Zoning.

- b) **City Initiated Annexation.** *If the City initiates an annexation, then the City shall analyze the financial impacts of the annexation including a calculation of revenues derived from a proposed annexation and the expenses to provide services in the area to be annexed.*

Finding: The City did not initiate this annexation.

- c) **Full Range of City Services in Timely Manner.** *The City shall not initiate annexation proceedings on any property if it cannot provide a full range of City services within approximately a three-year period of time. A full range of City services means a level of urban services approximately similar to that enjoyed by residents currently living in the City of Roseburg.*

Finding: Surrounding properties of the subject property are already served by municipal water and sewer. Extending services to the subject property can be provided within three years, depending on development activity.

- d) **Preference for Annexation Areas.** *Highest preference for annexation shall be given to those areas that best meet annexation policies and where revenues derived from the annexed areas exceed City expenses. Lowest preference shall be given to those annexation requests that exhibit a*

negative financial situation for the City of Roseburg or only minimally meet City annexation policies. Fiscal impacts are only one of many criteria to be evaluated, and must be balanced with other annexation policies and goals.

Finding: The location of the subject property is along a Collector (NW Troost), surrounded by City Limits on three sides and has, or can have, urban services provided to it in a cost-effective manner consistent with logical growth patterns.

- e) **Unincorporated Islands.** *Property that is currently surrounded by land within the City limits (unincorporated islands) shall be discouraged. As soon as practical, the City shall initiate annexation proceedings for such islands.*

Finding: The property is not an island.

- f) **Properties Now Served by Municipal Water But Located Outside Existing City Limits.** *Property owners now receiving municipal water service from the City of Roseburg are encouraged to initiate annexation proceedings on their property consistent with these policies.*

Finding: The subject site can be served and properties surrounding the subject property are currently served by municipal water service.

- g) **New Consent to Annexation Agreements Prohibited.** *After Council adoption of a change to Roseburg Municipal Code 5.04.060, no new municipal water service shall be provided unless the property is annexed to the City of Roseburg.*

Finding: The property is currently vacant but is proposed to be subdivided into 26 lots. Annexation prior to municipal water service is a condition of the preliminary subdivision approval.

3. Pursuant to LUDO 5.4.030 the following criteria must be demonstrated as being satisfied by the application for approval of the zone change:

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

Finding: The parcel is located within the Roseburg Growth Boundary in an area that is designated Medium Density Residential in the Comprehensive Plan. The parcel borders Low Density Residential land to the north and east that is developed as single family residential (R6). The parcel borders Medium Density Residential to the south and west, which is undeveloped. The parcel will be accessed via NW Troost Street, a Collector street. The proposed MR14 Zone conforms to the Comprehensive Plan under the

Medium Density Residential map and applicable written policies identified herein.

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

Finding: Public health, safety and welfare can be adversely impacted by uses with significant external impacts, dangerous activities, and unsafe or inadequate transportation facilities that provide access to a site. The proposed Zoning is compatible with the existing development, and is served by adequate utilities, transportation, and the proposed use is compatible with the proposed zoning and adjacent developments.

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

Finding: The parcel will be accessed via NW Troost Street, a Collector. The Transportation System Plan (TSP) states that adequate width for bicycle and pedestrian facilities are provided within the existing road width and right of way, however, striping and sidewalks are not present. A condition of the subdivision will require striping and sidewalks to be installed along Troost Street where it fronts the subject property. Per Institute of Transportation Engineers "Trip Generation Manual, 9th edition" (2010) "Single Family Detached Housing", an average per dwelling, per lot is 9.57 trip ends per lot. The applicant proposes 26 lots within the subdivision which will access Troost via the locally classified subdivision street. Therefore 26 lots multiplied by 9.57 trips per lot equal 249 trip ends per day. Traffic increase will be minor since Troost Street Average Daily Trips (ADT) is 5,400 (2006) which equates to 249 ADT divided by 5,400 ADT equals 4.6% of 2006 ADT Current Level of Service (LOS). Also, the 2006 ADT volume of 5,400 has increased in the last 10 years to approx. 7,256 ADT based upon a 3% per year growth rate, which means the subdivision traffic is approximately 3.43% of the current 2016 Troost traffic volume. Based on existing and future data, Troost Street will continue to meet capacity and performance standards full build-out of the proposed subdivision. In addition, LUDO and Public Works construction standards will ensure Troost Street, as well as the proposed local access street will be consistent with the safety and performance measures of the transportation system.

4. Pursuant to LUDO 6.1.180 the following criteria must be demonstrated as being satisfied by the application for approval of a Preliminary Subdivision Plan.

- a) *A decision on the preliminary subdivision plan application shall be made by the approving authority as provided in Chapter 5 of this Ordinance, within one hundred eight (180) days of filing a complete application.*
- b) *The preliminary subdivision plan shall be approved if the approving authority finds the following.*
 - 1) *The information required by this Chapter has been provided;*
 - 2) *The design and development standards of this Chapter have been met; and;*
 - 3) *If the preliminary plan provides for development in more than one phase, the approving authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.*
- c) *Should the approving authority find that conditions of approval are necessary to ensure that the preliminary plan will meet all applicable standards, it shall approve the plan with conditions in cases where the necessary conditions of approval can be applied with sufficient specificity.*
- d) *Should the approving authority find that the preliminary plan submitted cannot be reasonably approved with conditions of sufficient specificity so as to ensure that the plan will meet all applicable standards, it shall deny the submitted plan with a statement indicating the areas of deficiency.*

Findings: The preliminary subdivision plat proposal as submitted meets the requirements of LUDO and the above criteria subject to approval of the variance to subdivision block standards addressed below.

- a) **That the proposal complies with the Statewide Planning Goals 1, 2, 10, 11, 12 & 14 adopted by the Land Conservation and Development Commission, Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public Facilities Policies 2, and 15, the Transportation System Plan.**

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

Finding: The City of Roseburg has an adopted an acknowledged Comprehensive Plan for the Roseburg Urban Area. In order to implement the Comprehensive Plan, the City has adopted the Roseburg Land Use and Development Ordinance (LUDO). Within LUDO the City identifies procedural

requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City, as well as through provisions that meet State of Oregon Revised Statute(ORS).

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

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

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

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

Goal No. 10 – Housing – To provide for the housing needs of citizens of the state.

Finding: The subject property is located within the Urban Growth Boundary (UGB) and is planned for Medium Density Residential. The proposed zoning of MR14 is consistent with the plan and allows for housing types ranging from single family dwellings to multi-family dwellings. The applicant is proposing a single family development which is somewhat underutilizing the zone. Nevertheless, the applicant is providing a needed housing type commensurate with the financial capabilities of the area.

Goal No. 11 – Public Facilities and Services- To plan and develop and timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The subject property is within the Urban Growth Boundary and is surrounded by existing development that is adequately serviced by public facilities. Therefore, the proposed development fits an orderly need and justified extension of those services.

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

Finding: The Transportation System Plan (TSP) text and policies were drafted with the intent of satisfying Goal 12 and the Transportation Planning Rule of OAR 660-012. As stated above, existing facilities as well as the proposed development plan meets the policies of the TSP.

Goal No. 14 – Urbanization – To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The proposed development is located within an adopted urban growth boundary and is planned for Medium Density Residential. The proposed use or a residential subdivision is consistent with the intent of the zone and accommodates for needed housing within the urbanized area.

b) That the amendment complies with Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public Facilities Policies 2, and 15, the Transportation System Plan.

Housing Policy No. 1

New residential development shall be coordinated with the provision of an adequate level of services and facilities.

Finding: As stated in findings above, Troost Street, a Collector, is adequately constructed and meets LUDO construction standards. In addition, the proximity to existing development and conditions of utility service providers ensures the development will be adequately served by services and facilities.

Housing Policy No. 2

Residential/and use designations specified in the Comprehensive Plan within the City limits shall be zoned in accordance with such designation. Residential land use designations outside the City limits shall be implemented in the manner prescribed by an Urban Growth Management Agreement (UGMA) jointly adopted by Douglas County and the City of Roseburg.

Finding: The County Single Family Residential zoning is not in concert with the City designated Medium Density Residential plan. The annexation will transfer jurisdiction to the City per the UGMA, in which the MR14 zone will be applied to the property, to be consistent with the Plan.

Housing Policy No. 12

The Zoning Ordinance shall specify density ranges which are consistent with the density categories established in the Comprehensive Plan.

Finding: The applicant has applied the Limited Multiple Family Residential (MR14) zone to the subject property which provides a density range of Single Family Residential which typically varies in density of approximately 4-7 dwelling units per acre to a Medium Density Residential maximum of 14 dwelling units per acre.

Urban Growth Policy No. 9

An opportunity shall be provided for all parties to the urban growth management agreement to comment on all proposals for annexation of property to the City.

Finding: Notice was provided to Douglas County Planning at least 20 days prior to the hearing and stated they have no objections with the proposed annexation, zone change, subdivision, and variance.

Public Facilities Policy No. 2

In addition to the physical, economic, energy, and social considerations addressed by other policies in this Plan, the timing and location of urban development within the urban area shall be based upon the current or imminent availability of urban services, particularly public sewer and water.

Finding: As stated above, the subject property is surrounded on two sides by residential development that is appropriately served by public facilities and services. Affected agencies were provided notice of the proposed development and have indicated that public sewer and water are available and immediately adjacent to the subject property.

Public Facilities Policy No. 15

The City shall encourage and help facilitate the unification and consolidation of urban services within the Urban Growth Boundary.

Finding: The proposed development will be constructed to LUDO, Public Works, and Roseburg Urban Sanitary Authority (RUSA) standards. Upon annexation, police and fire jurisdiction will be transferred from Douglas Fire District No. 2 and Douglas County Sheriff to Roseburg Police and Fire Departments, respectively.

Transportation System Plan

Finding: The transportation facilities (NW Troost Street) that serves the subject site are appropriate for residential development and consistent with the safety and performance measures of the transportation system. As stated above, Troost Street is adequately improved and provides a high level of service for the limited traffic it serves. As stated in the Transportation System Plan, the intersection of Troost and Calkins PM peak hour Level of Service (LOS) is A, with 0.23 being the highest vehicle/capacity ratio. The proposed development will add approximately 249 trips per day to the site to the projected 7,256 ADT's it currently serves.

5. Pursuant to LUDO 5.5.020 and 6.1.050(3) the following criteria must be demonstrated as being satisfied by the application for approval of a variance to subdivision block standards.

- a) *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity which result from lot size or shape, topography, or other circumstances over which the property owner since the enactment of this Ordinance has had no control.*

Finding: The applicant proposes an approximately 550 foot long block which is approximately 50% of the suggested standard. Lot size, shape, and topography all contribute to the need for a variance. The total length of the lot, steep sloped topography at the south east portion of the lot and existing development prevent access to adjacent streets other than NW Troost Street. Staff finds the proposal complies with approval Criterion 1.

- b) *The variance is necessary for the preservation of a property right of the applicant which is the same as that enjoyed by other property owners in the same zoning district in the area.*

Finding: The applicant's proposal for a loop road is necessary to reduce the number of lots with direct access to Troost Street. This required the applicant to shorten the block length and avoid a cul-de-sac street, which would have required the applicant to reduce the density of the development. Staff finds the proposal complies with approval Criterion 2.

- c) *The variance would not conflict with the purposes of this Ordinance and would not be materially detrimental to property in the vicinity in which the property is located, or otherwise conflict or reasonably be expected to conflict with the Comprehensive Plan.*

Finding: The proposal for a reduced length block is a result of a cul-de-sac standard which prevents access in excess of 20 lots. The applicants proposes 26 lots within the subdivision which will use a local subdivision street

which will then provide access to Troost Street. Staff finds the proposal complies with Criterion 3.

- d) *The variance requested is the minimum variance which would alleviate the difficulty.*

Finding: The variance requested results in a block being the longest length that is practical for the development of the subdivision. The loop road that is proposed spans the entire length of the subject property. The access has been reviewed by and has support among by the Public Works department and meets AASHTO safety standards. Staff finds the proposal complies with Criterion 4.

- e) *The need for the variance is not the result of a practical difficulty created by the actions of the current owner or previous owners.*

Finding: As noted above, the configuration of the lot creates the need for the requested variance. Staff finds the proposal complies with approval Criterion 5.

- f) Physical or topographic conditions make it impractical to satisfy the street or walkway connection requirements of this Chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains, or water bodies where a connection could not reasonably be provided. Grades too steep for streets may provide an accessway.

Finding: As noted above, the existing development and slopes is a contributing factor to the need for this variance. The applicant proposes two access drives from Troost Street. The public works department has reviewed the proposal and find no objections with the accesses at their proposed locations. The south access at its proposed location is more favorable than a through street to the property to the south which lies almost entirely within the Floodplain Overlay Staff finds the proposal complies with approval this criterion.

- g) Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment.

Finding: As noted above, the subject property abuts single family development to the north and east. Troost Street is borders the length of the property to the west, and steep slopes/Floodplain boarder the property to the south. Staff finds the proposal complies with this criterion.

- h) Streets or accessways would violate provisions of existing leases, easements, agency access standards, or similar restrictions that are demonstrated to be legally beyond the control of and not entered into by the applicant, developer, or property owner.

Finding: The applicant proposes the loop road with an access to the north and south perimeters of the property to meet LUDO standards, specifically to avoid a cul-de-sac, which is not permitted to serve the 26 lots the applicant is proposing. Staff finds the proposal complies with this criterion.

- i) Abutting undeveloped or underdeveloped property is within the 100-year flood plain.

Finding: The lot 6.44 acre directly to the south of the subject property is developed with a single family dwelling and lies almost entirely within the Floodplain Overlay and Floodway. Staff finds the proposal complies with this criterion.

IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in LUDO 5.4.030, 5.5.020, 6.1.050, 6.1.180, Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public Facilities Policies 2, and 15, the Transportation System Plan, and Statewide Planning Goals 1, 2, 10, 11, 12 & 14 and conforms to the Roseburg Annexation Policies in Resolution 2006-04

V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends **APPROVAL** of this application to the City Council, subject to the following conditions for future site development:

- 1) The zone change, preliminary subdivision plat and variance become effective when the subject property is annexed.
- 2) Approval is for the property shown on map submitted with the application.
- 3) This approval does not constitute a Final Subdivision Plat and this approval shall be null and void within twelve months of this approval unless the necessary application for a final subdivision plat is initiated or an extension is requested and approved in a same manner as this application.
- 4) Upon approval of the Final Subdivision Plat, it shall be recorded as set forth in Section 6.1.190 of LUDO in order to establish the proposed lots.

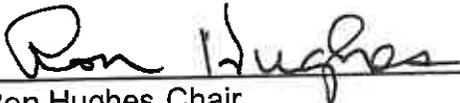
- 5) Any development on the proposed parcels shall fully conform to all the applicable standards and requirements of LUDO.
- 6) Preliminary approval does not constitute site development approval. Site plan review and building approvals will be obtained prior to beginning work on the site.
- 7) Other conditions of approval such as water supply and access requirements will be imposed at such time construction plans are submitted for review.
- 8) The storm drainage from the subdivision shall be designed to not exceed pre-development flows.
- 9) Prior to recording the plat a written certification shall be submitted from a registered Geotechnical Engineer verifying the recommendations of the Report were carried-out during the grading and/or construction infrastructure, or that needed changes in design were made based on the recommendation of and in conformance with the required Report.
- 10) Fire flow requirements for buildings must comply with 2014 OFC Appendix B.
- 11) Fire hydrant locations and distribution must comply with 2014 OFC Appendix C.
- 12) Final plans must show all hydrants.
- 13) Fire apparatus access roads must be constructed with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of apparatus weighing at least 60,000 lbs. (in the case of aerial ladder truck, the weight is 78,000 lbs.) per 2014 OFC Section D102.1.
- 14) When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of combustible construction. 2014 OFC 501.4
- 15) Provide signage and striping in accordance with current fire code requirements. 2014 OFC 503.3 & 2014 OFC D103.6
- 16) Hydrant(s) must comply with the current city standard. Note the 3" minimum 16" maximum distance requirement to final finished grade, which includes items such as fill dirt and bark mulch. City of Roseburg Standard Drawing # 105 & 106
- 17) The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area that does not exceed 3,600 square feet shall be 1,000 gallons per minute for one hour. Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table 8105.2. A reduction in required fire flow of 50 percent, as

approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Appendix T of the Oregon Residential Specialty Code. 2014 OFC 6105.2

- 18)LUDO 6.1.060.2 Width Dedication: Minimum ROW dedication for local streets is 60', plans indicate a 60' ROW.
- 19)LUDO 6.1.060.2 Street Width: Proposed street width is 34', parking is allowed on both sides of the street.
- 20)LUDO 6.1.060.10 Subdivision Adjacent to Collector: Troost Street is classified as a collector, access to lots fronting Troost will have to be via Katie Way or the One Way Alley. Driveways will not be permitted along Troost and the Plat shall indicate as such.
- 21)LUDO 6.1.070.4 Grades and Curves: Alley Grades shall not exceed 12%
- 22)LUDO 6.1.120.2 Block Size, minimum block length along a collector street is 1,000 ft. Applicant has provided a draft letter dated February 23rd, 2016 indicates that adding a Southern entrance to the subdivision although does not meet LUDO spacing standards, it does meet AASHTO sight distance requirements.
- 23)LUDO 6.1.170.1: Streets shall be constructed to City standard with curb, gutter and sidewalks.
- 24)LUDO 6.1.170.2 Monuments: Monuments shall be installed and shown on the final plat map per this section.
- 25)LUDO 6.1.170.3 & Design Standards: Storm line shall be located within street ROW, preliminary plat shows an easement in lot 17 for the proposed storm line location. Storm line will be required to be relocated within the Troost Street ROW.
- 26)LUDO 6.1.170.5 Water System: Water system will be reviewed with construction plan submittal. Connection to existing water system will be at the 12" Cmain on the West side of Troost Street. System shall be looped to prevent dead end lines.
- 27)LUDO 6.1.170.7 Underground Utilities: All Utilities will be required to be installed underground.
- 28)LUDO 6.1.170.8 Street Lights: Street lights will be required within the subdivision
- 29)The applicant will be required to retain the services of an Engineer licensed in the State of Oregon to provide a design of a sanitary sewer main line extension to serve the proposed lot in the subdivision.

- 30)As part of the design the engineer will be required to provide for the orderly extension of the sewer main to the adjacent properties in the Urban Growth Boundary.
- 31)The design must include the installation of the sewer main line to a point that the adjacent properties can extend the line to serve those adjacent properties.
- 32)Should any of the new sewer main line be proposed to be installed in an easement a 20'wide easement shall be granted to RUSA.
- 33)Should any sewer main be proposed to be installed in an easement a paved access road must be provided to any manholes or proposed manholes so that RUSA personnel can drive equipment to the manhole for maintenance. Access to the manholes cannot be obstructed by fences as to make access impossible.
- 34)All plans and specification must conform to the DEQ and RUSA's standards.
- 35)All Plans and specifications must be submitted for review and approved by RUSA before construction can begin. (Please see the RUSA Sanitary Sewer Main Lone Construction Process document included in these comments). All fees for review and permitting must be paid before construction can begin.
- 36)The contractor must be prequalified to perform sewer construction. RUSA does accept an ODOT prequalification statement as evidence of RUSA prequalification.
- 37)Performance and Payment Bonds must be in place before construction begins.
- 38) Insurance, with RUSA personnel listed as additionally insured must be in place before construction begins.

The Zone Change, Preliminary Subdivision and Variance approval will become final upon annexation of the property unless appeal is submitted pursuant to LUDO Section 5.1.240. If you have any questions, or wish to discuss the matter further, please feel free to contact the Community Development Department at 541-492-6750



Ron Hughes, Chair

8-18-16
Date



Brian Davis, Community Development Director

8/18/16
Date

Planning Commission:

- Ron Hughes, Chair
- Patrick Parson
- Kerry Atherton
- Duane Haaland
- Daniel Onchuck
- Brook Reinhard
- Matthew Powell

ORDINANCE NO. 3475

AN ORDINANCE ANNEXING 5.89 ACRES OF PROPERTY AT THE 1400 BLOCK OF NW TROOST STREET, WITHDRAWING THE PROPERTY FROM DOUGLAS COUNTY FIRE DISTRICT 2, AMENDING THE ROSEBURG ZONING MAP, AND APPROVING A 26-LOT SUBDIVISION WITH A VARIANCE TO BLOCK STANDARDS

THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, finds:

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This proposal includes annexation of land and concurrent Zone Change for said land, together with a 26-lot subdivision and variance which came before the Roseburg Planning Commission as a Quasi-judicial matter considered at a public hearing after due and timely notice.
3. The annexation complies with provisions of ORS 222.120 and ORS 222.125, annexation by consent.
4. Owner of the subject property consents to annexation into the City as a logical extension of the city boundary.
5. The territory to be annexed is a part less than the entire area of a rural fire protection district - Douglas County Fire District No. 2.
6. The annexation and withdrawal of the property from the Douglas County Fire District No. 2 is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed and withdrawn.
7. The City is willing to assume the responsibilities and indebtedness previously contracted by the District proportionate to the part of the District that has been annexed to the City upon the effective date of the withdrawal.
8. The City Council takes note of the Roseburg Urban Area Comprehensive Plan as adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.
9. The City Council takes note of the Roseburg Land Use and Development Ordinance (LUDO) No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013.
10. The subject land of Files No. AN-16-1/ZC-161 is zoned County R1 and annexation will cause a Zone Change to a City designation of Multi-Family Residential MR14, consistent with the Comprehensive Plan Designation of Medium Density Residential.

11. All public facilities and services are within distance to serve the subject property.
12. Upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177.
13. Within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor, and Oregon Department of Revenue a detailed legal description of the new boundaries established by the city in accordance with ORS 222.010.
14. The following criteria exist:
 - a. The Annexation complies with ORS 222.125 and City Council Annexation Policies of Resolution 2006-04.
 - b. The Zone Change complies with Land Use and Development Ordinance Section 5.4.030.
 - c. The Subdivision complies with LUDO 6.1.050, 6.1.180, Comprehensive Plan Housing policies 1, 2, and 12, Urban Growth Policy 9, Public Facilities Policies 2, and 15, the Transportation System Plan, and Statewide Planning Goals 1, 2, 10, 11, 12 & 14.
 - d. The Variance complies with LUDO 5.5.020

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

SECTION 1. The foregoing findings are hereby approved and incorporated herein.

SECTION 2. The subject real property was known as Tax Lot 5500 of Township 27 South, Range 06 West, Willamette Meridian, Section 14BC. The property is annexed in a consolidated application per LUDO 5.1.060. Therefore, the subject property, with Annexation, is hereby annexed into the City of Roseburg. The subject property annexation, also known as DOR File 10-P500-2016, is described in attached Exhibit "A" and shown on the map in attached Exhibit "B."

SECTION 3. This annexation, and concurrent zone change, subdivision, and variance have been processed pursuant to Roseburg Land Use and Development Ordinance.

SECTION 4. The City Council hereby adopts as its own the Findings of Fact and Decision of the Planning Commission dated August 15, 2016 and by reference incorporated herein.

SECTION 5. This annexation is made pursuant to the provisions of ORS 222.120, and 222.125, annexation by consent, for which a public hearing was conducted.

SECTION 6. The subject property shall be withdrawn from Douglas County Fire District No. 2 on the effective date of the annexation; at which time, the City shall assume the obligations referred to in ORS 222.520(2) and shall commence the procedure for division of assets provided in ORS 222.530. The particulars of said assumption of liabilities and division of assets shall be accomplished hereafter as provided in an Intergovernmental Agreement between the City and Douglas County Fire District No. 2 dated September 23, 2013.

SECTION 7. Upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177.

SECTION 8. The City Recorder shall submit the legal description of the territory annexed (attached hereto as Exhibit "A") and accurate map showing the annexed territory (attached hereto as Exhibit "B") to the Douglas County Assessor and the Oregon Department of Revenue as required by ORS 308.225.

SECTION 9. On the effective date of the annexation, the City shall amend the Roseburg Zoning Map by applying the identified zones to the subject properties, as shown by the list herein made part of this ordinance.

SECTION 10. Within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor, and Oregon Department of Revenue a detailed legal description of the new boundaries established by the city in accordance with ORS 222.010.

ADOPTED BY THE CITY COUNCIL THIS 12TH DAY OF SEPTEMBER 2016.

APPROVED BY THE MAYOR THIS 12TH DAY OF SEPTEMBER 2016.

LARRY RICH, MAYOR

ATTEST:

SHEILA R. COX, CITY RECORDER

**ROSEBURG CITY COUNCIL
AGENDA ITEM SUMMARY**

*etc
9/17/16*

**PUBLIC HEARING B
09-12-2016**

**PUBLIC HEARING ON THE SALE OF REAL PROPERTY
WILLIS HOUSE AND PARK**



Meeting Date: Sept. 12, 2016
Department: City Manager
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Lance Colley
Contact Telephone Number: 492-6866

ISSUE STATEMENT AND SUMMARY

Pursuant to RMC 3.20.020, the Council will be conducting a public hearing on the proposed sale of City-owned real property located at 744 and 734 SE Rose Street. The property consists of a historic home, commonly referred to as the "Willis House," and the adjoining park property and gazebo, all consisting of approximately .34 acres of property.

BACKGROUND

A. Property History

- The Willis House at 744 SE Rose Street and the abutting park at 734 SE Rose Street were purchased by the City from A.C. and Ida Marsters in 1924. Deed restrictions required the property to be used for a public library and public park.
- In 1956, the Marsters' heirs amended the restrictions to provide for use of the House for City offices.
- After the 1959 Blast, the heirs released all limitations and restrictions from the deed. The building was then used as City Hall until 1972.
- The House remained unoccupied until 1979 when the City began steps to demolish the House, but was prevented from doing so via a Circuit Court injunction due to the historic nature of the structure.
- Thereafter, the CCD Business Development Corporation led efforts to receive grant funds to rehabilitate the House in exchange for their use of the structure for their offices.
- In April of 1982 the City Council authorized construction of the gazebo through private donations. Former City employee (and historic preservation buff) Ralph Wiley designed the gazebo and led volunteer efforts to construct it. Donations were received into a Trust Fund for that purpose, and the Wolf Creek Job Corps provided much of the construction work. There are no legal restrictions to preserving the gazebo.
- CCD relocated to the Umpqua Business Center in July 2012. The Willis House has remained vacant since that time.

Council Action History.

- March 26, 2012 – Council directed Staff to obtain an appraisal for the Willis House located at 744 SE Rose Street.
- May 14, 2012 – Council declared the Willis House surplus to the needs of the City and directed Staff to list the property for sale with the City's contracted realtor.

- July 22, 2013 – Council declared the Willis Park property surplus to the needs of the City and directed Staff to market the property combined with the Willis House property with restrictions in regard to future construction.

B. Analysis.

Since the Willis House was first marketed in May 2012, several purchase offers have been received which were deemed to be insufficient to bring forth for City Council action. Tamra Smith and Michael Smith have submitted an offer to purchase the property for \$200,000. They have proposed a down payment of \$100,000.00 with the balance paid in full on or before November 30th, 2019. The proposal includes a fencing allowance deduction of \$12,000, approximately half of the estimated cost, which the City was going to install during the current budget year. The proposal includes interest on the unpaid balance of 5% with minimum payments of \$500.00 per month,

It is the proposer's desire to utilize the property as their primary residence with a portion remodeled into a curio, antique and garden décor shop. The property is recognized in the Historic Registry; therefore, any improvements would be subject to the Conditional Use Permit and need to be reviewed by the City's Historic Resources Review Commission. Pursuant to previous City Council action on July 22, 2013, a deed restriction is to be placed on the property to not allow any future building except to repair/replace the existing structure with the exception of a structure(s) (potential carriage house, for example) that would be architecturally similar to the Willis House.

C. Financial and/or Resource Considerations. If the offer is accepted, \$50,000 (25% of the total sale price) would be dedicated to the Park Improvement Fund for future park land acquisition. The balance of \$150,000 would be dedicated to the Facilities Fund which is utilized for acquisition and maintenance of all City facilities.

D. Timing Issues. The offer expires September 13, 2016.

COUNCIL OPTIONS

Under the authority of RMC 3.20.020(D) the Council, in its sole discretion, has the following options at the conclusion of the public hearing:

1. Accept the offer received on the property; or
2. Direct that a counter offer be made to the person submitting the offer; or
3. Reject the offer received and direct that the property not be sold; or
5. Reject the offer and direct Staff to conduct a new appraisal of the property.

As required by ORS 221.725 and the Municipal Code, notice of the proposed sale and a public hearing thereon was published in The News-Review on August 28 and September 4, 2016. Should a competing offer be presented prior to or during the public hearing, the City Council would have the following additional options:

1. Proceed to accept the offer from Mr. Smith and Ms. Smith; or
2. Direct the City's realtor to negotiate with all interested parties. In that event, should a higher offer be received and appropriate earnest money filed, the new

offer will need to be published in the News Review and another public hearing conducted at a subsequent City Council meeting.

STAFF RECOMMENDATION

Staff recommends the City Council accept the purchase offer.

SUGGESTED MOTION

1. "I MOVE TO ACCEPT THE PURCHASE OFFER OF \$200,000.00 FROM TAMRA SMITH AND MICHAEL SMITH FOR THE PROPERTY LOCATED AT 744 AND 734 SE ROSE STREET UNDER THE CONDITIONS AND RESTRICTIONS AS OUTLINED BY STAFF."

ATTACHMENTS

Public Hearing Notice
Letter from Proposed Purchasers

cc: Hawks & Co Realtors, 612 SE Jackson #2
Smiths C/O Hawks and Co Realtors

**CITY OF ROSEBURG NOTICE OF PROPOSED LEASE/PURCHASE AGREEMENT
FOR PROPERTY LOCATED AT 744 AND 734 SE ROSE STREET
AND PUBLIC HEARING RELATED THERETO**

NOTICE IS HEREBY GIVEN, that the City of Roseburg has received an offer on the real property located at 744 and 734 SE Rose Street, commonly referred to as "the Willis House and Willis Park". The property is considered to be surplus to the needs of the City and is legally identified as Township 27 Range 5W Section 19 Quarter BC Lots 13800 and 13800A1.

The party making the proposal has offered a purchase price of \$200,000. The offer has been received from a private party who desires to use the property for a mixed use commercial/residential development. Terms include \$100,000 at closing with the balance due on or before November 30, 2019.

A public hearing to consider the sale of this property will be held on Monday, September 12, 2016 at 7:00 p.m. in the City Hall Council Chambers, 900 SE Douglas in Roseburg. Public comments regarding the proposed sale and the offer being considered will be heard prior to the Council accepting a final offer.

Anyone desiring more information regarding the property subject to this notice, or subsequent public hearing related thereto, may contact City Recorder Sheila R. Cox by calling 541/492-6866.

A handwritten signature in cursive script that reads "Sheila R. Cox". The signature is written in black ink and is positioned above the printed name of the signatory.

Sheila R. Cox, City Recorder

Posted at City Hall on September 2, 2016 and published in the News Review on September 4, 2016.

DATE: September 6, 2016

TO: Roseburg City Council

FROM: Michael & Tamra Smith

RE: Purchase of 744 SE Rose St., Roseburg
Letter of explanation

Mayor and Council Members,

We made an offer on the "Willis House" which you will be considering at your September 12, 2016 meeting. We thought the following might help you make a positive decision. This list is only the beginning of improvements and changes we hope to make to the property, all of which we expect to help produce a better atmosphere in Downtown. We plan to live in the home and use part of it for retail space.

In no particular order, here are some of our plans:

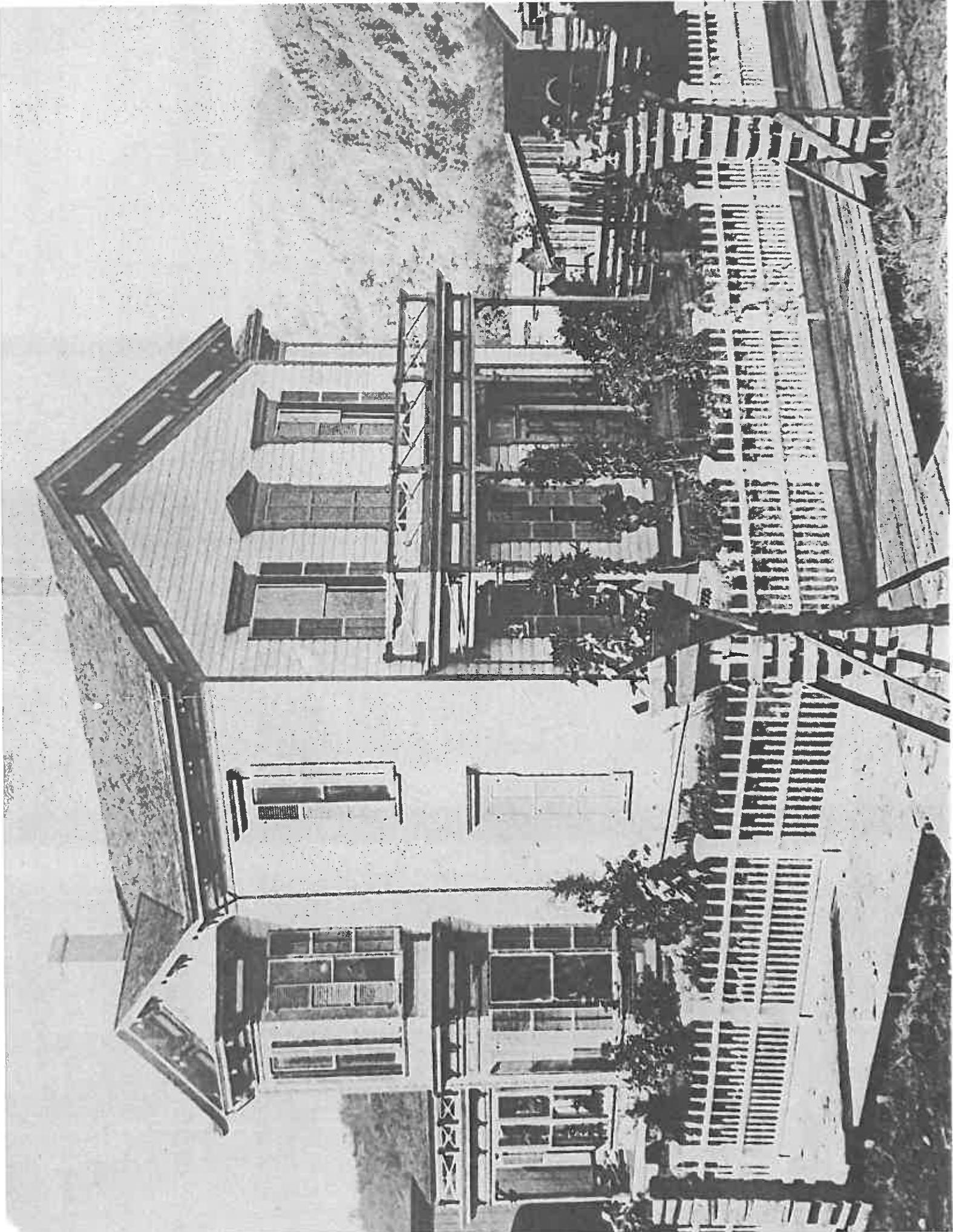
- Reset the "Willis House" sign;
- Replace the roof, when needed;
- Fly a 37 star American flag (appropriate for the year [1874] the home was built);
- Install a 4' to 6', black, wrought iron fence around the perimeter;
- Replace the second floor railing over the front porch roof (as seen in the attached photo);
- Add a window or door, or the appearance of one, in the center, upper front wall (where a door once was; also shown in photo);
- Open a curio, antique and garden décor shop (not secondhand junk);
- Add a portico on the South side of the home, where CCD once parked their cars;
- Include the gazebo and park as a location in the Downtown Wine Walks and for other events;
- Beautifying the grounds (for example, please drive by 738 W. Union Street, Roseburg);
- Add an appropriately styled garden shed on the rear North side of the home;
- Paint the exterior trim;
- Replant trees in the two sidewalk openings, using suggestions from the Parks Dept.;
- Add two showers and a kitchen to the interior; and
- Place bollards along the rear alley to protect the new fence, and the crawl space access.

We hope this list will assist you in making a positive decision to sell this historic landmark to us.

Yours very truly,



Michael & Tamra Smith



ARC
8/16/16



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO TING, INC.

Meeting Date: September 12, 2016 **Agenda Section:** ORDINANCES
Department: City Recorder **Staff Contact:** Sheila R. Cox *SRC*
www.cityofroseburg.org **Contact Telephone Number:** 541/492-6866

ISSUE STATEMENT AND SUMMARY

The City has received an application for a telecommunication franchise from Ting, Inc. located in Longwood, FL.

BACKGROUND

A. Council Action History. Council has not acted on this particular application.

B. Analysis. The subject application and application processing fee wasn't received until August 16th, but their first payment was received in July for the second quarter of 2016.

C. Financial and/or Resource Considerations. Under our recently amended definitions of telecommunications "provider" and telecommunication "service", as a wireless service provider, Ting is required to pay a franchise fee of 5% of the gross revenues derived from customers within the City.

D. Timing Issues. As noted above, Ting's first payment was for the second quarter of 2016; therefore the franchise needs to be made effective retroactively to April 1, 2016. Such effective date will make the initial term of the franchise 2 years and 9 months, with an expiration date of December 31, 2018. The ordinance will also allow renewal options of three years each, for a total of five terms.

STAFF RECOMMENDATION Staff recommends that Council proceed with first reading of the ordinance, followed by second reading and adoption at the September 12, 2016 meeting to avoid further delay in issuing the franchise.

SUGGESTED MOTION If Council concurs with Staff's recommendation, Council will need to request first reading of the ordinance granting a telecommunications franchise to Ting, Inc. effective retroactively to April 1, 2016 after which the following motions would be appropriate:

#1 *"I MOVE TO SUSPEND THE RULES AND PROCEED WITH SECOND READING OF ORDINANCE NO. 3476.*

#2 *"I MOVE TO ADOPT ORDINANCE NO. 3476."*

ATTACHMENTS Proposed Ordinance

cc: Compliance Solutions
740 Florida Central PKWY Ste 2028
Longwood, FL 32750-7653

Ting, Inc.
Attn: Mark Lammert
242 Rangeline Road
Longwood, FL 32750

Subject Franchise File
Chrono File

ORDINANCE NO. 3476
AN ORDINANCE GRANTING A TELECOMMUNICATION FRANCHISE
TO TING, INC. EFFECTIVE RETROACTIVELY TO APRIL 1, 2016

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called "City", hereby grants Ting, Inc., hereinafter called "Franchisee", the non-exclusive right to use and occupy all public ways within the Franchise Territory, solely for the purposes described herein, for a period of two years and nine months beginning retroactively to April 1, 2016 and ending December 31, 2018, following Franchisee's acceptance of the Franchise as provided in Section 11 of this Ordinance.

SECTION 2. Incorporation of Roseburg Municipal Code. This Franchise is granted pursuant to Chapter 9.25 of the Roseburg Municipal Code ("RMC"), entitled "Telecommunications Providers", and shall be interpreted to include all provisions of Chapter 9.25, as it now exists and as it may be amended during the term of the Franchise, and all other provisions of the Roseburg Municipal Code and City regulations with which Chapter 9.25 requires compliance, as if set forth in writing herein. A copy of Chapter 9.25, as it exists and is in effect on the effective date of this Franchise, is attached to this Franchise as Exhibit "A". It shall be the responsibility of the Franchisee to keep itself informed of any amendments to applicable provisions of the Roseburg Municipal Code and all related regulations.

SECTION 3. Amendment and Renewal. The Franchise granted by this Ordinance may be amended in accordance with RMC 9.25.120 and may be renewed in accordance with RMC 9.25.100.

SECTION 4. Franchise Territory. The "Franchise Territory" is all territory within the boundaries of the City of Roseburg, as currently existing or as the boundaries may be adjusted during the term of this Franchise.

SECTION 5. Services to be Provided. Franchisee shall provide telecommunications services as authorized by law to residents, businesses and other entities within the City of Roseburg.

SECTION 6. Franchise Fees. Franchise fees shall be based on Franchisee's annual use of the City's public ways, as provided below:

A. Fee Base. For the privileges granted by this Franchise, Franchisee shall pay five percent (5%) of its gross revenue derived from services provided to customers within the City limits of Roseburg.

B. Payment. All payments due hereunder shall be paid to the City of Roseburg

by check or money order delivered to the address of the City for notices as set forth herein.

C. Due Date. Franchise fees shall be paid to the City on a quarterly basis, based on the revenues derived from the quarter just passed, not more than 30 days following the end of each quarter.

D. Late Fee. If Franchisee fails to pay the Franchise fee when due, Franchisee shall be charged a penalty of ten percent (10%), and the legal rate of interest established by state statute on the unpaid balance.

SECTION 7. Notices and Authorized Representatives.

A. Except for emergency notification of Franchisee, all notices or other communications between the parties shall be deemed delivered when made by certified United States mail or confirmed express courier delivery to the following persons and locations:

If to City:

City of Roseburg
ATTN: Sheila R. Cox, City Recorder
900 SE Douglas
Roseburg, OR 97470
E-mail: scox@cityofroseburg.org
Phone: 541/492-6866

If to Franchisee:

Ting, Inc.
ATTN: Mark Lammert, CPA
242 Rangeline Rd.
Longwood, FL 32750
E-mail: Ting@CSILONGWOOD.COM
Phone: 407/260-1011

Either party may change the identity of its authorized representative(s) or its address or phone number for notice purposes by delivering written notice of the change to the other party.

B. In case of an emergency that causes or requires interruption of service, City shall give Franchisee emergency notification by hand delivery or telephone, as appropriate to the nature of the emergency, to the following:

Contact Person's Name: Mark Lammert, CPA
Mailing Address: 242 Rangeline Rd., Longwood, FL 32750
Telephone: 407/260-1011
Email: Ting@CSllongwood.com

SECTION 8. Location, Relocation and/or Removal of Facilities. RMC Chapter 4.02, along with RMC Sections 9.25.290 – 9.25.320, sets forth the conditions for the construction, installation, location, relocation and removal of Franchisee's facilities. There are no exceptions or additions to these regulations unless Franchisee is exempted by statute.

SECTION 9. Representation and Warranty of Franchisee. By executing this document, Franchisee represents and warrants that it is familiar with all provisions of this Franchise, including those contained in this Ordinance, and that it accepts and agrees to be bound by all terms, conditions and provisions set forth herein.

SECTION 10. Franchise Effective Date. Franchisee began serving Roseburg customers on April 1, 2016; submitted an application requesting a telecommunications franchise and paid the application processing fee on August 16, 2016. The Roseburg City Council approved such request at its meeting on September 12, 2016; and hereby authorizes this Franchise to take effect retroactively on April 1, 2016 and expire on December 31, 2018, provided Franchisee satisfies the acceptance requirements of Section 11 of this Ordinance.

SECTION 11. Acceptance of Franchise. Upon receipt of this Ordinance, Franchisee shall sign in the space below to indicate its unconditional acceptance of the terms and conditions upon which City has offered the Franchise described herein, and immediately return such acceptance to the City. If Franchisee fails to accept the Franchise and return acceptance to City within 30 days of the adoption of this Ordinance, this Ordinance and the Franchise granted herein shall become void and have no force or effect.

ADOPTED BY THE CITY COUNCIL ON THIS 12th DAY OF SEPTEMBER, 2016.

APPROVED BY THE MAYOR ON THIS 12th DAY OF SEPTEMBER, 2016.

MAYOR LARRY RICH

Larry Rich

ATTEST:

Sheila R. Cox, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE'S ACCEPTANCE OF ORDINANCE NO. 3476. This Ordinance is hereby accepted by Ting, Inc. on this ____ day of _____, 2016.

By: _____
(Signature)

Name: _____

Title: _____

Date: _____

State of _____)

) **ss.**

County of _____)

This acceptance was signed before me on _____, 2016 by,
_____ as _____ of Ting, Inc.

Notary Public for _____

Name: _____

My commission expires on: _____

.....
Acceptance received by City Recorder on _____, 2016.

Sheila R. Cox, City Recorder

ryc
9/16/16

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



Appropriation Transfer for Fiscal Year 2016-17

Meeting Date: September 12, 2016
Department: Finance
www.cityofroseburg.org

Agenda Section: Department Action Items
Staff Contact: Ron Harker
Contact Telephone Number: 541-492-6710

ISSUE STATEMENT AND SUMMARY

In order to provide adequate appropriation authority for the inclusion of the recently approved Horticulturist position in this year's budget, an Appropriation Transfer of General Fund Contingency funds to the General Funds' Parks and Recreation's budget needs to be realized to remain in full compliance with Oregon Budget Law. Resolution No. 2016-18 has been prepared to affect the necessary changes to the General Fund to accommodate Council's approval of the Horticulturist position.

BACKGROUND

A. Council Action History. During the regularly scheduled City Council meeting of August 22, 2016, City Council approved the mid-year addition of a Horticulturist to the City's Park and Recreation Department.

B. Analysis. With the mid-year addition of a Horticulturist to the City's Parks and Recreation Department an appropriation transfer of General Fund Contingency funds to the Parks and Recreation's budget is required to maintain full compliance with Oregon Budget Law. In order to accommodate the full cost of salary and benefits of the additional position an appropriation transfer of \$80,000 is requisite.

C. Financial and/or Resource Considerations. The proposed transfer of \$80,000 from operating contingency to Parks and Recreation represents 1.6 percent of the projected ending fund balance. However, despite the impact on the future ending fund balance, the fund balance is still projected to be 32.28 percent of expenditures, well above the General Fund Balance policy requirement of 20 percent.

The City's 6 year General Fund Forecast projects ending fund balances in excess of the 20 percent reserve requirement throughout the analysis period despite the addition of the Horticulturist position; compliance with City policy is not a concern.

D. Timing Issues. Oregon Budget Law requires that appropriation authority be established prior to the commitment or expenditure of resources. Currently, staff is moving forward with the recruitment of the additional employee as approved by Council. In order to maintain full compliance with Oregon Budget Law the City needs to ensure full appropriation authority for all known circumstances.

COUNCIL OPTIONS

- 1) Adopt the attached resolution as written; or
- 2) Adopt the attached resolution with modifications to the proposed figures; or
- 3) Request additional information.

STAFF RECOMMENDATION

Given the need to comply with Oregon budget law, it is staff's recommendation to adopt the attached resolution as written.

SUGGESTED MOTION

I move to adopt Resolution No. 2016-18 authorizing an appropriation transfer within the General Fund (Fund 100) for fiscal year 2016-17.

ATTACHMENTS

Attachment 1 Resolution No. 2016-18 entitled "A Resolution Authorizing A Budget Appropriation Transfer For Fiscal Year 2016-17".

RESOLUTION NO. 2016 – 18

A RESOLUTION AUTHORIZING A BUDGET APPROPRIATION TRANSFER FOR FISCAL YEAR 2016-17

WHEREAS, the City of Roseburg, Oregon adopted a budget and appropriated funds for fiscal year 2016-17 by Resolution 2016-13; and

WHEREAS, a mid-year addition of a Horticulturist to the General Fund's Parks and Recreation Department requires additional appropriation authority be provided to comply with Oregon Budget Law; and

WHEREAS, ORS 294.463 allows appropriations to be transferred within a fund after the budget has been adopted; and

WHEREAS, the City's 2016-17 adopted budget appropriated operating contingencies within the General Fund and such budgeted contingencies shall be used for unanticipated expenditures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, HEREBY RESOLVES that:

Section 1 Resources and appropriations in the Fiscal Year 2016-17 budget shall be adjusted as follows:

	<u>Current</u>	<u>Amount</u>	<u>Amended</u>
General Fund (100)			
Resources			
Total Resources:	\$27,398,889	\$ 0	\$27,398,889
Appropriations			
Parks and Recreation	\$ 1,493,967	\$ 80,000	\$ 1,573,967
Contingency	\$ 1,000,000	\$ (80,000)	\$ 920,000
Other Requirements	<u>\$24,904,922</u>	<u>\$ 0</u>	<u>\$24,904,922</u>
Total Appropriations:	\$27,398,889	\$ 0	\$27,398,889

To provide appropriation authority for the newly approved Horticulturist in the Parks and Recreation Department.

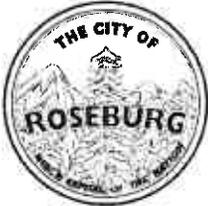
Section 2 The Finance Director is to make the proper adjustments to the budget.

Section 3 This resolution shall become effective immediately upon its adoption by the City Council.

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 12TH DAY OF SEPTEMBER 2016.

Sheila R. Cox, City Recorder

C/C
9/6/19



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

Fairmount Storm Improvements – Additional Authorization

Meeting Date: September 12, 2016
Department: Public Works
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

Rock was unexpectedly encountered on the Fairmount Storm Improvement Project requiring additional financial authority. Action is required by Council to authorize additional spending authority for the work that has already occurred.

BACKGROUND

A. Council Action History. Council awarded a construction contract to Knife River Materials on May 23, 2016.

B. Analysis. In November of 2015, the City contracted with i.e. Engineering, Inc. to analyze the storm sewer system in Fairmount Street and the contributing drainage basin and develop a phased construction plan to eliminate localized flooding and to relocate the storm system off of residential properties. The research performed by the design engineer included reviewing RUSA's as-built information for sanitary sewer lines installed in the area. The as-builts did not indicate that rock was an issue in this area.

This first phase included the installation of approximately 130 feet of 30-inch storm sewer, 130 feet of 24-inch storm sewer, and 40 feet of 12-inch storm sewer. Construction began in mid-July and the contractor immediately hit rock that was not diggable. The decision was made to proceed with rock removal on a time and materials basis, as allowed by the contract specifications. Unfortunately, there was not a way to quantify the rock quantity that would be encountered, so the need for additional authorization was not known at that time. The total amount was quantified and submitted by the contractor on August 26th.

C. Financial and/or Resource Considerations. The original contract awarded was for \$139,968. With contingency, staff projected a total construction cost of \$154,875. The contractor has submitted a change order request for \$53,253.14. This amount is over the approved total project amount and exceeds the City Manager's authority.

D. Timing Issues. The work has been completed. In order to pay the contractor for the work as outlined in the contract documents, staff needs authorization as soon as practical.

COUNCIL OPTIONS

Council has the following options:

1. Raise the spending authorization to \$210,000 and authorize the City Manager to execute the change order; or
2. Request additional information.

STAFF RECOMMENDATION

The Public Works Commission will discuss this item at their September 8th meeting. Staff will report their recommendation at the Council meeting.

The work was necessary to construct the project. In staff's opinion, there was not a viable design solution that could have prevented encountering the rock. The work has been completed and the City is contractually obligated to pay the contractor. Funding is available in the Storm Drainage Fund. Staff recommends that Council raise the construction spending authorization to \$210,000 and authorize the City Manager to sign the change order.

SUGGESTED MOTION

I move to raise the total construction cost authorization for the Fairmount Storm Improvement Project to \$210,000 and authorize the City Manager to approve a change order for rock excavation for \$53,253.14.

ATTACHMENTS

None.

AK
9/6/16

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



Equipment Purchase – Chipper Truck

Meeting Date: September 12, 2016
Department: Public Works
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

The FY 2016 -17 Equipment Replacement Budget includes the replacement of the Chipper Truck. The issue for Council is whether to authorize the purchase.

BACKGROUND

A. Council Action History. None.

B. Analysis. The truck scheduled for replacement is a 1997 Ford one-ton truck with a hydraulic dump bed and removable side boards. The existing truck has been in use for twenty years and is at the end of its useful life. Staff is proposing to replace it with a 2017 Ford F-450 with a Schelzi 12' Chipper Dump Body. The new truck will be used primarily in conjunction with the chipper, to complete tree/shrub pruning and maintenance in parks and along streets.

Staff proposes to purchase the new truck from Northside Ford Truck Sales. The truck is available at a reduced price through Oregon state contract pricing (ORPIN).

C. Financial and/or Resource Considerations. The FY 2016-17 Equipment Replacement fund includes \$70,000 for the purchase of a replacement Chipper Truck. The ORPIN price for the truck is \$63,474.90.

D. Timing Issues. If the purchase is awarded, the truck will be delivered in about 5 months.

COUNCIL OPTIONS

Council has the following options:

1. Award the purchase of a chipper truck to Northside Ford Truck Sales via the ORPIN contract for \$63,474.90; or
2. Request additional information; or
3. Not award the purchase.

STAFF RECOMMENDATION

The Parks Commission will discuss this purchase at their September 7th meeting. Staff will report the results of that discussion at the Council meeting.

This is an important piece of equipment used by two maintenance divisions within the City. Often, the equipment is used to clean up storm related damage. It is important that the City have reliable equipment to perform these tasks. Money has been budgeted and is available

to make this purchase. Staff recommends that the purchase be awarded to Northside Ford Truck Sales for \$63,474.90.

SUGGESTED MOTION

I move to award the purchase of a chipper truck to Northside Ford Truck Sales utilizing the ORPIN contract price of \$63,474.90.

ATTACHMENTS

None.

ROSEBURG CITY COUNCIL AGENCY AGENDA ITEM SUMMARY

JD
9/17/16



Downtown Roseburg Association Annual Report

Meeting Date: September 12, 2016
Department: Community Development
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Brian Davis
Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

As required by the personal services agreement between the City and the Downtown Roseburg Association, a report shall be presented to the City Council outlining the activities of the DRA during the past year. DRA Executive Director Roxana Grant shall attend the September 12 meeting to present this report.

BACKGROUND

A. Council Action History.

October 2011 – Council approved contract with DRA for \$22,500 annually to carry out city initiatives downtown, consistent with the Oregon Main Street Program

April 2010 – Council adopted Resolution 2010-4, recognizing need for Downtown Roseburg Association under the Oregon Main Street Program

1981 – Council formed Downtown Development Board, staffed by City employees; Board dissolved in 2005.

B. Analysis.

For nearly 25 years, the City dedicated staff to the Downtown Development Board, which in effect was similar to current advisory commissions to the Council. After the Board was dissolved in 2005, the Council supported pursuit of the Oregon Main Street Program for Downtown Roseburg. Under this arrangement the City would pay a third party to render services for the benefit of the downtown and the implementation of Council policies without dedicating payroll staff to perform the same function. Additionally, if Oregon Main Street principles were followed, the City's contribution would only be a third of the cost rather than the entirety.

The attached personal services agreement effective October 2011 outlines the duties of the DRA, highlights of which are as follows:

- Monthly newsletters (distributed to the Council as well)
- Fully functioning website: <http://www.downtownroseburg.org>

- Special events
- Cooperative advertising for community events
- Flower basket and holiday lighting programs
- Recruit businesses to downtown and Roseburg
- Work with City on parking, solid waste/recycling, land use, and tree ordinance revisions

C. Financial and/or Resource Considerations.

The City contributes \$22,500 annually from the Economic Development Fund as authorized by the budget.

D. Timing Issues.

None

COUNCIL OPTIONS

No City Council action is required at this time.

10-24-2011

AMENDED 6-1-2013 ATTCHD.

PERSONAL SERVICES CONTRACT

This contract is made and entered into this 21ST day of FEBRUARY, 2012, by and between the CITY OF ROSEBURG, an Oregon municipal corporation, hereinafter called "CITY," and DOWNTOWN ROSEBURG ASSOCIATION, an independent contractor, hereinafter called "CONTRACTOR."

SECTION 1. CONTRACTOR AGREES:

1.1 Term. Beginning October 24, 2011, and continuing thereafter until terminated by either party, CONTRACTOR shall perform the services required by the contract.

1.2 Activities. CONTRACTOR shall hire a Main Street Manager (MANAGER) to provide services as set forth in 1.2.1 through 1.2.8.

1.2.1 General Provisions

- A. The name of the services performed under this contract shall be and remain as: Downtown Roseburg Association (CONTRACTOR). This will appear on all publications prepared in the performance of this Contract.
- B. Coordinate cooperative media advertising for businesses within Downtown Roseburg.
- C. Provide CITY a quarterly report of rental space available, property for sale and contacts made to recruit businesses to the Downtown Roseburg, along with success ratio information.
- D. Work with existing businesses to ensure retention in Downtown Roseburg.

1.2.2 Affiliations

- A. Pay for membership in and participate in the National Main Street Program.
- B. MANAGER, or CONTRACTOR's designee when necessary, shall attend:
 - 1. City Council
 - 2. Oregon Main Street Conference

1.2.3 Promotions

- A. Monthly newsletter shall be maintained and distributed to those on current list or with additions as requested by the CITY and general public.
- B. Provide website and update as necessary.

1.2.4 Community Activities

- A. Assist and support local institutions and organizations in development of special events and attractions in and around Roseburg that attract overnight visitors to Downtown Roseburg.
- B. Cooperative advertising and sharing of printing expenses for community events with sponsoring organizations, assistance with issuing promotional news releases and modest financial support for entertainers or other items which would attract more people.

1.2.5 Beautification

- A. Purchase, install, and maintain flower baskets during growing season. Coordinate with Umpqua Valley Arts Center the location of banners to be installed on light poles.
- B. Participate with CITY in developing an ordinance regulating the maintenance, installation, and removal of trees within the area defined in Exhibit B.
- C. Maintain recycling station at 1071 SE Kane Street. Keep appearance neat and orderly between service dates by hauler. Work with CITY to identify a recycling station within the Central Business District in addition to the existing station at 1071 SE Kane Street.

1.2.6 Parking

- A. On or before June 30, 2012, CONTRACTOR shall submit to CITY a proposal for CONTRACTOR to operate, manage, and maintain a parking enforcement program for all downtown public parking areas that currently have or may potentially have designated limitations.

1.2.7 Staffing

- A. The MANAGER position shall be created for the general administration of the program, under the direction of CONTRACTOR's Board.
- B. A Screening Committee consisting of five representatives will assist in the hiring of a MANAGER each time this position is vacated, with the responsibility of making recommendations to CONTRACTOR. The Screening Committee Representatives will be, at a minimum:
 - 1. DRA President;
 - 2. DRA Board Member;
 - 3. Appointee of the Mayor;

4. Any additional members as appointed at CONTRACTOR's discretion.

1.2.8 Reports

- A. Provide an initial business plan for the first year.
- B. Participate in an annual program review with CITY's City Council each August.
- C. By August 30, provide an annual report of:
 1. Attendance at conferences or other training as designated in 1.2.2.
 2. Advertising.
 3. Business recruitment efforts and performance measurement.
 4. Enumeration of marketing campaigns, their target market and any measurable responses.

1.3 Finances.

- 1.3.1 A review of CONTRACTOR'S accounting and business records shall be conducted annually by an independent certified public accounting firm at CONTRACTOR's cost. A copy of the review shall be delivered to CITY's City Manager and presented to the City Council.
- 1.3.2 Two signatures shall be required on CONTRACTOR's checks. Designated signatories shall be: MANAGER and CONTRACTOR designee.
- 1.3.3 CONTRACTOR will provide CITY a quarterly financial statement for the CONTRACTOR.

- 1.4 Expenditures and Conditions. CONTRACTOR shall pay all expenses it incurs promptly and shall comply with all provisions of state law applicable to this contract, including, but not limited to, those specified as the responsibility of the CONTRACTOR in Exhibit "A" attached hereto and incorporated herein by this reference.
- 1.5 Insurance Requirements. At all times during the term of this Contract, at the sole expense of the CONTRACTOR, CONTRACTOR shall maintain continuously in effect the insurance policies described herein. Each policy shall be written as a primary policy, not contributing with or in excess of any coverage the City may carry. A copy of each policy or a certificate, and copies of additional insured endorsements, satisfactory to the City shall be delivered to the City prior to commencement of any work or services provided under this Contract. The certificates shall specify and document all insurance-related provisions within this Contract. A renewal certificate will be sent to the City 10 days prior to coverage expiration. Unless specified, each policy shall be written on an "occurrence" form.

Policies must be underwritten by an insurance company deemed acceptable to the City and admitted to do business in Oregon, or, in the alternative, rated A- or better by AM Best. The City reserves the right to reject any Insurance carrier with an unacceptable financial rating. There shall be no cancellation, material change, exhaustion of aggregate limits or intent not to renew insurance coverage without 30 days written notice to the City. The 30-day notice of cancellation provision must be physically endorsed on the policy. In the event the statutory limit of liability of a public body for claims arising out of a single accident or occurrence is increased above the combined single limits specified in this Contract, City shall have the right to require CONTRACTOR to increase the CONTRACTOR's coverage by an amount equal to the increase in the statutory limit for such claims and to increase the aggregate coverage by twice the amount of the increase in the statutory limit. Failure to maintain any insurance coverage required by this Contract shall be cause for immediate termination of the Contract by the City, but termination shall not relieve CONTRACTOR of its obligation to provide and maintain such coverage, and City shall be entitled to enforce all liability and indemnity provisions of this Contract following such termination. In addition, all requirements concerning insurance and indemnity shall survive the termination of this Contract.

1.5.1 **Commercial General Liability.** Throughout the term of this Contract, CONTRACTOR shall maintain continuously in a broad commercial general liability insurance policy with coverage of not less than \$1,000,000 combined single limit per occurrence, with an aggregate of \$2 million, for bodily injury, personal injury or property damage. The policy shall also contain an endorsement naming the City as an additional insured, on a form satisfactory to City, and expressly provide that the interest of the City shall not be affected by CONTRACTOR's breach of policy provisions. Such policy must be maintained in full force and effect for the duration of this Contract, failure to do so shall be cause for immediate termination of this Contract by City. Any additional insured requirements included in this Contract shall both provide completed operations coverage after job completion and coverage that is primary and non-contributory. Claims Made policies will not be accepted.

1.5.2 **Automobile Liability Insurance.** At all times during the term of this Contract, and at the sole expense of CONTRACTOR, CONTRACTOR shall maintain "Symbol 1" automobile liability coverage including coverage for all owned, hired and non-owned vehicles, equivalent to a combined single limit per occurrence on not less than \$1,000,000 for bodily injury or property damage.

1.8 **Books and Records.** CONTRACTOR shall keep complete and proper books, records and accounts of all transactions performed as part of this contract and the approved invoices and work program. The books, records and accounts shall be open to inspection by CITY or its designee during normal business hours, and shall

remain open to CITY for such inspection for three months following termination of this contract.

- 1.9 Availability. CONTRACTOR shall be available for meetings, discussions and program reviews with sufficient notice.
- 1.10 Assignment. The responsibility for performing CONTRACTOR'S services under the terms of this contract shall not be assigned, transferred, delegated or otherwise referred by CONTRACTOR to a third person without the prior written consent of CITY.
- 1.11 Compliance with Law and Standard Contract Provisions. CONTRACTOR shall comply with all federal, state and local laws, including Roseburg Municipal Code Regulations relating to business registration, and with all Standard City Contract Provisions as outlined in the attached Exhibit "A".
- 1.12 Health Hazard Notification. Contractors who are hired to perform work for the City involving the need to control hazardous energy or enter confined spaces will be informed of our programs and the associated hazards that City staff is aware of. The notification is not designed to take over the CONTRACTOR's safety responsibilities to his or her employees but to provide appropriate notification under the Oregon OSHA rules.

SECTION 2. CITY AGREES:

- 2.1 The CITY will pay, on the dates described in 2.2 of this contract, an amount equal to \$5,625.00 on a quarterly basis.
- 2.2 During the length of the contract, CITY agrees to pay CONTRACTOR quarterly within ten days of October 31, January 31, April 30, July 31.

SECTION 3. BOTH PARTIES AGREE:

- 3.1 Independent Contractor. CONTRACTOR is an independent contractor. CONTRACTOR shall control the manner in which it performs the services herein; however, CITY shall specify the nature of the services and the results to be achieved. CONTRACTOR is not to be deemed to be an employee or agent of CITY and has no authority to make any binding commitments on behalf of CITY except as expressly approved in writing by CITY'S City Manager.
- 3.2 Indemnification. Each party shall indemnify, hold harmless and defend the other, its officials, agents and employees, from and against any and all claims, damages, losses and expenses, including attorney fees, arising in or from its performance of, or failure to perform, this contract. The extent of CITY's obligation under this subsection is limited to CITY's obligation under the Oregon Constitution and ORS 30.260 through 30.300.

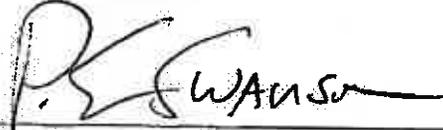
- 3.3 Arbitration. Any controversy regarding the language or performance of this contract shall be submitted to arbitration. Either party may request arbitration by written notice to the other. If the parties cannot agree on a single arbitrator within 15 days from the giving of notice, each party shall within five days select a person to represent the party and the two representatives shall immediately select an impartial third person to complete a three-member arbitration panel. If either party fails to select its representative, the other party may petition the Chief Judge of the Circuit Court of Douglas County for designation of the representative. The arbitration shall be conducted in accordance with ORS 33.210 et seq. or the provisions of any such future law. The arbitrator(s) shall assess all or part of the costs of arbitration, including attorney's fees, to either or both parties.
- 3.4 Attorney Fees. If any arbitration, administrative proceeding, action or appeal thereon, is instituted in connection with any controversy arising out of this contract, performance of this contract or failure to perform this contract, the prevailing party shall be entitled to recover, in addition to costs and disbursements, such sum as the court may adjudge reasonable as attorney fees.
- 3.5 Ownership and Use of Documents or Equipment Purchased. In whatever form they may be produced or stored, any documents or publications prepared or equipment and software purchased in performance of this contract and any supporting and investigative information that is gathered in the performance of this contract, upon completion of the work or upon termination of this contract, shall be retained by CITY until such time as CONTRACTOR's successor is established and organized, at which time all such documents, publications, equipment and information shall be transferred to and become the property of CONTRACTOR's successor. CITY may use the documents prepared hereunder for any purpose; however, CONTRACTOR or its successor shall have no liability with regard to such documents to the extent they are used or applied outside of the scope of the work unless CONTRACTOR is consulted and offers a professional opinion that the use contemplated is appropriate.
- 3.6 Notices. Any notice required to be given under this contract, or required by law, shall be in writing and delivered to the parties at the following addresses:
- | | |
|--------------------|-------------------------------|
| CITY OF ROSEBURG | DOWNTOWN ROSEBURG ASSOCIATION |
| City Manager | President |
| 900 SE Douglas | P. O. Box 2032 |
| Roseburg, OR 97470 | Roseburg, OR 97470 |
- 3.7 Applicable Laws. The laws of the State of Oregon shall be used in construing this contract and enforcing the rights and remedies of the parties.

3.8 Termination Clause. Except where this Contract expressly allows a shorter termination notice, without cause either party may terminate this agreement upon sixty days prior written notice to the others.

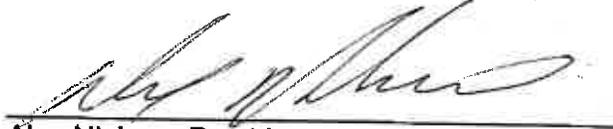
3.9 Merger. There are no other undertakings, promises or agreements, either oral or in writing, other than that which is contained in this contract. Any amendments to this contract shall be in writing and executed by both parties.

CITY OF ROSEBURG

DOWNTOWN ROSEBURG ASSOCIATION



P. Eric Swanson, City Manager



Alex Nielsen, President

Dated: 21 Feb 2012

Dated: 22 Feb 2012



Sheila R. Cox
City Recorder

EXHIBIT "A"
STANDARD CITY CONTRACT PROVISIONS FOR
PROFESSIONAL/PERSONAL SERVICES

The following provisions, if applicable, are hereby included in and made a part of the attached Contract for professional/personal services between the City of Roseburg and the Contractor named therein as provided for in the Roseburg Municipal Code, the Oregon Revised Statutes and Federal laws, rules, regulations and guidelines:

1. DISCRIMINATION IN SUBCONTRACTING PROHIBITED; REMEDIES - ORS 279A.110:

1.1 The Contractor may not discriminate against a Subcontractor in the awarding of a subcontract because the Subcontractor is a minority, women or emerging small business enterprise certified under ORS 200.055.

1.2 By entering into the Contract, the Contractor certifies it has not discriminated and will not discriminate, in violation of Subsection 1.1 against any minority, women or emerging small business enterprise in obtaining any required subcontract.

1.3 If the Contractor violates the nondiscrimination certification made under Subsection 1.2, the City may regard the violation as a breach of contract that permits the City to terminate the Contract or exercise any remedies for breach permitted under the Contract.

2. NONRESIDENT CONTRACTOR REPORT TO DEPARTMENT OF REVENUE - ORS 279A.120:

2.1 As used in this Section, "nonresident contractor" means a contractor that:

- (a)** Has not paid unemployment taxes or income taxes in the State of Oregon during the 12 calendar months immediately preceding submission of the bid or proposal for the Contract;
- (b)** Does not have a business address in this state; and
- (c)** Stated in the bid or proposal for the Contract that it was not a "resident bidder" under ORS 279A.120.

2.2 If the Contractor is a nonresident contractor and the public contract price exceeds \$10,000, the Contractor shall promptly report to the Department of Revenue, on forms to be provided by the Department, the total contract price, terms of payment, length of contract and such other information as the Department may require before the Contractor may receive final payment on the Contract. The City shall satisfy itself that the requirement of this Section has been complied with before it issues a final payment on the public contract.

3. PREFERENCE FOR RECYCLED MATERIALS - ORS 279A.125:

3.1 Notwithstanding provisions of law requiring the City to award a contract to the lowest responsible bidder or best proposer or provider of a quotation and subject to Section 3.2, when procuring goods for any public use, the City shall give preference to the procurement of goods manufactured from recycled materials.

3.2 The City shall give preference to goods that are considered to be made from recycled materials if:

- (a) The recycled product is available;
- (b) The recycled product meets applicable standards;
- (c) The recycled product can be substituted for a comparable nonrecycled product; and
- (d) The recycled product's cost does not exceed the cost of a comparable nonrecycled product by more than five percent, or a higher percentage if a written determination is made by the City.

4. **PAYMENT OF LABORERS AND MATERIALMEN, CONTRIBUTIONS TO INDUSTRIAL ACCIDENT FUND, LIENS AND WITHHOLDING TAXES - ORS 279B.220(1)**: The Contractor shall:

4.1 Make payment promptly, as due, to all persons supplying to such Contractor, labor or material for the performance of the work provided for in the Contract.

4.2 Pay all contributions or amounts due the Industrial Accident Fund from such Contractor or Subcontractor incurred in the performance of the Contract.

4.3 Not permit any lien or claim to be filed or prosecuted against the City or any subdivision, agency or employee thereof on account of any labor or material furnished.

4.4 Pay to the Department of Revenue, all sums withheld from employees pursuant to ORS 316.167.

5. **SALVAGING, RECYCLING, COMPOSTING OR MULCHING YARD WASTE MATERIAL - ORS 279B.225**: If the Contract will include lawn and landscape maintenance the Contractor shall salvage, recycle, compost or mulch yard waste material at an approved site, if feasible and cost-effective.

6. **PAYMENT FOR MEDICAL CARE AND ATTENTION TO EMPLOYEES - ORS 279B.230**:

6.1 Contractor shall promptly as due, make payment to any person, co-partnership association or corporation furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury, to the employees of such Contractor of all sums which the Contractor agrees to pay for such services

and all monies and sums which the Contractor collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such services.

6.2 The Contractor, its subcontractors, if any, and all employers providing work, labor or materials under the Contract who are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide workers' compensation coverage that satisfies Oregon law for all their subject workers. Out-of-state employers must provide workers' compensation coverage that complies with ORS 656.126 for their workers. Employers' Liability Insurance with coverage limits of not less than \$500,000 each accident shall be included.

7. HOURS OF LABOR - ORS 279B.235: This Section does not apply to public contracts for goods or personal property.

7.1 No person shall be employed for more than ten hours in any one day or forty hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires it, and in such cases, except for contracts for personal services, the employee shall be paid at least time and a half pay for:

(a) All overtime in excess of eight hours a day or forty hours in any one week, when the work week consists of five consecutive days, Monday through Friday; or

(b) All overtime in excess of ten hours a day or forty hours in any one week, when the work week is four consecutive days, Monday through Friday; and

(c) For all work performed on Saturday and on any legal holiday specified in ORS 279B.020, or all holidays specified in a collective bargaining agreement.

7.2 For personal services contracts, employees shall be paid at least time and a half pay for all overtime worked in excess of 40 hours in any one week, except for individuals under personal service contracts who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. 201 to 209 from receiving overtime.

7.3 The Contractor must give notice to employees who perform work on this Contract, in writing, either at the time of hire or before commencement of work on this Contract, or by posting a notice in a location frequented by employees, the number of hours per day and days per week that the employees may be required to work.

8. **EXCLUSION OF RECYCLED OILS PROHIBITED - ORS 279B.240.** Lubricating oil and industrial oil may include recycled oils or oils that are not manufactured from virgin materials.

9. **COMPLIANCE WITH LAWS:** Contractor shall comply with all federal, state and local laws, rules, ordinances and regulations at all times and in performance of this Contract.

AMENDMENT TO PERSONAL SERVICES CONTRACT

BETWEEN: City of Roseburg, an Oregon Municipal Corporation (CITY)

AND: Downtown Roseburg Association, an independent contractor (CONTRACTOR)

EFFECTIVE DATE: June 1, 2013

RECITALS

A. WHEREAS, Downtown Roseburg Association (CONTRACTOR), an independent contractor, entered into a personal services contract (CONTRACT) dated February 21, 2012 with the City of Roseburg (CITY) to provide Main Street services as requested by the CITY; and

B. WHEREAS, CITY and CONTRACTOR desire to amend this contract to provide for additional services;

NOW THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

SECTION 1. Effective June 1, 2013, Section 1.2.5.D. shall be added and shall read as follows:

1.2.5.D. Dispose of garbage collected in all public trash receptacles located within the Central Business District

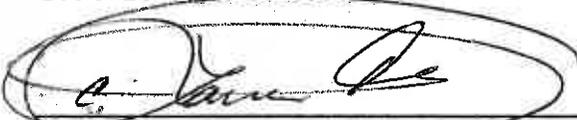
SECTION 2. Section 2.3 shall be added and shall read as follows:

2.3 CITY shall pay CONTRACTOR \$180.00 per month for garbage disposal services described in Section 1.2.5.D. CONTRACTOR will tender an invoice by the tenth of each month for these services, and CITY shall make full payment on such invoice within thirty days of its receipt.

SECTION 3. The CITY and the CONTRACTOR hereby affirm that all other terms and conditions of the CONTRACT shall remain in full force and effect as written.

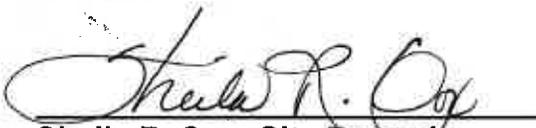
CITY OF ROSEBURG

DOWNTOWN ROSEBURG ASSOCIATION


C. Lance Colley, City Manager
Dated: July 1, 2013


Alex Nielsen, President
Dated: 6/27/13

ATTEST:


Sheila R. Cox, City Recorder

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

CJC
9/6/16

INFORMATIONAL A
9/12/2016



ACTIVITY REPORT

Meeting Date: September 12, 2016
Department: City Manager
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

At each meeting I will provide the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's part. The reports are intended to provide a mechanism to solicit feedback and enhance communication between the Council, City Manager and City Staff. For your September 12, 2016, meeting, I provide the following items:

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



Agenda
Department Heads Meeting
August 23, 2016 – 10:00 a.m.

1. Review August 22, 2016 Council and Urban Renewal Meetings
2. Review Tentative September 12, 2016 Council Meeting
3. Tentative Future Agenda
4. Document Signing/Grants
 - Life Chain Parade Permit
 - Independent Actuaries Agreement
 - Century West Engineering Contract Amendment – South Stewart Parkway
 - RH2 Engineering Task Order – Telemetry
 - NE Chestnut Storm CIPP Construction Contract
5. Bomb Scare Debrief
6. Scheduling Public Safety Center Meeting Rooms
7. Department Items



Agenda
Department Heads Meeting
September 6, 2016 – 10:00 a.m.

1. Review Tentative September 12, 2016 Council Meeting
2. Tentative Future Agenda
3. Document Signing/Grants
 - Umpqua Valley Tennis Center Alcohol Permit
 - Community Brew BBQ Loudspeaker Permit
 - Community Brew BBQ Special Event Facilities Use Permit
 - Community Brew BBQ Outdoor Alcohol Event Permit
 - i.e. Engineering Contract – Edenbower/Stewart Parkway Turn Lane Design
 - Grant Checklist – Fir Grove Park Play Area
4. Roseburg City Council Candidate Forum – September 19th
5. Employee Acknowledgements
 - 30 Years – Ed Pratt, Battalion Chief
 - 20 Years – Travis Dahl, Master Officer
 - Jeff Eichenbusch, Sergeant
 - 15 Years – Dennis Chrisenbery, Sergeant
 - 10 Years – Josh Manson, Water Maintenance
 - 5 Years – Daryn Anderson, Civil Engineer
6. Department Items

TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- City Hall Entry/Finance Department Remodel
- Roadside Memorial Policy
- Urban Services Agreement
- Amending RMC 5.04 Water Rules and Regulations

September 26, 2016

6:00 p.m.

- Planning Commission Interviews
- Mayor Reports
 - A. Walk and Bike to School Day Proclamation
- Council Reports
 - A. Implementation of City Manager Annual Performance Evaluation
- Consent Agenda
 - A. Minutes of September 12, 2016
 - B. Parking Meter Removal – Stephens Street
- Ordinances
 - A. 2nd Reading, Tabor Annexation, Zone Change and Withdrawal
- Department Items
 - A. The Partnership Annual Report
 - B. Engineering Contract – ADA Transition Plan
- Informational
 - A. Activity Report

October 10, 2016

- Consent Agenda
 - A. Minutes of September 26, 2016
- Informational
 - A. Activity Report

October 24, 2016

- Consent Agenda
 - A. Minutes of October 10, 2016
 - B. Cancellation of December 26, 2016, Meeting
- Department Items
 - Umpqua Basin Urban Services Agreement
- Informational
 - A. Activity Report (Quarterly Reports)

November 14, 2016

- Consent Agenda
 - A. Minutes of October 24, 2016
- Informational
 - A. Activity Report
- Executive Session
 - A. City Manager Annual Review

November 28, 2016

City Council Reports

- A. City Manager Contract

Consent Agenda

- A. Minutes of November 14, 2016

Informational

- A. Activity Report

December 12, 2016

Mayor Reports

- A. Election Results

Consent Agenda

- A. Minutes of November 28, 2016

Informational

- A. Activity Report

January 9, 2017

Mayor Report

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

Council Ward Reports

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

Consent Agenda

- A. Minutes of December 12, 2016

Informational

- A. Activity Report

January 23, 2017

Consent Agenda

- A. Minutes of January 10, 2017

Informational

- A. Activity Report – Municipal Court Quarterly Report

February 13, 2017

Special Presentation

- A. CAFR Review – Auditor Scott Cooley
- B. Quarterly Financial Report – Quarter Ended December 31, 2016
- C. 2017-18 Budget Calendar

Consent Agenda

- A. Minutes of January 2, 2017

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

February 27, 2017

Consent Agenda

- A. Minutes of February 14, 2017

Department Items

- A. The Partnership Annual Report

Informational

- A. Activity Report

March 13, 2017

Consent Agenda

- A. Minutes of February 28, 2017

Department Items

- A. Visitors Bureau Annual Report

Informational

- A. Activity Report

March 27, 2017

Consent Agenda

- A. Minutes of March 14, 2017

Informational

- A. Activity Report

April 10, 2017

Mayor's Report

- A. Volunteer Recognition Month Proclamation

Consent Agenda

- A. Minutes of March 28, 2017
- B. 2017 OLCC License Renewal Endorsement

Informational

- A. Activity Report – Budget Calendar Reminder

April 24, 2017

Consent Agenda

- A. Minutes of April 11, 2017

Informational

- A. Activity Report – Municipal Court and Financial Quarterly Reports

May 8, 2017

Consent Agenda

- A. Minutes of April 25, 2017
- B. U-TRANS Services Contract

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

May 22, 2017

Consent Agenda

- A. Minutes of May 9, 2017
- B. Fee Amendment Resolutions

Informational

- A. Activity Report

June 12, 2017

Mayor Reports

- A. Camp Millennium Week Proclamation

Consent Agenda

- A. Minutes of May 23, 2017

Public Hearing

- A. Resolution No. 2017 – 2017/18 Budget Adoption

Informational

- A. Activity Report

Urban Renewal Agency Board Meeting

- A. Approval of Minutes
- B. Public Hearing – 2017/18 Budget Adoption

June 26, 2017

Consent Agenda

- A. Minutes of June 13, 2017

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

July 10, 2017

Consent Agenda

- A. Minutes of June 27, 2017

Informational

- A. Activity Report

July 24, 2017

Consent Agenda

- A. Minutes of July 11, 2017

Informational

- A. Activity Report – Municipal Court and Financial Quarterly Reports

August 14, 2017

Consent Agenda

- A. Minutes of July 25, 2017

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

August 28, 2017

Consent Agenda

- A. Minutes of August 8, 2017

Informational

- A. Activity Report

September 11, 2017

Council Reports

- A. Implementation of Annual City Manager Performance Evaluation

Consent Agenda

- A. Minutes of August 22, 2017

Department Items

- A. Downtown Roseburg Association Annual Report

Informational

- A. Activity Report

September 25, 2017

Mayor Reports

- A. Walk and Bike to School Day Proclamation

Consent Agenda

- A. Minutes of September 12, 2017

Informational

- A. Activity Report

October 9, 2017

Consent Agenda

- A. Minutes of September 26, 2017

Informational

- A. Activity Report

October 23, 2017

Consent Agenda

- A. Minutes of October 10, 2017
- B. Cancellation of December 26, 2017 Meeting

Informational

- A. Activity Report – Municipal Court & Financial Quarterly Reports

November 13, 2017

Consent Agenda

- A. Minutes of October 24, 2017
- B. Cancel December 25, 2017 Meeting

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Report

November 27, 2017

Council Report

- A. City Manager’s Contract

Consent Agenda

- A. Minutes of November 14, 2017

December 11, 2016

Mayor Reports

- A. Election Results
- B. Outgoing Councilor Acknowledgements

Consent Agenda

- A. Minutes of November 28, 2017

Friday August 19, 2016



Good Friday afternoon everyone! It appears our summer weather has now arrived, and while it may cool down a little, it appears the warmer weather is here to stay. On that warm weather note, I would like to invite all of you to join the Roseburg Morning Rotary Club next Wednesday, August 24th, at 12:30 p.m. as they present the City with a check representing the contributions that Rotary collected to help us with the community fundraising portion of our splash pad and playground project. The presentation will take place near the location of the new splash pad in Fir Grove near the soccer office and



concession area. Mayor Rich will be there to accept the check on the City's behalf. Once again I would like to thank Dan Clark and the Morning Rotary as well as Stacey Crowe for chairing the fundraising activities.

Monday, Wayne Patterson from the Partnership, Kelly Morgan from Mercy/Partnership, and I met with representatives from Pac West and Western University to discuss our current progress and aspirations for an undergraduate/masters level medical college to support rural health care across Oregon and the west coast. We had a great conversation and they are interested in helping us evaluate our options to move forward. Western University of Health Sciences is a college of osteopathic medicine located in Lebanon and provides post masters doctoral studies. Their curriculum is a level above the programming we hope to offer, but they recently opened in a small rural Oregon community and are familiar with the opportunities and barriers that are faced when attempting to start up a new college facility and program. We will continue to have discussions with their leadership as we move forward in our attempt to identify an academic partner.



The Industrial Development Board (IDB) met Tuesday to discuss their current programs and impact of some of their funding. They discussed whether their processes, which they identified as somewhat "one size fits all" might need to be modified to address the current economic development landscape. The more traditional loan or grant to purchase land in the area and locate or relocate is becoming scarcer and funding for equipment/renovation in exchange for job expansion or creation seems to be the current trend. They will look at their process with County legal and finance staff to evaluate their current policies and procedures.

I was not be able to attend the entire IDB meeting as Brian Davis and I then attended a conference call with a representative from the railroad to further discuss moving forward with at least a partial level II environmental assessment on a portion of their former switchyard property adjacent to a local business. The thought is that there might be room for business expansion if CORP could surplus a portion of the easterly property and make it available for sale. We have been working with CORP through their various ownerships for over three years so now we need to see if we can make this happen.

We hope splitting the property into east and west options for the additional environmental review might make it more palatable. We will keep you posted as we attempt to move this economic development opportunity forward.

Later on Tuesday Brian and I attended a “Healthy Housing” discussion that is coordinated by the United Way. The group is trying to identify housing needs in the community at all levels, from very low income through market rate and beyond. Our first priority for the group is to develop real data around the community’s housing availability, housing needs and then to identify how to close the gap. Anecdotally, we understand that there is virtually a zero vacancy rate at all levels of income; however, there is not good verifiable information available. Community Development will conduct a housing land use inventory concurrently with the occupancy study as part of the department’s 2016-17 work plan. The information from both studies should be effective in providing guidance on how best to address some of the community’s housing needs. At the same time, we would like to develop accurate information regarding the unhoused population in the community and whether we can address some components of their housing needs throughout Douglas County.

Wednesday, the steering committee for the Arts Integration grant met to review the final draft report prepared by the consultant and began talking about the implementation phase of the project. The final report should be completed by the end of September. As you may recall, NeighborWorks received some grant funding as part of their NeighborWorks America Association. In addition, the City provided \$5,000 in economic development dollars and received a technical assistance grant from the Ford Family Foundation for an additional \$5,000. We have involved a number of people in the project representing non-profits, the private sector, downtown business owners as well as NeighborWorks Umpqua, the DC Museum, the Partnership, the Art Center, the Umpqua Makers Guild and the City. We look forward to continued work on what has become “Creative Roseburg” in the future.

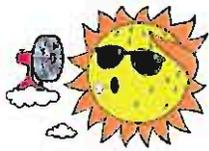
Over the past month or so, we have added a Police Department, Fire Department and City of Roseburg Facebook page as communications tools to help meet Council’s goals to better communicate with the community. The primary purpose of the pages is to push information out to the community and not to engage in anonymous dialogue. To date we have 128 page likes for the City, 377 page likes for Fire and 726 for Police.



Our current recruitment for a Firefighter position has reached 8,640 people with 73 shares. Our current recruitment post for a Police Officer has reached 2,350 in the last couple days. Both Police and Fire are now enrolled and using Flash Alert which allows for accurate news releases in both emergency and non-emergency situations. To sign up for Flash Alert on your own you can go to: <https://www.flashalert.net/>.



This week we received a purchase offer for the Willis House. On the surface, it appears to be acceptable, with some very minor modifications. In accordance with the RMC, we will place this item on your agenda for the September 12th meeting to be considered and advertise for the necessary public hearing on that date. Much of your Monday Council meeting will be devoted to bid and contract awards by Council and then the Urban Renewal Board. We will also discuss the parks department reorganization. As I indicated last week, Ron Harker has updated the six year forecast to ensure that our suggested changes are sustainable and the change fits easily within our current plan. We look forward to discussing the reorganization and how it fits with our Council goals and plans for service provision in the future.



As I write this it appears we have about 20 more degrees to reach our high today. Stay cool and have a great weekend everyone. See you all Monday night.

Friday August 26, 2016

Good Friday afternoon everyone. Another record high temperature is expected today, but it looks like it is going to cool down nicely over the weekend. There are several things going on around town this weekend as well as national parks free entrance weekend at Crater Lake. As always, you can find things to do around the area at <http://www.visitroseburg.com/events/>. Tonight we are showing Star Wars - The Force Awakens, the final Movie in the Park, which was originally rained out in June. Pre-entertainment begins at 7:00 p.m. with the movie beginning at dark around 8:15 p.m. (see attached). I would like to share that Representative Peter Defazio is holding a town hall meeting in the City Council Chambers next Tuesday, August 30th at 5:00 p.m. The entire community is invited to attend.



In addition to our Council meeting last Monday, I attended a meeting of county wide leaders to discuss a potential application to participate in a future "Blue Zone" program. Representatives from the Douglas Education Service District, health and mental health, county school districts, cities and The Ford Family Foundation were present. The DESD is submitting the county wide application. The primary purpose of the Blue Zone program is to educate the community about healthy choices while being proactive with community health assets and choices. Much of the work will be with schools throughout the county, but community engagement is also important. You can follow the general Oregon link at <https://oregon.bluezonesproject.com/> or look at the work Klamath County has done as the first pilot done in Oregon at <https://www.bluezones.com/2016/03/klamath-embraces-blue-zones/>.



The City currently utilizes a number of the initiatives employed by the Blue Zone concepts, but the broader county community has scored very poorly when measuring health data like tobacco use, prescription drug use, illegal drug use, child hood and adult obesity and chronic disease. A link to the County statistics can be found at <http://www.countyhealthrankings.org/app/oregon/2016/rankings/douglas/county/outcomes/overall/snapshot>. Our involvement will likely be small if the application is approved, but we can provide a leadership role in policy development for a number of the smaller municipalities.



Wednesday Mayor Rich was on hand to receive the proceeds (ok, it was fake check) from recent Roseburg Morning Rotary fundraising efforts to help provide community support with funding for the Fir Grove playground and spray park. The original request to Morning Rotary was \$40,000 that would help provide "community support" for the project for submittal to some additional foundations. Rotary immediately developed a campaign goal of \$80,000. Dan Clark and Stacey Crowe provided campaign leadership, and on Wednesday, Morning Rotary presented the City with a check for just

over \$107,000. The generosity of our community, through this effort by our local Rotary, shows how supportive our community is for important projects that benefit our constituents, especially our youth.

On Thursday, Chief Burge and I attended the County's Local Public Safety Coordinating Council quarterly meeting. The LPSCC is a statutorily mandated committee charged with reviewing and implementing strategies in the community around public safety, primarily related to post incarceration issues as a



result of the State of Oregon policies attempting to keep prisoners incarcerated at the local level as opposed to in the state penitentiary. There are some resources provided by the state and federal governments but much of the resource needs to be generated and allocated locally. We continue to work together on issues like drug court, mental health court, the juvenile system, judicial and DA funding, post incarceration housing and homelessness, parole and probation as well as post incarceration housing and treatment options. There are representatives from many sectors involved in providing the governmental and private sector services needed to meet the needs outlined above. Many of the issues we are dealing with have a direct effect on our services as the jail and court system as well as the juvenile system are all located directly across the street from City Hall.

Earlier today, we held a blood drive for City of Roseburg employees at the Public Safety Center. About 20 employees gave the gift of life today. I want to thank the local American Red Cross and each of our staff who signed up for this very worthwhile cause.



Sheila sent out a notice to all of you earlier today listing the folks who have indicated they are interested in pursuing City Council and Mayoral positions in the next election. All of the requirements for the election must be fulfilled by 5:00 p.m. on Monday, August 29th.

Have a great weekend everyone and enjoy the slightly cooler weather that appears to be heading our way!



and  U.S. Cellular

present

Movies in the Park



Stewart Park Half Shell



Friday, June 3rd

Friday, June 10th

Star Wars—The Force Awakens

will be shown on

Friday, August 26th !!!

Pre-Movie Entertainment begins at 7 pm

Movie begins at dusk (about 8:15 pm)



A few important things we want you to know:

- * *No alcohol or tobacco products.* * *No pets.*
- * *All movies and activities are weather permitting.*
- * *Children under 13 years old must be accompanied by an adult.*

Friday September 2, 2016

Good Friday afternoon everyone. Welcome to September, which means school is right around the Holiday corner. As a reminder, City Hall and other offices will be closed on Monday, September 5th in honor of Labor Day. I am looking forward to a long weekend with family and friends, of course the Ducks game, and I hope you all have a great long weekend.



The Highway 138 project continues to move forward (see ODOT press release) as well as the City's Spruce/Parrot project. The north barrier/hand rail portion of the Oak Avenue bridge was completed this week and looks great as it ties into the improvements that were made downtown. As a reminder, the "enhance" grant from ODOT made it possible to tie the bridge project into the work for the rest of 138 to provide a continuous improvement from the west end of the bridges through the Stephens/Diamond Lake intersection. All of the work on these projects is scheduled to be complete by late fall.

Tuesday Chief Burge and I participated on a conference call with public safety and administrative representatives from around the state to discuss the impact on each of our communities caused by the recent "traveler" phenomenon. Over the last couple of years, more and more individuals and groups of unhoused folks are traveling up and down the west coast and spending time in communities along interstate 5 and the coastal highways. It was an interesting conversation as we heard from many community members that similar issues and problems are occurring as a result of the influx of "travelers" in each community. The impacts range from public safety to public health to general community safety. As a group we agreed to work together to identify some best practices and to share policy options that have been successful in positively engaging the community to support each area and the important social issues being discussed.

Thursday morning at 7:00 a.m. the Greater Douglas United Way held its annual kickoff breakfast and auction to begin their annual campaign. Councilor Zielinski (United Way Board) and Councilor Eggers were in attendance as the GDUW announced the second year funding for five agencies that are providing "community impact" services in Douglas County through a grant process initiated a couple years ago. This year, with input from the Community Impact Committee,



the Board of GDUW announced they will provide their "community impact" funding for the next five years to initiate a collective impact strategy to address "housing" in our

community. You can view this on their website at: <http://www.gduway.org/community-impact>.

The three pillars established by the United Way at a national level are Health, Education and Income. Housing or lack thereof, from transitional to low income to market rate, impacts each individual or family in how they can maximize each of those pillars. A healthy housing group which includes representatives from HTAG, the City, United Way, UCAN, NeighborWorks Umpqua, ADAPT, Architrave, The Ford Family Foundation, the Tribe and others have been meeting for a few months to try to identify issues that need to be addressed to move this initiative forward. We have identified a funding source to develop the baseline data needed to understand the depth of the issue so that resources can be pooled, leveraged and targeted to provide the best opportunity for meeting housing needs in our community. To be clear, while we all understand there is a need for homeless/transitional housing, there is also a great need in our community for low, moderate and market rate housing, all of which will begin to be addressed through this coalition. I will continue to update Council as information is developed and agencies begin addressing different needs.



And on the housing front, a couple of new single family sub-divisions are in the works which will add to available market rate housing stock. One of the subdivisions, which also requires annexation to the City, is scheduled for a public hearing at your next Council meeting. Housing starts the last two years have increased to pre-recession levels and appear to be strong right now, but few multi-family units are being created. NeighborWorks Umpqua recently acquired the Kolhagen Apartment complex near the south end of downtown and is looking at adding around fifty units in the core area. Last year a grading plan was submitted by the Oakridge Apartment owners, but as yet they have not moved forward with the project which would add 70 to 80 units of assistant living units in that general area.



The Parks and Public Works Commissions both meet next week. They will evaluate purchases and contract awards, while the PWC will also evaluate and recommend a change order for the additional cost of rock excavation on the Fairmont Storm Drainage project. As you might remember from a message last month, the contractor encountered a significant amount of rock in Garden Valley at the south end of the Fairmont project which was not anticipated during the project design and award process. Their recommendation will be scheduled for your September 12th Council meeting.

Next weekend appears to be one on the busiest of the summer. NeighborWorks Umpqua is holding a block party next to their facilities from 11:00 a.m. to 8:00 p.m. to



celebrate their 25th year serving Douglas County. There is a Vineyard Tour Bicycle ride, the Umpqua Wine Your Way self-guided winery tour, and the end of summer splash off at Wildlife Safari. The Roseburg Police and Douglas County Sheriff's office are participating in a K9s in the Grapevines event at 5:30 p.m. at Delfino's Winery & Vineyards as a fundraising for the Police K9 Programs. I believe there are also bicycle activities at Crater Lake and Cycle Oregon

<http://cycleoregon.com/week-ride/> which begins in the Myrtle Creek/Tri City area. It looks like if you are a wine and/or bicycle enthusiast, it can't get any better than the weekend and week beginning September 10th.

Enjoy your long weekend and we will all see you soon!

K9s in the Grapevines

Sponsored by:
The News Review
First Call Resolution
Brooks Communications
Bernad A. Jaworski, M.D., P.C.

Saturday, September 10, 2016
5:30 PM – 8:00 PM
Delfino Vineyards & Winery
3829 Colonial Road, Roseburg, Oregon 97471

Catered Food by Alexander's Greek Cuisine • Great Wine
K9 Demonstrations • Keepsake K9 Wine Glass • 50/50 Raffle

\$45 in Advance / \$50 at the Door
Proceeds benefit local Police K9 Programs

Limited Seating, RSVP by 9/02/2016
Mail checks to:
Friends of UV Police K9 Programs
P.O. Box 213, Roseburg, OR 97470
K9 Message Line (541)492-6838
Email : uvpolicek9@yahoo.com
www.uvk9.org

Delfino
VINEYARDS

Sept. 1, 2016

ODOT PROJECT UPDATE:

Roseburg road work will continue after Labor Day break

ROSEBURG – Workers will be off the road Labor Day weekend, but construction on the *OR 138E Corridor Solutions* project will return Tuesday morning, creating congestion and traffic delays for the rest of September.

Most lanes within the work zone, which extends from Diamond Lake Blvd. to the Interstate 5 Harvard interchange, will be open from Friday afternoon to Monday night, Sept. 2-5.

Starting early Tuesday morning, Sept. 6, the Oak Avenue Bridge will be reduced to a single lane as workers begin replacing the rail on the right side of the bridge.

On Tuesday evening, workers will begin four nights of paving on Stephens Street and Diamond Lake Blvd. between Douglas Avenue and the Winchester/Jackson Street intersection. The paving work will be scheduled from 6 p.m. to 7 a.m. and will require lane closures with traffic controlled by flaggers.

Throughout the week, Stephens Street and Pine Street will be limited to a single lane in each direction between Douglas Avenue and Oak Avenue. Washington Avenue will be limited to a single lane between Rose Street and the railroad tracks. Elsewhere, motorists should expect intermittent lane closures.

Most side roads will be open. Motorists are encouraged to use alternate routes and adjust their travel times to avoid congestion and delays.

Several new traffic signals will be turned on the next few weeks. Flaggers will provide traffic control as needed during the transition.

New Pine Street: Workers are tentatively scheduled to move traffic onto the new Pine Street alignment between Washington and Oak Avenue on Sept. 11, the Sunday after Labor Day. ODOT will provide more information about the traffic switch as it becomes available.

For more information:

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