

**ROSEBURG CITY COUNCIL AGENDA – JANUARY 25, 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**
5. **Commission Reports/Council Ward Reports**
  - A. Medcom Update
6. **Audience Participation – See Information on the Reverse**
7. **Consent Agenda**
  - A. Minutes of January 11, 2016 Regular Meeting
  - B. Police Utility Van Purchase
8. **Ordinances**
  - A. Ordinance No. \_\_\_\_ - Recreational Marijuana Business Regulations
9. **Department Items**
  - A. Clarification of Intent – RMC 9.100.060, Penalties for License Revocation
  - B. Referral of Sales Tax on Recreational Marijuana
  - C. Bike Friendly Designation
19. **Items From Mayor, Council or City Manager**
11. **Informational**
  - A. Activity Report
12. **Executive Session ORS 192.660(2)**
13. **Adjournment**

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

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

## **AUDIENCE PARTICIPATION INFORMATION**

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

**Persons addressing the Council must state their name and address for the record, including whether or not they are a resident of the City of Roseburg. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.**

### **TIME LIMITATIONS**

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

### **CITIZEN PARTICIPATION – AGENDA ITEMS**

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

### **CITIZEN PARTICIPATION – NON-AGENDA ITEMS**

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

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

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

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

***Thank you for attending our meeting – Please come again.***

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

**MINUTES OF THE REGULAR MEETING  
OF THE ROSEBURG CITY COUNCIL  
January 11, 2016**

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on Monday, January 11, 2016, in the City Hall Council Chambers, 900 SE Douglas, Roseburg, Oregon. Councilor Eggers led the Pledge of Allegiance.

ROLL CALL

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

Absent: Councilor John McDonald.

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

STATE OF THE CITY ADDRESS

Rich shared the "State of the City Address," highlighting City accomplishments for 2015 and expectations for 2016. The full address is included in the City Council record.

COMMISSION CHAIR APPOINTMENTS

Rich announced that Commission Chair appointments will be as follows:

- Airport – John McDonald
- Economic Development – Lew Marks
- Historic Resources Review – Victoria Hawks
- Parks & Recreation – Ken Fazio
- Public Works – Tom Ryan

Ryan and Hawks will continue as representatives on the Med-Com Board.

COMMISSION APPOINTMENTS

Ryan moved to reappoint David Morrison, Frank Inman and Robb Paul to the Airport Commission. Motion was seconded by Fazio and carried unanimously. Ryan moved to appoint Nick Marshall, Mike Baker and Jon Dyer to the Budget Committee. Motion was seconded by Fazio and carried unanimously. Marks moved to reappoint Paul Zegers to the Economic Development Commission. Motion was seconded by Ryan and carried unanimously. Hawks moved to appoint Roger Helliwell and Marilyn Aller to the Historic Resources Review Commission. Motion was seconded by Kaser and carried unanimously. Ryan moved to reappoint Stuart Liebowitz and Richard Weckerle to the Public Works Commission. Motion was seconded by Kaser and carried unanimously.

COMMISSION REPORTS/COUNCIL WARD REPORTS

Hawks reported the Historic Resources Review Commission toured the Napoleon Rice House where the Gordon Wood Insurance Agency has been located for 35 years.

Marks reported the Economic Development Commission unanimously voted to support the Med-Ed facility funding and will consider new tourism grant applicants on January 12<sup>th</sup>.

ELECTION OF COUNCIL PRESIDENT

Kaser moved to appoint Tom Ryan to serve as Council President for 2016. Motion was seconded by Marks and carried unanimously.

CONSENT AGENDA

Ryan moved to approve the following Consent Agenda items:

- A. Minutes of December 14, 2015 regular meeting.
- B. Minutes of December 14, 2015 special meeting.

Motion was seconded by Fazio and carried unanimously.

ORDINANCE NO. 3453 –OLCC NEW LOCATION APPLICATIONS

Cox read Ordinance No. 3453 for the second time, entitled: An Ordinance Amending Subsection 9.12.050 of the Roseburg Municipal Code Regarding Potential Denial of an OLCC Application. Ryan moved to adopt the ordinance, seconded by Fazio. Roll call vote was taken and motion carried unanimously. Rich proclaimed the adoption of Ordinance No. 3453.

ORDINANCE NO. 3454 – VACATION OF PORTION OF NE CRESCENT

Cox read Ordinance No. 3454 for the second time, entitled: An Ordinance Vacating a Portion of NE Crescent Street Right-of-Way in the City of Roseburg. Ryan moved to adopt the ordinance, seconded by Eggers. Roll call vote was taken and motion carried unanimously. Rich proclaimed the adoption of Ordinance No. 3454.

ORDINANCE NO. 3455, RECREATIONAL MARIJUANA REGULATIONS

Cox read Ordinance No. 3455 for the second time, entitled: An Ordinance Amending the Roseburg Land Use and Development Ordinance for the Provision of Medical Marijuana Uses. Melanie McKinnon, 722 SE Flint, asked for an explanation of the ordinance. Davis summarized that the ordinance designates zones where recreational sales will be allowed, as well as zones for processors, producers and wholesalers. Fazio moved to adopt the ordinance, seconded by Hawks. Roll call vote was taken and motion carried unanimously. Rich proclaimed the adoption of Ordinance No. 3455.

MEDICAL EDUCATION FACILITY PHASE 2 FUNDING

Davis reported that the Economic Development Commission unanimously recommended funding for the second phase of the potential medical education facility. Marks moved to approve an amount not to exceed \$15,000 from the Economic Development Fund to support the next phase of the Medical Education Facility Project. Motion was seconded by Hawks and carried unanimously.

Meeting adjourned at 7:31 p.m.



Debi Davidson  
Management Technician

*Spec Agm  
1/20/2016*

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



---

### Police Utility Van Purchase

---

**Meeting Date:** January 25, 2016  
**Department:** Police  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section:** Consent Agenda  
**Staff Contact:** Chief Jim Burge  
**Contact Telephone Number:** 541.492.6760

---

#### ISSUE STATEMENT AND SUMMARY

Council will be considering the purchase of a new police utility van to replace an older model utility vehicle as part of a standard and scheduled vehicle fleet rotation. The 2016 Ford Utility Transit van will be procured from Auto Additions of Salem under the State of Oregon state-bid pricing agreement.

#### BACKGROUND

**A. Council Action History.**

Council has approved our process of purchasing police vehicles in past budget cycles. Multi-purpose police vehicles are on an extended rotation/purchasing schedule because of their low annual mileage use.

**B. Analysis.**

The multi-purpose utility van will replace a 2001 Chevrolet Tahoe. The new vehicle will be up fitted (separate cost) to accommodate several different uses, to include; Major Crimes Investigations, tactical command post operations, negotiations team operations, personnel transport, evidence and property transport. Currently, the police department has no vehicle from which to facilitate a command post or hostage/barricaded suspect negotiations operation.

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

Council adopted the FY 15-16 budget allowing for the purchase of police department vehicles. Money has been budgeted for the purchase of this vehicle and subsequent up fitting/modification.

#### COUNCIL OPTIONS

Council may choose to approve or not to approve the purchase of police vehicles.

#### STAFF RECOMMENDATION

Staff recommends that the City Council approve the purchase of one (1) 2016 full size, Ford Transit van from Auto Additions of Salem at a price of \$33,388.00.

#### SUGGESTED MOTION

**"I MOVE TO APPROVE THE REQUEST TO PURCHASE ONE (1) 2016 FULL SIZE, FORD TRANSIT VAN FROM AUTO ADDITIONS OF SALEM AT A PRICE OF \$33,388.00.**

etc  
1/19/16



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

---

### ORDINANCE ESTABLISHING REGULATIONS REGARDING THE OPERATION OF RECREATIONAL MARIJUANA DISPENSARIES AND OTHER COMMERCIAL MARIJUANA ACTIVITIES

---

**Meeting Date:** January 25, 2016  
**Department:** City Recorder  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section:** ORDINANCES  
**Staff Contact:** Sheila R. Cox  
**Contact Telephone Number:** 541/492-6861

**ISSUE STATEMENT AND SUMMARY** Council will be considering an ordinance establishing the business regulations for recreational marijuana dispensaries and other commercial marijuana activities.

#### BACKGROUND

**A. Council Action History.** Ballot Measure 91 listed four types of recreational marijuana licenses: those for producers, processors, wholesalers and retailers. Producers are also known as "growers". Processors transform raw marijuana into another product or extract and are also responsible for packaging and labeling recreational marijuana. Wholesalers buy bulk marijuana and sell it to resellers rather than to a consumer. Retailers sell marijuana directly to consumers through a "recreational marijuana dispensary". The Oregon Liquor Control Commission ("OLCC") will be the state licensing authority for all of these commercial marijuana activities ~ as well as for laboratories that test marijuana.

HB 3400 as enacted by the 2015 Oregon Legislature amended Measure 91 to give local governments the authority to adopt ordinances imposing reasonable *local* regulations on the operation of recreational marijuana facilities licensed by OLCC. At our last meeting, Council adopted Ordinance No. 3455 which established zoning requirements for recreational marijuana dispensaries (retailers), processors, producers and wholesalers - identifying where such commercial activities would be allowed.

**B. Analysis.** Council now needs to adopt regulations relating to the business operations of recreational marijuana dispensaries – in much the same fashion that Ordinance No. 3434 which was adopted in September, 2014 - did for medical marijuana dispensaries. In past discussions, the majority of Council seemed to favor making the rules for recreational dispensaries essentially "mirror" the regulations established for medical dispensaries. Therefore, Staff has drafted the proposed ordinance to require the following:

1. an annual "recreational dispensary operator's license" for any commercial facility licensed by OLCC to sell marijuana for personal, "non-medical" purposes;
2. an annual "dispenser's permit" for any person who is employed by, or provides volunteer services for a recreational marijuana dispensary; and

3. that all other commercial marijuana operations (*other than medical dispensaries as regulated under RMC 9.14 and recreational dispensaries which will fall under the new RMC 9.15*) must be licensed and regulated by the State and they must be registered under RMC 9.02 "General Business Registration Regulations", in order to operate in the City of Roseburg.

**C. Financial and/or Resource Considerations.** Staff would suggest that Council set the fees associated with recreational marijuana licenses and permits at the same rate established for medical marijuana licenses and permits. Such recreational marijuana dispensary fees would include:

<u>Dispensary Operator</u>	<u>Dispenser</u>
Original application investigation fee - \$500	Original application investigation fee - \$50
Annual license fee - \$500	Annual permit fee - \$50

Both the dispensary operator's license and dispenser's permit fees would be reduced by 50% if an application is submitted on or after July 1<sup>st</sup>.

**D. Timing Issues.** OLCC began accepting applications for recreational marijuana businesses on January 4, 2016. They plan to issue licenses for producers and laboratories first, as those must be in place before the other related businesses can operate. Next they will license processors. They do not anticipate being ready to license recreational retailers ("dispensaries") until fall.

Medical dispensaries that have been "temporarily" selling limited amounts of recreational marijuana since October 1, 2015, will cease to be qualified to sell recreational marijuana after December 31, 2016. Therefore, before that date, they will have to decide if they want to be a medical dispensary or a recreational dispensary – they cannot operate both at the same address. If a medical dispensary wishes to "transition" to a recreational dispensary, OLCC will work with the dispensaries to give them enough time to "sell down" their medical inventory before their recreational license is issued.

**COUNCIL OPTIONS** Council may request additional information; direct that specific changes be made to the proposed ordinance or proceed with first reading of the ordinance as proposed.

**STAFF RECOMMENDATION** If Council is comfortable with the draft language, Staff would recommend proceeding with first reading; if not, Staff would welcome suggested changes.

**SUGGESTED MOTION** If Council is ready to continue without further consideration, only a consensus to proceed with first reading will be required.

**ATTACHMENT:** The proposed ordinance adding RMC 9.15

cc: All Current Medical Dispensary Operators; Oregon Liquor Control Commission; ATTN: Will Higlin, Sr. Director of Licensing and Compliance; 9079 SE McLoughlin Blvd.; Portland, OR 97222-7335; Christine Matthews, Roseburg OLCC Office; Subject & Chrono Files

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

**AN ORDINANCE ADDING CHAPTER 9.15 TO THE ROSEBURG MUNICIPAL CODE TO ESTABLISH REGULATIONS RELATING TO THE OPERATION OF RECREATIONAL MARIJUANA DISPENSARIES AND OTHER COMMERCIAL MARIJUANA ACTIVITIES**

**WHEREAS**, Oregon has had a medical marijuana program since 1998 when voters approved Ballot Measure 67, the Oregon Medical Marijuana Act (OMMA) which has been amended numerous times since; and

**WHEREAS**, in 2013, the Oregon Legislature enacted HB 3460 (ORS 475.314) creating a system for state-registered facilities licensed by the Oregon Health Authority (“OHA”) to lawfully transfer medical marijuana between growers and patients or caregivers, which as originally drafted failed to address many local government concerns; and

**WHEREAS**, on September 22, 2014, the City Council adopted Ordinance No. 3433 implementing the land use regulations relating to medical marijuana dispensaries and Ordinance No. 3434 adding Chapter 9.14 to the Roseburg Municipal Code establishing regulations relating to the operation of medical marijuana dispensaries effective November 1, 2014; and

**WHEREAS**, at the General Election on November 4, 2014, Oregon voters approved Measure 91, which decriminalized the personal growing and use of certain amounts of recreational marijuana by persons 21 years of age or older beginning July 1, 2015; and

**WHEREAS**, Measure 91 also designated the Oregon Liquor Control Commission (OLCC) as the agency responsible for developing, implementing and enforcing a licensing program for businesses involved in the growing, processing, transporting, packaging and labeling of recreational marijuana for wholesale and retail sales, but left the enforcement of the home grow/personal possession to the discretion of local jurisdictions; and

**WHEREAS**, because OLCC was not prepared to issue licenses for the retail sale of recreational marijuana and did not expect to do so until sometime in 2016, the 2015 Oregon Legislature authorized medical marijuana dispensaries to sell limited quantities of recreational marijuana beginning October 1, 2015 and continuing until December 31, 2016 unless such early sales were prohibited by local ordinance under the authority of Senate Bill 460; and

**WHEREAS**, HB 3400 as enacted by the 2015 Oregon Legislature amended the Oregon Medical Marijuana Act and Measure 91 to give local governments the authority to adopt ordinances imposing reasonable regulations on the operation of the recreational marijuana facilities licensed by OLCC; and

**WHEREAS**, on January 11, 2016, the Roseburg City Council adopted Ordinance No. 3455 amending the Roseburg Land Use and Development Ordinance to provide limited and appropriate zoning use locations for recreational marijuana facilities within the City; and

**WHEREAS**, the Roseburg City Council now finds it necessary to amend the Roseburg Municipal Code to address business regulations for recreational marijuana dispensaries and all other businesses involved in the production, processing, transporting, as well as the wholesale and retail sales of recreational marijuana;

**NOW THEREFORE, THE ROSEBURG CITY COUNCIL ORDAINS AS FOLLOWS:**

**SECTION 1.** Chapter 9.15 is hereby added to the Roseburg Municipal Code to read as follows:

**REGULATIONS RELATING TO RECREATIONAL MARIJUANA DISPENSARIES  
AND OTHER COMMERCIAL MARIJUANA ACTIVITIES**

- 9.15.005**      **Definitions**
- 9.15.010**      **Purpose**
- 9.15.020**      **Recreational Marijuana Dispensary Operator’s License Application, Term and Fee**
- 9.15.030**      **Recreational Marijuana Dispenser’s Permit Application, Term and Fee**
- 9.15.040**      **Recreational Marijuana Dispensary Operating Regulations**
- 9.15.050**      **Inspection of Books and Premises**
- 9.15.060**      **City Indemnification**
- 9.15.070**      **Other Commercial Marijuana Activities**
- 9.15.080**      **Denial, Suspension and Revocation; Appeals and Penalties**

**9.15.005**      **DEFINITIONS.** As used in this Chapter, unless the context in which used clearly requires a different meaning, the following words and phrases shall mean:

“**CFR Schedule I or Schedule II**” means the controlled substances designated in the Code of Federal Regulations Title 21, Chapter II, Part 1308.

“**Cannabinoid**” means any of the chemical compounds that are the active constituents of marijuana.

“**Consumer**” means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.

“**Marijuana**” means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae, but does not include industrial hemp as defined in ORS 571.300.

**“Marijuana Items”** means marijuana, cannabinoid products, concentrates and extracts.

**“Marijuana Processor”** means a person who processes, compounds or converts marijuana into useable products, including edibles, skin and hair products, concentrates or extracts within the City of Roseburg or in the State of Oregon.

**“Marijuana Producer”** means a person who grows and produces marijuana within the City of Roseburg or in the State of Oregon.

**“Marijuana Retailer”** means a person who sells marijuana items to a consumer within the City of Roseburg or in the State of Oregon.

**“Marijuana Wholesaler”** means a person who purchases marijuana items within the City of Roseburg or the State of Oregon for the purpose of reselling such items to a person other than a consumer.

**“Medical Marijuana Dispensary”** means a facility or operation licensed by the Oregon Health Authority and designed, intended or used for the purposes of delivering, dispensing or transferring marijuana to Oregon Medical Marijuana Registry Identification Card holders pursuant to ORS 475.300-475.346; and operating under a license obtained pursuant to Chapter 9.14 of the Roseburg Municipal Code.

**“Oregon Liquor Control Commission”, “OLCC”, or “Commission”** means the division of the state that administers the provisions of OAR 845-025-100-8580 and enforces all policies and procedures pertaining thereto as set forth therein.

**“Other Commercial Marijuana Activities”** means any marijuana related commercial activities that are not subject to the license requirements of this Chapter, or Chapter 9.14 of the Roseburg Municipal Code.

**“Recreational Marijuana Dispensary”** means any facility or operation designed, intended or used for purposes of functioning as a marijuana retailer. Recreational Marijuana Dispensary does not include a Medical Marijuana Dispensary.

**9.15.010 PURPOSE.** The purpose of this Chapter is to ensure that recreational marijuana dispensaries operated within the City limits of Roseburg are in full compliance with the requirements of the Oregon Liquor Control Commission as set forth in OAR 845-025-1000 - 8590, as well as, the City’s land use and development regulations, building and fire codes and all provisions of this Chapter, and to ensure safe access to recreational marijuana, while protecting the health, safety and welfare of the citizens of Roseburg.

**9.15.020 RECREATIONAL MARIJUANA DISPENSARY OPERATOR’S LICENSE APPLICATION, TERM AND FEE.**

**A. Recreational Marijuana Dispensary Operator’s License Application.** Pursuant to the provisions of this Chapter, no person shall operate a recreational

marijuana dispensary within the City without first obtaining a recreational marijuana dispensary operator's license from the City Recorder. Applications for such dispensary operator's license shall be available from the City Recorder's Office. Completed applications must be submitted to the City Recorder along with a copy of the applicant's license issued by the Oregon Liquor Control Commission pursuant to OAR 845-025-1000 – 8580, a copy of the applicant's driver's license or other government-issued photo identification, a current passport sized photograph of the applicant and payment of the original operator's application investigation fee and license fee as set by Council resolution. The application shall require the following information:

1. The business name, mailing address, physical location and telephone number under which the recreational marijuana dispensary shall be operated;
2. The days and hours during which the recreational dispensary shall be open for business;
3. The true name, residence address, date and place of birth and driver's license number or other government-issued photo identification number of the person intending to operate the recreational dispensary;
4. A statement that the recreational dispensary operator shall at all times comply with the regulations established by the Oregon Liquor Control Commission and this Chapter, as well as all other state and local laws relating to the dispensing and distribution of marijuana, including the City's land use and development regulations, building codes and fire codes relating to such dispensaries;
5. A statement whether the applicant for the dispensary operator's license has ever been convicted of any felony during the applicant's lifetime, or of a misdemeanor within the past five (5) years that relates to fraud, theft or the manufacture or delivery of a CFR Schedule I or Schedule II controlled substance.
6. A statement that the recreational dispensary operator shall not employ, or accept volunteer services from, any person to dispense marijuana or perform any other dispensary-related tasks, whom has not obtained a marijuana handler's permit from OLCC in accordance with OAR 845-025-5500 and a recreational marijuana dispenser's permit from the City; and
7. Any other information the City Recorder deems relevant and necessary to conduct any investigation or background check (including fingerprints) of the applicant and to ensure the proper protection of the public health, safety and welfare. All information provided on the recreational dispensary operator's application must be kept current at all times; any change in such information must be reported to the City Recorder's office within ten (10) days of such change.

**B. Term of Recreational Marijuana Dispensary Operator's License.** Licenses to operate a recreational marijuana dispensary shall be issued on a calendar year basis for a term of one year or portion thereof beginning upon the date of approval of the original application. Persons issued a recreational dispensary operator's license shall also be issued a recreational marijuana dispenser's permit, but shall not be required to pay the permit fee set forth in Subsection 9.15.030(C) of this Chapter. All dispensary licenses shall expire on December 31<sup>st</sup> of the year issued. If a licensee intends to continue to operate the following license year, not less than thirty days prior to the license expiration, the licensee shall complete a license renewal application and pay the annual license fee. Criminal history checks will be performed on the applicants of the original and each renewal application. A recreational marijuana dispensary operator's license shall not be sold, assigned, mortgaged or otherwise transferred.

**C. Recreational Marijuana Dispensary Operator's License Fee.** Upon submission of an original application for a recreational marijuana dispensary operator's license, the applicant shall submit a non-refundable application investigation fee and the annual license fee as set by Council resolution. If an applicant applies for such dispensary operator's license after July 1<sup>st</sup>, the annual license fee shall be reduced by one-half for the remaining portion of the first license year.

**9.15.030 RECREATIONAL MARIJUANA DISPENSER'S PERMIT APPLICATION, TERM AND FEE.**

**A. Recreational Marijuana Dispenser Permit Application.** No person shall be employed by, or provide volunteer services for, a recreational marijuana dispensary operator to dispense marijuana to consumers, or perform any other dispensary-related tasks, without first obtaining a recreational marijuana handler's permit from OLCC in accordance with OAR 845-025-5500 and a recreational marijuana dispenser's permit from the City Recorder. A recreational dispenser's permit shall be required for each recreational dispensary at which a person dispenses or performs any other dispensary-related tasks. Completed applications for a recreational marijuana dispenser's permit shall be submitted to the City Recorder, along with a copy of the applicant's OLCC marijuana handler's permit, driver's license or other government-issued form of identification, a current passport sized photograph of the applicant and payment of the non-refundable application investigation fee and recreational marijuana dispenser's permit fee as set by Council resolution. The application for such dispenser's permit shall provide the following information:

1. The business name, address, telephone number and the name of the licensed recreational dispensary operator for which the dispenser will be employed by or provide volunteer services for;
2. The applicant's true name, residence address, date and place of birth and driver's license number or other government-issued photo identification number;
3. A statement that the applicant is fully aware and knowledgeable of the rules and regulations established by the Oregon Liquor Control Commission, as

well as all other state and local laws relating to the dispensing and distribution of recreational marijuana including the City's land use and development regulations, building codes and fire codes relating to such dispensaries; and

4. A statement whether the applicant has ever been convicted of any felony during the applicant's lifetime, or of a misdemeanor within the past five (5) years that relates to fraud, theft or the manufacture or delivery of a CFR Schedule I or Schedule II controlled substance; and

5. Any other information the City Recorder deems relevant and necessary to conduct any investigation or background check (including fingerprints) of the applicant and to ensure the proper protection of the public health, safety and welfare. All information provided on the dispenser's application must be kept current at all times; any change in such information must be reported to the City Recorder's office within ten (10) days of such change.

**B. Term of Recreational Marijuana Dispenser's Permit.** Recreational marijuana dispenser permits shall be issued on a calendar year basis for a term of one year or portion thereof beginning upon the date of approval of the original application. All such dispenser permits shall expire on December 31<sup>st</sup> of the year issued. If a recreational dispenser intends to continue dispensing for a licensed recreational marijuana dispensary operator the following year, not less than thirty days prior to the permit expiration, the dispenser shall complete a permit renewal application and pay the annual permit fee. Criminal history checks will be performed on the original and each renewal application.

**C. Recreational Marijuana Dispenser's Permit Fee.** Upon submission of an original application for a recreational marijuana dispenser's permit, the applicant shall submit a non-refundable application investigation fee and the annual permit fee as set by Council resolution. If an applicant applies for such recreational dispenser's permit after July 1<sup>st</sup>, the annual permit fee shall be reduced by one-half for the remaining portion of the first year of the permit.

**9.15.040 RECREATIONAL MARIJUANA DISPENSARY OPERATING REGULATIONS.** Each licensed recreational marijuana dispensary operator shall comply with the following operating regulations in addition to any other state or local rules and regulations:

**A.** Recreational marijuana dispensaries shall open for business no earlier than 9:00 a.m. and close no later than 9:00 p.m. any day of the week except Sunday, on which day such dispensaries must close by 6:00 p.m.

**B.** Recreational marijuana dispensaries must at all times be operated in strict compliance with Oregon Administrative Rules, Oregon Revised Statutes, this Chapter, building and fire codes and all other rules and regulations directly or indirectly relating to marijuana and the receipt, distribution, dispensing, transferring, advertising and

packaging thereof, as well as the security requirements, possession limits, and location and zoning requirements of recreational marijuana dispensaries.

**C.** The recreational marijuana dispensary operator's license issued by the Oregon Liquor Control Commission and the license certificate issued by the City must be prominently displayed in an easily visible location inside the dispensary at all times. All recreational dispensers employed by, or any person serving as a volunteer dispenser or providing any other dispensary-related services for the dispensary operator, must have their OLCC marijuana handler's permit and the recreational marijuana dispenser's permit issued by the City on their persons at all times while working or volunteering at the dispensary.

**D.** The recreational dispensary must not manufacture or produce any extracts, oils, resins or similar derivatives of marijuana on-site and must not use open flames or butane or other corrosive gases in the preparation of any product.

**E.** The recreational dispensary must be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle and shall not offer drive-through services. Outdoor storage of merchandise, raw materials or other material associated with the recreational dispensary is prohibited.

**F.** No marijuana or paraphernalia shall be displayed or kept in a dispensary so as to be visible from the outside of the licensed premises. Marijuana and tobacco products must not be inhaled (smoked or vaporized), ingested (orally, sublingually or rectally), topically applied or otherwise consumed, in any manner that creates any pharmaceutical effect or chemical influences on a person while on the premises of the recreational dispensary.

**G.** The recreational dispensary must utilize an air filtration and ventilation system which, to the greatest extent feasible, confines all marijuana-related odors within the recreational dispensary rather than allowing such odors to escape outside. Sufficient measures and means of preventing odors, debris, fluids and other substances from exiting the dispensary must be in effect at all times.

**H.** The recreational dispensary shall require each person who delivers, transfers or provides marijuana to the dispensary to sign a written waiver/release stating the person releases all claims to the marijuana and agrees that the recreational dispensary will destroy any marijuana that tests positive for pesticides, mold or mildew. The recreational dispensary will document who the marijuana was received from, how much was received and the date it was destroyed. The recreational dispensary must provide for secure disposal of all marijuana that has tested positive for pesticides, mold, or mildew as well as, all remnants and by-products of all marijuana received, but shall not place such material within the dispensary's exterior refuse containers.

**I.** No minors shall be allowed in a recreational marijuana dispensary.

**9.15.050     INSPECTION OF BOOKS AND PREMISES.**

**A.** For purposes of confirming compliance with this Chapter, the City Manager, or his designee shall be authorized to inspect the premises of a recreational marijuana dispensary and all of the dispensary's financial, operational and facility information, including books, records, payroll records and state and federal tax returns. The operator shall be required to furnish the means, facilities and opportunity for such inspection.

**B.** As part of the investigation of any crime which law enforcement officials reasonably suspect has taken place in a recreational dispensary or in connection with the operation of such dispensary, upon request, the Roseburg Police Department shall have the authority to view the dispensary's video surveillance records and recordings, and audio records and recordings when available.

**9.15.060     CITY INDEMNIFICATION.**

**A.** By accepting a recreational marijuana dispensary operator's license or a recreational dispenser's permit issued pursuant to this Chapter, the licensee and/or permittee waives and releases the City, its officers, elected officials, employees, volunteers and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, volunteers, clients or customers for a violation of federal, state or local laws and regulations.

**B.** By accepting a license or permit issued pursuant to this Chapter, the licensee and/or permittee, jointly and severally, if more than one, agree to indemnify and hold harmless the City, its officers, elected officials, employees, volunteers and agents, insurers and self-insurance pool against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the recreational marijuana dispensary that is subject of the license.

**9.15.070     OTHER COMMERCIAL MARIJUANA ACTIVITIES.** No recreational marijuana dispensary or other commercial marijuana related business may lawfully exist in the City of Roseburg absent the issuance of a state license and full regulatory oversight of the marijuana establishment by the State as well as the City. Compliance with the requirements of this Chapter does not provide a defense to criminal prosecution under otherwise applicable law. All commercial marijuana activities that are not subject to the licensing requirements of this Chapter or Chapter 9.14 of the Roseburg Municipal Code, including but not limited to medical or recreational marijuana processors, producers, wholesalers, and laboratories, shall be required to obtain a general business registration pursuant to Chapter 9.02 of the Roseburg Municipal Code in addition to meeting all other local and state laws.

**9.15.080 DENIAL, SUSPENSION AND REVOCATION, APPEALS AND PENALTIES.**

**A.** In addition to the grounds set forth in Chapter 9.100, the City Recorder may deny, suspend or revoke a recreational marijuana dispensary operator's license or a recreational dispenser's permit for failure to meet the requirements of this Chapter or to comply with the rules adopted by this Chapter or any other local or state requirement relating to recreational marijuana facilities.

**B.** A decision to deny an application for a recreational dispensary operator's license or dispenser's permit shall be submitted in writing setting forth the reasons therefore and advising the applicant of the right to appeal the Recorder's decision pursuant to RMC 9.100.

**C.** A decision to suspend or revoke a recreational dispensary operator's license or dispenser's permit pursuant to this Section shall be in writing, setting for the reasons therefore, and giving the licensed operator or permitted dispenser written notice by first-class mail at least five days prior to the effective date of the suspension or revocation. Such notice shall also advise the operator or dispenser of the right to appeal the Recorder's decision pursuant to RMC 9.100.

**D.** The remedies provided in this Section are not exclusive and shall not prevent the City from exercising any other remedy available under law, either simultaneously or otherwise, including but not limited to seeking penalties as provided in Chapter 1.06 of this Code.

**SECTION 2.** If any section, subsection, paragraph, sentence or word in this ordinance is deemed to be invalid or beyond the authority of the City, either on its' face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this ordinance, and the application thereof; and to that end, sections, subsections, paragraphs, sentences and words of this Chapter shall be deemed severable.

**ADOPTED BY THE ROSEBURG CITY COUNCIL ON THIS \_\_\_\_ DAY  
OF FEBRUARY, 2016.**

**APPROVED BY THE MAYOR ON THIS \_\_\_\_ DAY OF FEBRUARY, 2016.**

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

**ATTEST:**

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

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



---

### CLARIFICATION OF INTENT – RMC 9.100.060 ADDITIONAL PENALTIES FOR LICENSE REVOCATION

---

**Meeting Date:** January 25, 2016  
**Department:** City Recorder  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

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



---

### ISSUE STATEMENT AND SUMMARY FOR DISCUSSION:

RMC 9.100.060 states the following:

**9.100.060 Additional penalty.** *In addition to any other penalty that may be imposed administratively or judicially for violation of this Title, in the event a business registration certificate, license or permit is revoked, no new registration certificate, license or permit shall be issued for three (3) years to that person, to any partnership or association in which the person is a member or to any corporation of which the person is an officer.*

The above provisions have been in effect for more than 20 years and apply to the revocation of not only general business registrations, but also to other “specialized” licenses and permits granted pursuant to Title 9 of the Municipal Code. Those would include alarm installer permits, taxicab operator licenses and driver permits, OLCC licensed businesses and medical marijuana dispensary operators and dispensers. It will also apply to the licenses and permits that will be issued under the ordinance relating to recreational marijuana dispensary operators and dispensers that Council discussed on this evening’s agenda. As the result of a recent Staff discussion relating to that section of the Code, we thought it would be advisable to ensure that today’s Council understands and supports the intent of the language.

In the past, we have had issues with different types of businesses such as those under the general registration provisions of RMC 9.02, as well as taxi companies, OLCC licensed businesses, and most recently one of the medical marijuana dispensaries. Based on Staff’s interpretation, if a registration, license or permit is revoked under RMC 9.100, the person issued the revocation cannot obtain *any* type of business registration, license or permit for three years. In order to avoid any potential conflicts going forward, Staff would like to make certain Council agrees with our interpretation and to confirm that the subject section of the Code, as written, is reflective of our current Council’s intent.



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

---

### REFERRAL OF SALES TAX ON RECREATIONAL MARIJUANA

---

**Meeting Date:** January 25, 2016  
**Department:** City Recorder  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section:** DEPARTMENT ITEMS  
**Staff Contact:** Sheila R. Cox *SRC*  
**Contact Telephone Number:** 492-6866

---

**BACKGROUND:** Section 34a of House Bill 3400 (2015) allows cities to adopt an ordinance, to be referred to the voters, imposing a sales tax of up to a three percent tax on recreational marijuana sold by marijuana retailers in City.

Staff would like to confirm Council's desire to refer the question of a 3% sales tax on recreational marijuana to the voters at the November 8, 2016 election.

**COUNCIL OPTIONS:** Council may:

1. direct Staff to begin the process of referring a 3% sales tax on recreational marijuana to the voters at the November 8, 2016 election; or
2. state its intent not to impose said tax.

**STAFF RECOMMENDATION:** Staff recommends that Council refer the matter to the voters.

**SUGGESTED MOTION:** If Council agrees with Staff's recommendation, the appropriate motion would be as follows: *"I MOVE TO DIRECT STAFF TO BEGIN THE PROCESS OF REFERRING A 3% SALES TAX ON RECREATIONAL MARIJUANA TO THE VOTERS AT THE NOVEMBER 8, 2016 ELECTION."*

*SRC/AM  
1/20/2016*



## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

---

### Bicycle Friendly Community Designation

---

Meeting Date: January 25, 2016  
Department: Public Works  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

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

---

#### ISSUE STATEMENT AND SUMMARY

Bike/Walk Roseburg has requested that Council consider applying to become a Bicycle Friendly Community. The application process is quite involved. The issue for Council is whether to direct staff to commit resources to this project.

#### BACKGROUND

**A. Council Action History.** None.

**B. Analysis.** The League of American Bicyclists (LAB) has a program whereby communities can apply to be designated as a Bicycle Friendly Community (BFC). The LAB instituted the program in 1995. There are currently 372 communities designated as bike friendly, including ten in Oregon. The program has expanded to include programs for businesses (which total 1090), states (Oregon ranks 6th), and universities (4 in Oregon). Members of Bike/Walk Roseburg have approached staff about submitting an application to become a Bicycle Friendly Community.

The application process is fairly rigorous and includes a 30 page application document. Some questions will not apply to a small rural community, and are only meant for a large city. The judges will take the size and type of the community into account when making the award decision. The application emphasizes the community's efforts towards the achieving the five E's as they apply to cycling:

- Engineering: Creating safe and convenient places to ride and park
- Education: Giving people of all ages and abilities the skills and confidence to ride
- Encouragement: Creating a strong bike culture that welcomes and celebrates bicycling
- Enforcement: Ensuring safe roads for all users
- Evaluation & Planning: Planning for bicycling as a safe and viable transportation option

The program includes three levels of designation – silver, gold or platinum. If a community does not receive one of these designations it may receive an honorable mention. All applicants, whether designated a BFC or not, receive detailed feedback that can be used to work towards a designation in the future.

Representatives from Bike/Walk Roseburg will be at the meeting to answer any questions that Council may have regarding the application process or benefits of being a Bicycle Friendly Community.

**C. Financial and/or Resource Considerations.** There is no cost to apply. The resource that would be required from the City is staff time to put the application together. This will require researching data, some of which is not readily available at this time, such as bicycle crash data. Other data would be fairly simple to pull together. A table that was prepared by Bike/Walk Roseburg listing the tasks that staff would be asked to provide has been attached.

**D. Timing Issues.** Applications are accepted in February and August of each year.

#### **COUNCIL OPTIONS**

Council has the following options:

1. Direct staff to participate in preparing an application to become a Bicycle Friendly Community; or
2. Request additional information; or
3. Forgo the request for staff participation in preparing an application.

#### **STAFF RECOMMENDATION**

This item has been brought forth at the request of a community organization for Council's consideration.

#### **SUGGESTED MOTION**

If the Council wants to apply for a Bicycle Friendly Community designation, an appropriate motion would be:

***I move to direct staff to participate with Bike/Walk Roseburg in preparing an application to the League of American Bicyclists for a Bicycle Friendly Community Designation.***

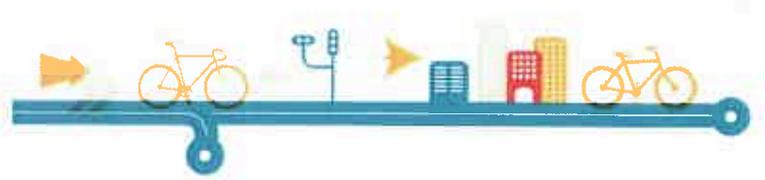
#### **ATTACHMENTS**

Attributes of a Bicycle Friendly Community  
List of Tasks requested of City Staff



# ATTRIBUTES OF A BICYCLE FRIENDLY COMMUNITY

[bikeleague.org/content/communities](http://bikeleague.org/content/communities)



## ENGINEERING

There's a local **Complete Streets** policy with implementation guidance, staff training, policy checklist, compliance procedure, and compliance performance measures.

There are standards for bicycle facility design and implementation that meet or exceed the **AASHTO Guide for the Development of Bicycle Facilities** and **NACTO Urban Bikeway Design Guide**, as well as regular training opportunities on best practices and **funding bicycle projects** for engineering and planning staff.

There are various types of on- and off-street bicycle facilities that best fit the context of density, automobile speeds and congestion, to improve safety and encourage more people of all ages and abilities to bicycle.

The on- and off-street bicycle network is well-maintained to ensure usability and safety.

There are convenient ways for the public to comment on maintenance, safety and other issues impeding bicycle accessibility.

High-speed and/or high-volume streets have designated bicycle facilities such as **bike lanes**, **buffered bike lanes** and **cycle tracks** to enable bicyclists of various skill levels to reach their destinations quickly and safely.

Non-arterial and collector streets have a speed limit of 25 miles per hour or lower.

The street network is well connected.

Intersections are **safe and convenient for bicyclists**.

There is an **ordinance** ensuring high-quality, safe and convenient bike parking options at destinations throughout the community.

People can easily combine **bike and public transit trips**.

There is a Smart Growth land use policy that encourages bicycling, pedestrian and transit trips.

There is access to suitable public lands for off-road bicyclists.

The bicycling network is enhanced by a network of **bicycle boulevards**, a **bicycle wayfinding system**, and solutions to improve accessibility across barriers like highways, bodies of water and **disconnected streets**.

## EDUCATION

There is a local **Safe Routes to School** program. Bicycle-safety education is a routine part of primary and secondary school education and the surrounding neighborhoods are safe and convenient for biking.

There are bicycle education opportunities for children and youth outside of school through bike rodeos, youth recreation programs, **helmet fit seminars** or a **Safety Town** program.

There is a **public awareness campaign** using **Public Service Announcements** and other media to make both motorists and cyclists aware of their rights and responsibilities.

There are **regular opportunities** for adults to develop their bicycling skills, from **videos for self-teaching** to in-depth training like the League's **Traffic Skills 101**, and local League Cycling Instructors are available for training.

There's a motorist education program for **professional drivers**.

## ENCOURAGEMENT

There is an active, engaged bicycle advocacy group representing the interests of bicyclists and potential bicyclists.

**Bike Month**, **Bike to Work Day**, and **Bike to School Day** are promoted in partnership with local bicycle advocacy groups.

**Individualized marketing** and **bike challenges** promote bicycling.

The mayor and/or local council host or participate in bike rides, and support community bicycling events.

There's a bike club, and the community hosts a variety of regular bicycling rides and events that appeal to cyclists of all ages and abilities.

Learn more at [bikeleague.org/content/communities](http://bikeleague.org/content/communities)

There is a Ciclovía or **Open Streets** type event, closing off a major corridor to auto traffic and offering the space to cyclists, pedestrians and group exercise events.

There are bicycle-themed community celebrations or social rides each time a new bicycle-related project is completed, showing off the community's good efforts and introducing new users to the improvements.

The tourism board or local chamber of commerce promotes bicycling in the area to **boost the local economy**.

Residents and visitors have access to rental bikes and automated **public bike sharing systems in larger communities**.

Local public agencies, businesses and organizations promote bicycling to work and seek recognition through the League's free **Bicycle Friendly Business program**.

Local colleges and universities promote bicycling and seek recognition through the League's **Bicycle Friendly University program**.

There are numerous bike shops offering a variety of bikes and accessories, a co-op or community bike shop, and opportunities to rent or loan a bike in the community.

There are empowering youth bicycling programs such as **Earn a Bike programs**.

There is a local **bike map** printed and online that addresses diverse needs and skill levels.

Recreational bicycling is promoted through amenities like a mountain bike skills parks, cyclocross courses, or BMX parks.

There are short **themed-loop routes** around the community with appropriate way-finding signage.

## ENFORCEMENT

There's a law requiring a **safe passing distance** of at least three feet.

There are increased penalties for harassing, injuring or killing **vulnerable road users**, including cyclists.

Speed limits can be 20 mph or lower in some neighborhoods and near schools.

Bicyclists are **not required to use a sidepath or bike lane** and have discretion on where to ride on the road.

It's illegal for drivers to **drive distracted**, use a handheld cell phone or text while driving.

Data is collected — and publicly available — on traffic citations issued, prosecutions, and convictions of incidents related to bicycles.

There's a police bike patrol, and designated law-enforcement point person who interacts with the bike community.

Law enforcement officers are offered **regular education** on the rights and responsibilities of bicyclists and traffic law as it applies to bicyclists and motorists.

Law enforcement officers distribute **helmets, bike lights** and bike locks (or coupons to local bike shop) to encourage cyclists to ride more safely and discourage bike theft.

Law enforcement officers use **targeted enforcement and information-sharing** to encourage motorists and cyclists to share the road safely.

Law enforcement officers report cyclist crash data and potential hazards to the **public works department, traffic engineers and transportation planners**.

Most streets and key shared-use paths are well lit at night.

Volunteer trail patrols ensure safety of remote trails.

## EVALUATION/PLANNING

There's a **Bicycle Advisory Committee** or Bicycle & Pedestrian Advisory Committee that meets at least several times a year to make **policy and program** recommendations and ensure the bicycle program is held accountable to citizens.

In larger communities, designated **agency staff members** lead and coordinate the community bicycle program in close cooperation with the Bicycle Advisory Committee.

There is a current, comprehensive bike master plan with dedicated funding, **specific targets for ridership and safety**, and tools for **evaluation and monitoring progress**.

Bicycle use is researched **beyond the U.S. Census' American Community Survey report** (i.e. through participation in the **National Bicycle and Pedestrian Documentation Project**) to **more efficiently distribute resources according to demand**.

Bicycle **crashes are studied** and a plan is in place to reduce the number of crashes in the community.

There is a mechanism that ensures that bicycle facilities and programs serve the entire community equitably.

*And, of course, lots of people are riding bikes!*

Learn more at [bikeleague.org/content/communities](https://bikeleague.org/content/communities)

## Summary of major CITY tasks for Bicycle Friendly Community Application

Square miles of City, water area, land area

Mileage of bike network

Miles of off-street shared path over ten feet, between 8 and 10 feet, natural surface

% of paved path at least 8 feet wide parallel a road?

Crossings of roads with speed limits above 25 (hi vis sign/markings, raised path crossing, refuge island, etc.)

% unpaved open to bikes

Mileage of all roads (fed, state, private)

Mileage of on-street bike network

Arterials & collectors meet AASHTO bike standards

Streets under 25 mph

Miles of streets under 25 mph with various bike facilities (lanes, shared markings, etc.)

% of streets with speeds between 25 and 35 mph?

% of streets over 35 mph?

Miles of streets over 35 mph meet AASHTO or NACTO bike standards (lanes, shared markings, etc.)

% signalized intersections have specified bike accommodations (bike signal heads, timing, video/microwave detection, etc.)

Maintenance policies or programs so bikes facilities safe and usable (sweeping times)?

Snow or ice clearance

Potholes (time of complaint)

Off-street policies or practices (sweeping, vegetation, snow/ice, surface repairs)?

System for bikers identify hazards to engineers, planners, police?

Training for police (lists options)

Enforcement that targets bike safety

% citations for cyclists vs. motor vehicles

Is bike crash data reported?

% of transportation budget spent on bike projects

No. of bikers involved in a crash with a motor vehicle

No. of biker fatalities involved a motor vehicle

Prepared January 7, 2016

*etc*  
*1/18/16*

INFORMATIONAL A  
1-25-16

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



---

## ACTIVITY REPORT

---

**Meeting Date:** January 25, 2016  
**Department:** City Manager  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

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

---

### 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 January 25, 2016, meeting, I provide the following items:

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



Agenda  
Department Heads Meeting  
January 12, 2016 – 10:00 a.m.

1. Review January 11, 2016 City Council Meeting
2. Review Tentative January 25, 2016 City Council Meeting
3. Tentative Future Agenda
4. Document Signing/Grants
5. Dock Time Usage
6. February 8 – Chamber Luncheon – State of the City Address
7. Budget Retreat – Attendees? Lunch Orders by January 25th
8. Department Items



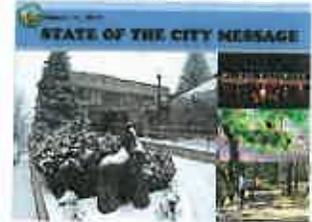
Agenda  
Department Heads Meeting  
January 19, 2016 – 10:00 a.m.

1. Review Tentative January 25, 2016 City Council Meeting
2. Tentative Future Agenda
3. Document Signing/Grants
4. Staff Meeting Schedule Conflict Dates
5. Department Items

Friday January 8, 2016

Good Friday afternoon everyone! It seems like a while since I have written one of these, and I guess it's true. I want to thank Sheila for her help while I was out of the office both in holding down the fort and getting last week's message out. This was another very busy week, or it certainly seemed that way. Monday afternoon I had an opportunity to share some thoughts about where we finished up 2015 and where we are going in 2016 with Kyle Baily on Inside Douglas County. It's always nice to spend that half hour talking about positive things going on the community.

As you saw from our annual report a few weeks ago, we accomplished a lot this year, and Monday night, Mayor Rich will provide the community with his perspectives through his annual State of the City address. The State of the City will really be the primary issue on your meeting Monday night and we always look forward to this opportunity.



Tuesday Councilor Marks and I attended a Med Ed leadership committee meeting for the Partnership. We met with representatives from Pac West and began developing a strategy for rural outreach to generate support for the concept. We began assigning folks to reach out to others in rural communities in southern Oregon and around the state to determine the level of interest in providing support. Our primary role is to reach out to local government, but we may need to work with our state and federal delegations periodically to keep them updated on our progress and continue to ask for their support. The Economic Development Commission met and recommended that Council authorize \$15,000 for additional participation in the Partnership effort to move this forward. You will see that request on your meeting agenda for Monday night.

Wednesday I attended the "Snyder Hall" meeting at UCC to help make a committee recommendation to the Board of Trustees regarding the future of that building after the October 1<sup>st</sup> events at the college. The committee unanimously recommended an option to the Board which was approved Thursday and will be forwarded to State Legislature and Governor's office for funding consideration during the short session coming up in February. The State had indicated that some level of funding was likely to be made available, but we needed to provide a plan, architectural renderings and a budget no later than this week for their consideration. I am grateful for the opportunity to help UCC as they move forward with their healing process and their vision for the future. Students, staff, faculty, administrators and community members met six or seven times in the six weeks as a committee chaired by Board member Betty Tamm.



Thursday I met with Merten Bangemann-Johnson, director of NeighborWorks Umpqua to discuss options for joint participation in a federal grant process that might fund some

community planning for economic development, market rate and subsidized housing, and neighborhood public and private reinvestment. Previous work done in conjunction with the City, SERVICE and DRA resulted in the Heart of Roseburg branding designation as well as an upcoming Art Integration planning effort. We will look at the possibility of supporting a "Choice Neighborhoods Planning Grant Program" application that would allow us to look in much more detail at the same area and inventory and plan for public and, more importantly, private investment in the downtown and south Roseburg area. In the next week or two, Public Works, Public Safety and Community Development staff will have opportunities to review the application information and provide input prior to moving forward.



Friday Nikki Messenger and I attended the South West Area Commission on Transportation meeting in Coquille. Nikki presented a proposal to the SWACT for potential STIP funding for a sidewalk, bike lane and road improvement on Douglas Avenue from Fowler east to the City Limits. Based on the initial review, our project will move forward in the scoping/analysis process and we will revisit the four remaining projects in April to determine the Committee's highest priorities. Nikki did a great job presenting our project in accordance with STIP criteria and after initial review, it appears that the project is one of the top two choices. Given the small amount of money available and the number of projects from our region, likely only one SWACT project will receive funding. We will keep you posted.

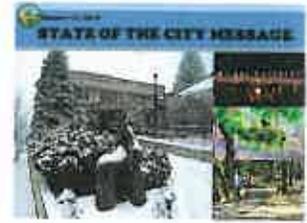
Lastly, the Coastal Farm Supply store is making progress despite the current weather conditions. They still hope to open late spring or early summer. The former Douglas Community Hospital site, now Harvard West, also broke ground this week. Earth work and vegetation clearing is underway and they will begin internal demo work and preparation for about a 40,000 addition to the tower soon. We continue to work with both development teams as they move into the construction process. Clint Newell Motors and Lithia Motors both have renovations going at this time as well. It's great to see our local businesses reinvesting in their facilities and to see the new development.



Have a great weekend everyone. We will see you all at your meeting Monday evening at 7:00 p.m.

Friday January 15, 2016

Good Friday afternoon everyone! I would like to thank Mayor Rich for taking the time to put together the annual State of the City address that he delivered last Monday evening. The State of the City is a great opportunity to communicate with our constituents regarding organizational accomplishments for 2015 and what's in store for 2016. Given that Council Goals provide our direction going into the budget and capital planning processes, you will continue to see an emphasis on Urban Renewal work, infrastructure funding evaluation and enhancement of our beautification and business relationship work in the community. Enhancing our interaction with the public through traditional and social media and community outreach will also be an emphasis.



In keeping with the emphasis on communications, the January City Connection newsletter was published this week and is available in print and on our website at <http://www.cityofroseburg.org/your-government/newsletter/>. The website has the current and prior editions of the twice annual newsletter. The January newsletter includes the Mayor's State of the City address as well as a message from me and articles developed by each of the departments that talk about important activities, projects and events. I hope you all have an opportunity to peruse the newsletter. It is our intention to use the newsletter as a communications device and also to inform our constituents about upcoming opportunities and events.



This week I had an opportunity to meet with Superintendent Gerry Washburn from Roseburg Public Schools and Mike Fieldman regarding early learning, Head Start and the school district's efforts to work together on early childhood education and family development in our community. In addition, I had an opportunity to meet the new interim president from UCC. Dr. Walter Nolte arrived January 4<sup>th</sup> and is planning on being at UCC through the arrival of a new president around the end of June. Dr. Nolte has a wealth of experience in leading community/junior colleges and has hit the ground running. I think it's essential that the City and our educational partners work together to meet student, family and work force needs in our community. I look forward to continued work with Superintendent Washburn and Dr. Nolte.

The Economic Development Commission met on Tuesday to review local organization tourism grant applications and to receive updates from the Partnership and the Visitors Center. The EDC voted to fund five different projects (all under \$5,000) that will

enhance our tourism efforts over the course of the next six to twelve months. As you may recall, the EDC considers grant applications twice a year for tourism related projects, primarily in amounts under \$5,000. Staff is working with a number of other entities to determine if the City has an opportunity to develop a couple of proposals for the EDC and Council to consider regarding community image, tourism and "Wayfinding" to enhance the local tourism experience and hopefully encourage folks to stay longer and learn more about our community.

The Public Works Commission met on Thursday and reviewed a list of street resurfacing recommendations for the upcoming project season. Annually we provide all of the utility companies with a list of upcoming street projects so they can evaluate if utility work needs to be accomplished before or during street resurfacing. The Code requires that no street cuts occur for routine maintenance or improvements for a period of five years after resurfacing on arterials and collector streets and a period of two years for other streets. We will notify the utilities soon with the proposed list of street projects for 2016.



Thursday I met with Alex Campbell to discuss upcoming marketing efforts in conjunction with phase II of a Partnership grant related to wine tourism, the efforts that CHART is working on and possible grant funding for tourism and economic development marketing. We will continue to work through the Partnership, the Visitors Center, our EDC and the DCIDB and CCD to create a consistent strategy that will serve Roseburg and central Douglas County from both a tourism and industrial development standpoint. I believe we will have some great opportunities to leverage local resources in 2016.

Friday afternoon I met with a number of property owners from downtown including owners of Paul O'Brien winery, Safeway and Rite Aid, the former Honda dealership property and a representative from Byrd Ranches and Rentals. These owners and the DRA President discussed downtown development and future development possibilities and recruiting opportunities for businesses in the core area. It was a good discussion and we hope to continue to work with all of the businesses and property owners to encourage additional development downtown.



Don't forget we have the annual First Citizen banquet next Thursday! Monday is a holiday so enjoy the long weekend.

**TENTATIVE FUTURE COUNCIL AGENDA**

**Unscheduled**

- CDBG Grant Architectural Selection (depending upon grant award)
- City Hall Entry/Finance Department Remodel
- Pacific Power Franchise
- Parking Enforcement Agreement
- Police Utility Vehicle Purchase
- Roadside Memorial Policy
- Tree Ordinance
- Urban Services Agreement
- Amending RMC 5.04 Water Rules and Regulations

\*\*\*\*\*

**February 8, 2016**

**Special Presentation (Invite Budget Committee)**

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

**Consent Agenda**

- A. Minutes of January 25, 2016

**Public Hearing**

- A. Proposed Sale of Ward/Post Property

**Ordinances**

- A. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_ - Recreational Marijuana Business Regulations

**Informational**

- A. Activity Report

\*\*\*\*\*

**February 22, 2016**

**Consent Agenda**

- A. Minutes of February 8, 2016

**Ordinances**

- A. Ordinance No. \_\_\_\_, Smoking Policy – Parking Lots & Abutting Sidewalks
- B. Ordinance No. \_\_\_\_, Single Lot Local Improvement Districts

**Department Items**

- A. The Partnership Annual Report
- B. Capital Improvement Plan

**Informational**

- A. Activity Report

**Executive Session**

- A. City Manager Quarterly Evaluation

**Urban Renewal Agency Board Meeting**

- A. Approval of Minutes
- B. Engineering Contract – Signal Connectivity

\*\*\*\*\*

**March 14, 2016**

Consent Agenda

- A. Minutes of February 22, 2016

Public Hearing

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

Ordinances

- A. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_ Smoking Policy – City Parking Lots and Abutting Sidewalks
- B. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_ Single Lot Local Improvement Districts

Department Items

- A. Visitors Bureau Annual Report

Informational

- A. Activity Report

\*\*\*\*\*

**March 28, 2016**

Consent Agenda

- A. Minutes of March 14, 2016

Ordinances

- A. 2<sup>nd</sup> Reading, Ordinance No. \_\_\_\_ - LUDO Phase 3

Resolutions

- A. Social Media Policy

Informational

- A. Activity Report

\*\*\*\*\*

**April 11, 2016**

Mayor's Report

- A. Volunteer Recognition Month Proclamation

Consent Agenda

- A. Minutes of March 28, 2016

Informational

- A. Activity Report (Budget Calendar Reminder)

\*\*\*\*\*

**April 25, 2016**

Mayor's Report

- A. Historic Preservation Month Proclamation

Consent Agenda

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

Informational

- A. Activity Report (Quarterly Reports)

\*\*\*\*\*



**May 9, 2016**

Mayor Reports

- A. Bike to Work Proclamation

Consent Agenda

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

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

\*\*\*\*\*

**May 23, 2016**

Consent Agenda

- A. Minutes of May 9, 2016

Informational

- A. Activity Report

\*\*\*\*\*

**June 13, 2016**

Mayor's Report

- A. Camp Millennium Week Proclamation

Consent Agenda

- A. Minutes of May 23, 2016

Public Hearing

- A. Resolution No. 2016-\_\_\_ - 2016/17 Budget Adoption

Informational

- A. Activity Report

Urban Renewal Agency Board Meeting

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

\*\*\*\*\*

**June 27, 2016**

Consent Agenda

- A. Minutes of June 13, 2016

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

\*\*\*\*\*

**July 11, 2016**

Consent Agenda

- A. Minutes of June 27, 2016

---

Informational

- A. Activity Report

\*\*\*\*\*

**July 25, 2016**

Consent Agenda

- A. Minutes of July 11, 2016

Informational

- A. Activity Report (Quarterly Reports)

\*\*\*\*\*

**August 8, 2016**

Consent Agenda

- A. Minutes of July 25, 2016

Informational

- A. Activity Report

\*\*\*\*\*

**August 22, 2016**

Consent Agenda

- A. Minutes of August 8, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

\*\*\*\*\*

**September 12, 2016**

Council Reports

- A. Implementation of City Manager Annual Performance Evaluation

Consent Agenda

- A. Minutes of August 22, 2016

Department Items

- A. Downtown Roseburg Association Annual Report

Informational

- A. Activity Report

\*\*\*\*\*

**September 26, 2016**

Mayor Reports

- A. Walk and Bike to School Day Proclamation

Consent Agenda

- A. Minutes of September 12, 2016

Informational

- A. Activity Report

---

\*\*\*\*\*

**October 10, 2016**

Consent Agenda

- A. Minutes of September 26, 2016

Informational

- A. Activity Report

\*\*\*\*\*

**October 24, 2016**

Consent Agenda

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

Informational

- A. Activity Report (Quarterly Reports)

\*\*\*\*\*

**November 14, 2016**

Consent Agenda

- A. Minutes of October 24, 2016

Informational

- A. Activity Report

Executive Session

- A. City Manager Annual Review

\*\*\*\*\*

**November 28, 2016**

City Council Reports

- A. City Manager Contract

Consent Agenda

- A. Minutes of November 14, 2016

Informational

- A. Activity Report

\*\*\*\*\*

**December 12, 2016**

Mayor Reports

- A. Election Results

Consent Agenda

- A. Minutes of November 28, 2016

Informational

- A. Activity Report

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY




---

## MUNICIPAL COURT QUARTERLY REPORT

---

Meeting Date: January 25, 2016  
 Department: Municipal Court  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

Agenda Section: Department Reports  
 Staff Contact: Ron Harker  
 Contact Telephone Number: 492-6710

---

### ISSUE STATEMENT AND SUMMARY

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

### BACKGROUND

#### A. Council Action History.

On July 23, 2012, the Council approved an amendment to the Judge's contract to include the presentation of a quarterly financial report to Council. This report is the latest of the quarterly reports to have been provided in fulfillment of the contract amendment and covers the quarter ending December 31, 2015.

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

	1ST	2ND	YTD	YTD
	QTR	QTR	TOTAL	PRIOR
<u>COURT CASE TOTALS</u>				YEAR
CRIMES	242	206	448	567
TRAFFIC CRIMES	70	43	113	137
TRAFFIC VIOLATIONS	793	522	1,315	1,190
NON-TRAFFIC VIOLATIONS	147	73	220	330
<b>TOTAL</b>	<b>1,252</b>	<b>844</b>	<b>2,096</b>	<b>2,224</b>

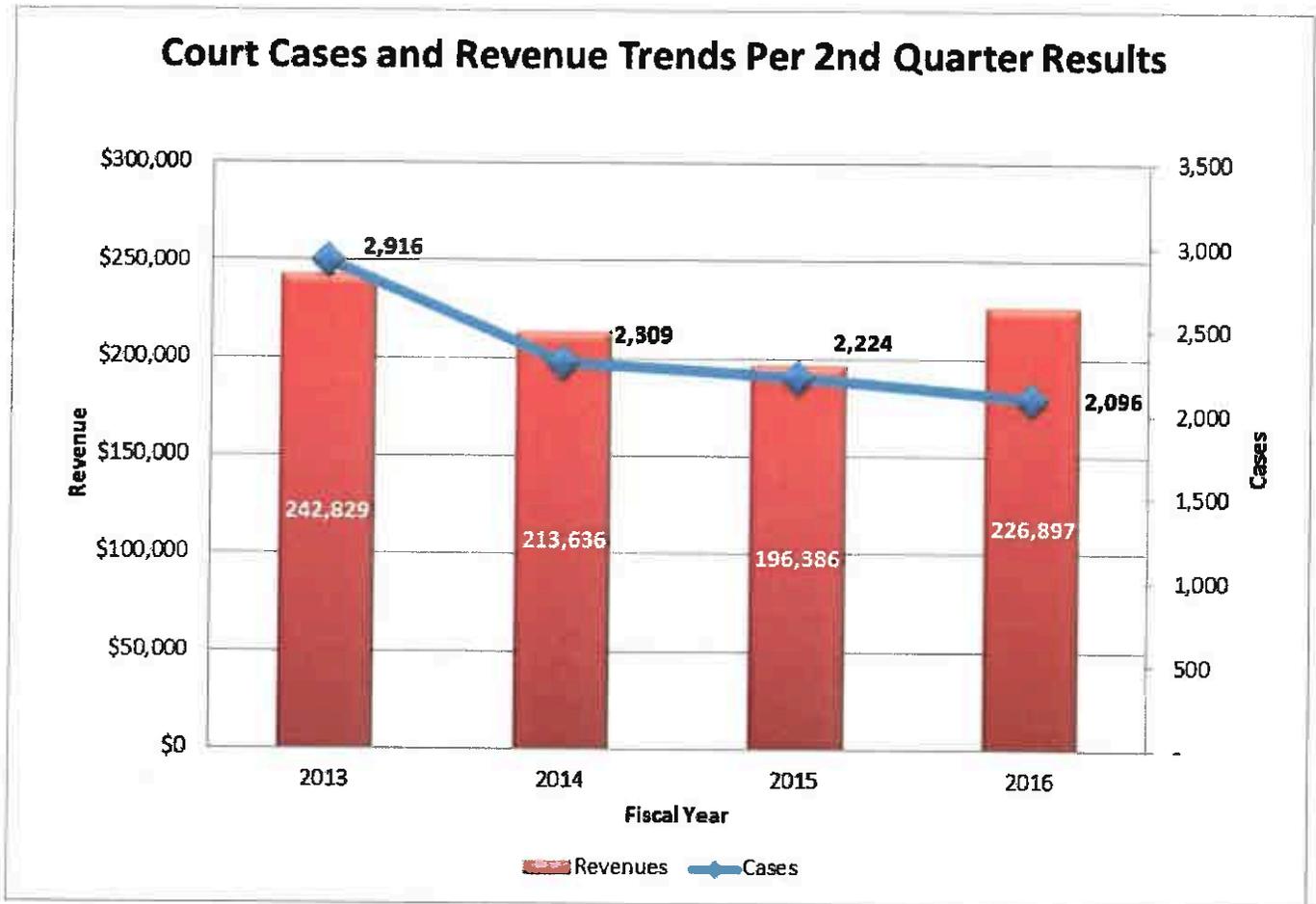
After the second quarter of the 2015-16 fiscal year, total cases were down 5.8% from the prior year. By category, traffic violations, increased by 10.5% while crimes, traffic crimes, and non-traffic violations decreased by 20.9%, 17.5% and 33.33%.

	BUDGET	1ST	2ND	YTD	PRIOR
	2015-16	QTR	QTR	TOTAL	YTD
<u>COURT REVENUES</u>		2015	2015		TOTAL
FINES	\$ 377,820	\$ 116,547	\$ 98,339	\$ 214,886	\$ 187,955
COURT COSTS	15,200	4,889	4,660	9,549	6,650
CRT APPT ATTORNEY	4,100	1,538	924	2,462	1,781
<b>TOTAL</b>	<b>\$ 397,120</b>	<b>\$ 122,974</b>	<b>\$ 103,923</b>	<b>\$ 226,897</b>	<b>\$ 196,386</b>

After the second quarter of the 2015-16 fiscal year, total court revenues were up 15.5% from the prior year. Fines and collections revenue increased by 14.3%, court costs revenues increased 43.6% and court appointed attorney increased by 38.2%.

On a budgetary basis, revenues are 57.1% of budget after the second quarter of the fiscal year.

A review of first quarter trends of cases and revenues indicate that revenues are tracking back up towards the 2012-13 levels despite cases continuing their decline as the following graph illustrates. Revenues from collections are increasing as the City's transfer of accounts has improved over past years which have pushed revenues higher despite the decline in cases.



**C. Timing Issues.**

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

**COUNCIL OPTIONS**

No Action is requested

**STAFF RECOMMENDATION - n/a**

**SUGGESTED MOTION - n/a**

**ATTACHMENTS - n/a**