

2010 RESOLUTIONS INDEX

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RESOLUTION NO. 2010- 1

A RESOLUTION ACCEPTING THE GRANT OFFER OF THE FEDERAL AVIATION ADMINISTRATION IN THE MAXIMUM AMOUNT OF \$113,191 TO BE USED TOWARDS PRELIMINARY ENGINEERING AND ENVIRONMENTAL WORK FOR THE TAXIWAY RELOCATION, AIP #3-41-0054-017, IN THE DEVELOPMENT OF THE ROSEBURG REGIONAL AIRPORT

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG as follows:

Section 1: That the City of Roseburg shall accept the Grant Offer of the Federal Aviation Administration in the amount of \$113,191 for an Airport Improvement Project for preliminary engineering and environmental work for the taxiway relocation for the development of the Roseburg Regional Airport; and

Section 2: That the City Manager of the City of Roseburg is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer on behalf of the City of Roseburg, and the City Recorder is hereby authorized and directed to attest the signature of the City Manager and to impress the official seal of the City of Roseburg on the aforesaid statement of Acceptance; and

Section 3: A true copy of the Grant Offer referred to herein shall be attached hereto and made a part hereof.

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 8th DAY OF MARCH 2010.



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-2

A RESOLUTION INITIATING A REQUEST FOR JURISDICTIONAL TRANSFER OF NW BROAD STREET FROM DOUGLAS COUNTY TO THE CITY OF ROSEBURG

WHEREAS, the City has executed an Urban Growth Management Agreement with Douglas County; and

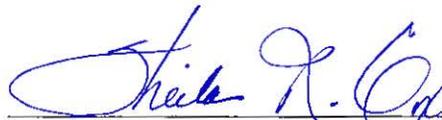
WHEREAS, Douglas County retains responsibility for major collectors and arterials located within the Urban Growth Area which are within the County jurisdiction unless otherwise agreed by the City and County; and

WHEREAS, the City has processed Annexation for Broad Street extending north from the intersection of Edenbower Boulevard to the northerly terminus of the Broad Street right-of-way; and

WHEREAS, it is in the public interest for the City to have full and exclusive jurisdiction of the right-of-way;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Roseburg, Oregon, to initiate a request with Douglas County requesting transfer of jurisdictional responsibility of the identified portion of right-of-way as shown on the attached Exhibit "A".

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON,
AT ITS REGULAR MEETING ON THE 8TH DAY OF MARCH 2010.**



Sheila R. Cox, City Recorder



Exhibit "A"

RESOLUTION NO. 2010-3

A RESOLUTION AUTHORIZING AND SUPPORTING APPLICATION FOR AN OREGON PARKS AND RECREATION DEPARTMENT LOCAL GOVERNMENT GRANT

WHEREAS, the City of Roseburg Parks and Recreation Commission has recognized the renovation of Parrot Creek Park as a high priority for the Parks Division's capital improvement projects; and

WHEREAS, the existing play structures at Parrot Creek Park are over thirty years old and have limited functionality; and

WHEREAS, the existing basketball court consists of cracked and deteriorated asphalt; and

WHEREAS, the existing park amenities are not accessible for children or adults with disabilities; and

WHEREAS, the replacement of the play structures and basketball court will include demolition and removal of the existing equipment and construction of a better designed play structure that eliminates the deficiencies noted above and improves the fall zone material to better protect children; and

WHEREAS, the Oregon State Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the City of Roseburg desires to participate in this grant program to the greatest extent possible; and

WHEREAS, on March 11, 2010 the Parks and Recreation Commission recommended proceeding with a grant application to renovate Parrot Creek Park; and

WHEREAS, the City hereby certifies that the matching share for this application is available at this time;

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

Section 1. Authorization is granted to apply for a Local Government Grant for the renovation of the Parrot Creek Park.

Section 2. 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 22nd DAY OF MARCH 2010



Debi Davidson, Acting City Recorder

RESOLUTION NO. 2010-4

A RESOLUTION RECOGNIZING THE ROSEBURG DOWNTOWN MAIN STREET ASSOCIATION

WHEREAS, the Roseburg Downtown Main Street Association has been formed under the foundation of the Main Street Program; and

WHEREAS, the four points of the Main Street Program are: Organization,, Promotion, Design and Economic Restructuring; and

WHEREAS, aggressively pursuing these four principles will benefit, not only Roseburg's Central Business District and Downtown Waterfront areas as defined in Exhibit A, but our community as a whole; and

WHEREAS, the City of Roseburg desires to affiliate with the Roseburg Downtown Main Street Association for purposes of working cooperatively to enhance the Central Business District;

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG as follows:

Section 1: That the City of Roseburg hereby formally recognizes the Roseburg Downtown Main Street Association and welcomes the organization to work cooperatively with the City Council and City Staff to address areas of mutual concern and benefit.

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 26TH DAY OF APRIL 2010.



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-4



RESOLUTION NO. 2010-5

A RESOLUTION AMENDING RESOLUTION NO. 92-13 REGARDING FEES

WHEREAS, certain Systems Development Charges are to be adjusted annually based upon the March Construction Cost Index; and

WHEREAS, the City Council has determined the need to adjust existing fees to more appropriately cover the cost of time, materials and services;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Roseburg, that Resolution No. 92-13 adopted by the City Council on August 24, 1992, is amended as follows:

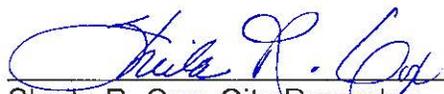
Section 1: Effective July 1, 2010, the following system development charges shall be increased by 1.605% pursuant to the March Construction Cost Index as reported in the Engineering News twenty city average.

| | | |
|---|--------------------|----------------|
| Storm Drainage (for a single family unit..... | 866.25 | <u>880.00</u> |
| Transportation (Per Trip-End) | 265.65 | <u>270.00</u> |
| Water (Meter Size) | | |
| 3/8" x 3/4" | 1890.00 | <u>1920.00</u> |
| 3/4" x 3/4" | 2835.00 | <u>2880.00</u> |
| 1" | 4725.00 | <u>4800.00</u> |
| 1-1/2" | 9450.00 | <u>9600.00</u> |

Section 2: Effective July 1, 2010, the below-listed appeal fees shall be adjusted as follows:

| | | |
|---|-------------------|---------------|
| Commission/City Manager/Staff Decision | 400.00 | <u>250.00</u> |
| Denied/Suspended/Revoked App/Registration/Permit/License | 400.00 | <u>250.00</u> |

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 24TH DAY OF MAY 2010.


Sheila R. Cox, City Recorder

Due to a scrivener's error, the following fee was excluded from the Resolution. The formula for annual adjustment of these fees was adopted by the City Council pursuant to Resolution No. 2008-10. All water service connections for one- and two-family residential combined domestic/fire service shall pay the following water system development charge: \$1,920.00

RESOLUTION NO. 2010-6

**A RESOLUTION AUTHORIZING AND SUPPORTING AN APPLICATION FOR A
TRANSPORTATION ENHANCEMENT GRANT**

WHEREAS, the City of Roseburg Transportation System Plan, The Bike and Pedestrian Plan amendments to the Transportation System Plan, the Transportation and Growth Management Roseburg Outreach Project, Downtown Master Plan, and Draft Waterfront Plan call for streetscape improvements and improved Bicycle and Pedestrian connections between Interstate 5 and Downtown; and

WHEREAS, the Roseburg City Council has identified this project as a high priority project; and

WHEREAS, the Roseburg City Council supports the streetscape improvements and improved Bicycle and Pedestrian connections which will include reducing driveways and constructing or replacing sidewalks; and

WHEREAS, the community has expressed strong support for the proposed project; and

WHEREAS, the City of Roseburg has been participating with Healthy Active Douglas County in promoting active transportation and healthier lifestyles such as are promoted with this project ; and

WHEREAS, the Pedestrian or Bicycle Improvement Grant and the Transportation Enhancement Grant of the Oregon Department of Transportation are accepting applications to help fund such projects; and

WHEREAS, the City of Roseburg desires to participate in this grant program to the greatest extent possible as a means of providing these needed improvements and enhancements; and

WHEREAS, the applicant hereby certifies that the matching share for this application is readily available at this time;

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

Section 1. Authorization is granted to apply for a Transportation Enhancement Grant from the Oregon Department of Transportation for streetscape and bicycle and pedestrian improvements.

Section 2. 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 14th DAY OF JUNE 2010.**



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-7

A RESOLUTION AUTHORIZING AND SUPPORTING AN APPLICATION FOR A PEDESTRIAN OR BICYCLE IMPROVEMENT GRANT

WHEREAS, the City of Roseburg Transportation System Plan, The Bike and Pedestrian Plan amendments to the Transportation System Plan, the Transportation and Growth Management Roseburg Outreach Project, Downtown Master Plan, and Draft Waterfront Plan call for streetscape improvements and improved Bicycle and Pedestrian connections between Interstate 5 and Downtown; and

WHEREAS, the Roseburg City Council has identified this project as a high priority project; and

WHEREAS, the Roseburg City Council supports the streetscape improvements and improved Bicycle and Pedestrian connections which will include reducing driveways and constructing or replacing sidewalks; and

WHEREAS, the community has expressed strong support for the proposed project; and

WHEREAS, the City of Roseburg has been participating with Healthy Active Douglas County in promoting active transportation and healthier lifestyles such as are promoted with this project ; and

WHEREAS, the Pedestrian or Bicycle Improvement Grant and the Transportation Enhancement Grant of the Oregon Department of Transportation are accepting applications to help fund such projects; and

WHEREAS, the City of Roseburg desires to participate in this grant program to the greatest extent possible as a means of providing these needed improvements and enhancements; and

WHEREAS, the applicant hereby certifies that the matching share for this application is readily available at this time;

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

Section 1. Authorization is granted to apply for a Pedestrian or Bicycle Improvement Grant from the Oregon Department of Transportation for streetscape and bicycle and pedestrian improvements.

Section 2. 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 14th DAY OF JUNE 2010.



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010- 8

A RESOLUTION REGARDING EXEMPTION FROM COMPETITION IN PUBLIC CONTRACTING FOR THE GARDEN VALLEY STRUCTURAL OVERLAY PROJECT

WHEREAS, on July 6, 2009, the City contracted with Pace Engineers, Inc. for design services related to a structural overlay project on Garden Valley Boulevard, between Stewart Parkway and the west City Limits (the project); and

WHEREAS, on December 28, 2009 the City Council approved a Resolution No. 2009-29 exempting from competition construction phase engineering services including project management, observation, testing and reporting and awarded a contract to Pace Engineers, Inc. in an amount not to exceed \$76,600.00; and

WHEREAS, on January 28, 2010 bids were received for the Garden Valley Structural Overlay Project that were significantly under the amount of available ARRA funds; and

WHEREAS, the City would like to extend the length of the structural overlay project to utilize all of the available ARRA funds; and

WHEREAS, the additional project length will require additional engineering services including production of plan sheets, project management, observation, testing, and reporting and it is estimated that the cost for completing the additional construction phase engineering services by Pace Engineers, Inc. would be \$28,732; and

WHEREAS, ORS 279C.110(3) states that a local contracting agency may adjust its procedures created for screening and selection of consultants and the selection of a candidate under said section and adjustments to accommodate a contracting agency's objectives may include provision for the direct appointment of a consultant if the value does not exceed a threshold amount as determined by the contracting agency; and

WHEREAS, Roseburg Municipal Code Section 3.06.035 permits the City Council to exempt a special public contract from competition on making appropriate findings; and

WHEREAS, Pace Engineer's, Inc. prior work on the project and familiarity with the project gives it specialized knowledge particular to the project and a unique capacity and capability to perform the work within tight time lines and at a cost savings associated with transferrable experience and background in past work performed; and

WHEREAS, the Council finds that the above facts will yield cost savings, enhancement in quality, performance, and other public benefit anticipated by direct appointment of Pace Engineers, Inc.; and

WHEREAS, the approval of this direct appointment would be unlikely to encourage favoritism or diminish competition for the contract, in that Pace Engineers, Inc.'s unique

familiarity and readiness to perform the work would likely result in Pace Engineers, Inc. being appointed in any event; and

WHEREAS, it is in the public interest to award this contract by June 14, 2010 and direct appointment of Pace Engineers, Inc. will provide substantial public benefit by allowing the contract to be awarded within said time frame;

NOW THEREFORE, the City of Roseburg resolves as follows:

1. The Roseburg City Council, acting as the local contract review board, makes the above findings and based on such findings does hereby approve and authorize staff to award and enter into an engineering services contract with Pace Engineers, Inc., in the amount of \$28,732, for construction phase engineering services on the Garden Valley Structural Overlay project.
2. This resolution is effective upon adoption.

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON AT ITS
REGULAR MEETING ON THE 14TH DAY OF JUNE 2010.**



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-9

**A RESOLUTION ADOPTING THE 2010-2011
BUDGET; LEVYING AND CATEGORIZING TAXES FOR SAID TAX
YEAR; ELECTING TO RECEIVE STATE REVENUE SHARING; AND
MAKING APPROPRIATIONS**

WHEREAS, the Budget Committee of the City of Roseburg, Oregon, has approved a proposed budget for the fiscal year commencing July 1, 2010; and

WHEREAS, at a regular meeting of the City Council held on June 14, 2010, a public hearing on said proposed budget was duly held after the giving of notice thereof as provided by statute, proof of which is on file in the Office of the City Recorder of the City; and

WHEREAS, ORS 294.435 requires the adopted budget to be appropriated by fund and requirement category; and

WHEREAS, ORS 294.435(1) requires local governments to take formal action to declare the ad valorem tax rate or amount to be certified to the assessor and to itemize and categorize the ad valorem property tax amount or rate; and

WHEREAS, the officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following service(s): (1) police protection; (2) fire protection; (3) street construction, maintenance and lighting; (4) sanitary sewer; (5) storm sewers; (6) planning, zoning and subdivision control; and (7) one or more utility services; and city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760; and

WHEREAS, the City of Roseburg certifies that it provides all of the municipal services outlined above, except the provision of sanitary sewer;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. After public hearing held on June 14, 2010, the Roseburg City Council hereby adopts the budget for the fiscal year 2010-2011 in the sum of \$51,570,442 as approved by the Budget Committee, a copy of which is now on file at City Hall.

Section 2. The City hereby levies the taxes for each fund provided for in the aggregate amount of \$8.4774 per \$1,000, be assessed pro rata upon all taxable property within the City of Roseburg, Oregon.

Section 3. The City hereby declares the following allocation and categorization, subject to the limits of Section 11b, Article XI of the Oregon Constitution, constitute the preceding aggregate levy:

Subject To General Government Limitation
Permanent Rate per Thousand \$8.4774

Section 4. The City hereby elects to receive state revenues for fiscal year 2010-2011 pursuant to ORS 221.770.

Section 5. The amounts designated for the purposes set forth in Exhibit "A" are appropriated for the purposes and in the amount set forth in that Exhibit.

Section 6. The Recorder of said City shall certify to the County Clerk and County Assessor of Douglas County, Oregon, the tax levies provided for in this Resolution on or before July 15, 2010, and shall file required documents with the County Assessor in accordance with ORS 294.555(3).

Section 7. This Resolution shall become effective immediately upon adoption by the Roseburg City Council.

**APPROVED BY THE CITY COUNCIL OF ROSEBURG, OREGON, AT ITS
REGULAR MEETING ON THE 14TH DAY OF JUNE 2010.**



Sheila Cox, City Recorder

EXHIBIT "A"
2010-2011 BUDGET APPROPRIATIONS

GENERAL FUND

Departments

| | | |
|-------------------------|--------------|---------------|
| ◆ Administration | \$ 2,034,502 | |
| ◆ Community Development | 656,413 | |
| ◆ Public Works | 685,353 | |
| ◆ Parks and Recreation | 1,171,975 | |
| ◆ Municipal Court | 525,824 | |
| ◆ Police Department | 5,622,398 | |
| ◆ Fire Department | 5,034,106 | |
| ◆ Capital Outlay | 46,000 | |
| ◆ Debt Service | - | |
| ◆ Transfers | 1,065,370 | |
| ◆ Operating Contingency | 292,193 | |
| ◆ Library | 50,000 | |
| | <hr/> | \$ 17,184,134 |

SPECIAL REVENUE FUNDS

Public Works

Departments

| | | |
|-------------------------|-----------|-----------|
| ◆ Administration | 709,784 | |
| ◆ Engineering | 733,091 | |
| ◆ Streets | 1,254,507 | |
| ◆ Operating Contingency | 278,290 | |
| | <hr/> | 2,975,672 |

Grant Special Revenue

| | | |
|--------------------------|---------|---------|
| ◆ Materials and Services | 153,257 | |
| ◆ Capital Outlay | 15,295 | |
| ◆ Operating Contingency | 61,094 | |
| | <hr/> | 229,646 |

Hotel/Motel Tax

| | | |
|--------------------------|---------|---------|
| ◆ Materials and Services | 456,550 | |
| ◆ Capital Outlay | - | |
| ◆ Transfers | 333,450 | |
| ◆ Operating Contingency | 51,548 | |
| | <hr/> | 841,548 |

Streellight/Sidewalk

| | | |
|--------------------------|---------|---------|
| ◆ Materials and Services | 57,985 | |
| ◆ Capital Outlay | 300,000 | |
| ◆ Operating Contingency | 50,000 | |
| | <hr/> | 407,985 |

Bike Trail

| | | |
|-------------------------|---------|---------|
| ◆ Capital Outlay | 120,000 | |
| ◆ Operating Contingency | 30,950 | |
| | <hr/> | 150,950 |

Housing Rehabilitation Loan Fund

| | | |
|--------------------------|---------|---------|
| ◆ Materials and Services | 23,230 | |
| ◆ Capital Outlay | 150,000 | |
| ◆ Housing Loans | 100,000 | |
| ◆ Operating Contingency | 62,228 | |
| | <hr/> | 335,458 |

Economic Development Fund

| | | |
|--------------------------|---------|---------|
| ◆ Materials and Services | 149,086 | |
| ◆ Capital Outlay | - | |
| ◆ Operating Contingency | 74,816 | |
| | <hr/> | 223,902 |

EXHIBIT "A"
2010-2011 BUDGET APPROPRIATIONS

| | | | |
|--|----|----------------|------------|
| Stewart Trust- Special Revenue Fund | | | |
| ◆ Capital outlay | \$ | 77,500 | |
| ◆ Operating Contingency | | <u>61,744</u> | \$ 139,244 |
| <u>DEBT SERVICE FUNDS</u> | | | |
| Debt Retirement Fund | | | |
| ◆ Transfers | | 110,000 | |
| ◆ Debt Service | | <u>417,000</u> | 527,000 |
| <u>CAPITAL PROJECTS FUNDS</u> | | | |
| Transportation | | | |
| ◆ Materials and Services | | 1,518,742 | |
| ◆ Capital Outlay | | 2,570,000 | |
| ◆ Operating Contingency | | <u>200,000</u> | 4,288,742 |
| Park Improvement | | | |
| ◆ Materials and Services | | 12,521 | |
| ◆ Capital Outlay | | 60,000 | |
| ◆ Operating Contingency | | <u>89,734</u> | 162,255 |
| Equipment Replacement | | | |
| ◆ Capital Outlay | | <u>711,000</u> | 711,000 |
| Assessment | | | |
| ◆ Materials and Services | | 7,911 | |
| ◆ Capital Outlay | | - | |
| ◆ Operating Contingency | | <u>300,000</u> | 307,911 |
| Facilities Replacement Fund | | | |
| ◆ Materials and Services | | 50,000 | |
| ◆ Capital outlay | | 430,000 | |
| ◆ Operating Contingency | | <u>160,000</u> | 640,000 |
| <u>ENTERPRISE FUNDS</u> | | | |
| Storm Drainage | | | |
| ◆ Materials and Services | | 416,083 | |
| ◆ Capital Outlay | | 330,000 | |
| ◆ Operating Contingency | | <u>100,000</u> | 846,083 |
| Off Street Parking | | | |
| Departments | | | |
| ◆ Enforcement | | 120,500 | |
| ◆ Administration | | 48,666 | |
| ◆ Capital Outlay | | - | |
| ◆ Operating Contingency | | <u>111,170</u> | 280,336 |
| Airport Fund | | | |
| Departments | | | |
| ◆ Airport Operations | | 365,366 | |
| ◆ Capital Outlay | | 448,128 | |
| ◆ Debt Service | | 122,000 | |
| ◆ Transfers | | - | |
| ◆ Operating Contingency | | <u>236,131</u> | 1,171,625 |

EXHIBIT "A"
2010-2011 BUDGET APPROPRIATIONS

| | | | |
|---------------------------------|----|------------------|--------------|
| Water Service Fund | | | |
| Departments | | | |
| ◆ Production | \$ | 947,423 | |
| ◆ Transmission and Distribution | | 1,226,434 | |
| ◆ General Overhead | | 1,165,868 | |
| ◆ Capital Outlay | | 1,240,000 | |
| ◆ Transfers | | - | |
| ◆ Operating Contingency | | <u>1,000,000</u> | \$ 5,579,725 |
| | | | |
| Golf | | | |
| Departments | | | |
| ◆ Maintenance | | 336,681 | |
| ◆ Capital Outlay | | 5,000 | |
| ◆ Debt Service | | 10,253 | |
| ◆ Operating Contingency | | <u>49,319</u> | 401,253 |

INTERNAL SERVICE FUND

| | | | |
|--------------------------|--|----------------|---------|
| Workers Compensation | | | |
| ◆ Materials and Services | | 314,142 | |
| ◆ Operating Contingency | | <u>623,764</u> | 937,906 |

TOTAL BUDGET APPROPRIATIONS \$ 38,342,375

This budget also includes unappropriated ending fund balances and reserves for future expenditures. A supplemental budget must be prepared to spend amounts reserved for future expenditure.

| | <u>Reserve</u> | <u>Unappropriated Fund Balance</u> | <u>Total</u> | |
|------------------------|------------------|--|------------------|-------------------|
| General | \$ 5,067,582 | \$ - | \$ 5,067,582 | |
| Streetlight/Sidewalk | - | 248,639 | 248,639 | |
| Transportation | - | 1,701,017 | 1,701,017 | |
| Equipment Replacement | 157,204 | - | 157,204 | |
| Assessment Improvement | 986,417 | - | 986,417 | |
| Facilities Replacement | 857,288 | - | 857,288 | |
| Storm Drain | - | 738,949 | 738,949 | |
| Water | <u>1,000,000</u> | <u>2,470,971</u> | <u>3,470,971</u> | |
| | \$ 8,068,491 | \$ 5,159,576 | \$ 13,228,067 | <u>13,228,067</u> |

TOTAL BUDGET \$ 51,570,442

RESOLUTION NO. 2010-10

**A RESOLUTION ESTABLISHING 2010-2011 BUDGET APPROPRIATIONS FOR
COMMUNITY DEVELOPMENT BLOCK GRANT EXPENDITURES**

WHEREAS, the City was awarded a Community Development Block Grant for acquisition of the Casa de Belen property; and

WHEREAS, Oregon Revised Statutes 294.326(3) allows for appropriations of special purpose grants in the year of receipt;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the City of Roseburg, Oregon, that the following appropriation be made:

| <u>GRANT SPECIAL REVENUE FUND</u> | <u>INCREASE</u> |
|-----------------------------------|-----------------|
| Resources-CDBG Grant Funds | \$800,000 |
| Expenditures-Contracted Services | \$800,000 |

APPROVED BY THE CITY COUNCIL OF ROSEBURG, OREGON, AT ITS
REGULAR MEETING ON THE 26TH DAY OF JULY 2010.



Sheila R. Cox
City Recorder

RESOLUTION NO. 2010- 11

A RESOLUTION ESTABLISHING THE 2010 POLICY FOR LONG-TERM LEASING OF CORPORATE HANGAR SPACE AT THE ROSEBURG REGIONAL AIRPORT

WHEREAS, a "Policy for Long Term Leasing of Corporate Hangar Space at the Roseburg Regional Airport" was first adopted by Council Resolution 2002-16 on September 23, 2002; and

WHEREAS, on November 14, 2005, the Council adopted Resolution No. 2005-22, rescinding Resolution No. 2002-16 and amending the subject policy to require the renewal term inspections to be done by an independent professionally licensed engineer, architect or building contractor; and

WHEREAS, on April 24, 2006, the Council adopted Resolution No. 2006-11, rescinding Resolution No. 2005-22 and amending the Long Term Leasing Policy to phase in rate increases over a five year period with an annual CPI adjustment (with a cap of 3%) thereafter; and

WHEREAS, on August 25, 2008, the Council adopted Resolution 2008-16, amending the Long Term Leasing Policy to address non-aviation use of corporate hangar space and designating two parking spaces for north-end corporate hangars with direct street access; and

WHEREAS, after hearing concerns from several corporate tenants who felt the limitations on the non-aviation related use of corporate hangar space implemented by Resolution No. 2008-16 would diminish the value of their leases, on October 3, 2008, the Council adopted Resolution No. 2008-21 rescinding Resolution 2008-16, terminating the Long Term Leasing Policy and giving the corporate tenants 90 days to present an alternative policy regarding non-aviation commercial use of corporate hangar space; and

WHEREAS, the corporate tenants have been unsuccessful in developing an alternative policy, the Airport Commission recommends that a new policy addressing these matters be established and the Roseburg City Council supports the Airport Commission's recommendation;

NOW THEREFORE, BE IT RESOLVED BY THE ROSEBURG CITY COUNCIL AS FOLLOWS:

Section 1. The 2010 Policy for Long-Term Leasing of Corporate Hangar Space at the Roseburg Regional Airport is hereby adopted to read as set forth in the attached Exhibit "A" and by this reference incorporated herein. Such policy shall become effective retroactively to September 1, 2010 and shall apply to both current and future corporate hangar ground leases.

Section 2. The City Recorder is hereby directed to notify all current corporate hangar space lessees of the new policy hereby adopted.

APPROVED BY THE ROSEBURG CITY COUNCIL THIS 13TH DAY OF SEPTEMBER, 2010.



Sheila R. Cox, City Recorder

EXHIBIT "A" OF RESOLUTION NO. 2010-11

2010 POLICY FOR LONG-TERM LEASING OF CORPORATE HANGAR SPACE AT THE ROSEBURG REGIONAL AIRPORT

The following provisions shall be known as the 2010 Policy for Long Term Leasing of Corporate Hangar Space at the Roseburg Regional Airport (hereinafter referred to as the "Policy"), and , unless otherwise stated herein, shall be applied to the ground leases for all corporate hangar spaces leased at the Airport:

1. **ANNUAL PAYMENT DATE.** The annual payment for each corporate hangar space leased at the Roseburg Regional Airport shall be due in advance, on or before July 1 of each year. The first annual payment on newly constructed hangars shall be pro-rated to incorporate the July 1 payment date.
2. **LEASE RATES.** Annual corporate hangar lease rates are currently set at \$0.25 per square foot. Beginning July 1, 2011, and on July 1 of each year thereafter, throughout the entire term of the lease, the annual lease rate increase for corporate hangar space shall be equal to the percentage increase in the Consumer Price Index ("CPI") for the twelve (12) month period ending December 31 of the prior year. Comparisons shall be made by using the Bureau of Labor Statistics Consumer Price Index entitled All Urban Consumers, West Region - Portland, Oregon (1982-1984=100); provided however, such increase shall not exceed three percent (3%) in any given year. In no event shall there be a decrease in the ground lease rate paid the prior year. In the event that the above referenced CPI ceases to be published, the City shall select a comparable replacement table.
3. **INITIAL TERM.** The Initial Term of the ground lease for all corporate hangars shall be considered the period of time beginning on the date the hangar was originally constructed, and ending June 30 of the year following the 20th anniversary of such original construction date.
4. **RENEWAL TERMS.** Following expiration of the Initial Term, all corporate hangar ground leases may be renewed for additional terms of five (5) years each ("Renewal Term"), throughout the lifetime of the hangar, provided Lessee meets the requirements set forth in this Policy and is not in default of any lease provision.

4.1 Renewal/Inspection Notice. Ninety (90) days prior to the expiration of the Initial Term or any Renewal Term then in effect, the City shall give Lessee written notice of pending expiration and of the hangar inspection required by Section 5 of this Policy ("Renewal/Inspection Notice"). Lessee's desire to exercise such right of renewal shall be considered automatic unless Lessee notifies the City in writing of the intent not to renew the lease as required by Subsection 4.2 of this Policy.

4.2 Lessee's Decision Not to Renew. If at the end of the Initial Term, or at the end of any Renewal Term, Lessee decides not to exercise the right to renew the lease as allowed by this Policy, Lessee must notify the City in writing of said decision not to renew. Such notice must be submitted to the City in writing within thirty (30) days of the date of the City's Expiration/Inspection Notice sent pursuant to Subsection 4.1 of this Policy and must outline Lessee's plans for removal of the hangar at the end of the existing term. Such removal shall be at Lessee's expense and

must be accomplished within 90 days of the date of Lessee's notice to the City of the decision not to renew. If the Lessee fails to remove the hangar as required, the hangar shall be considered a nuisance to be abated as outlined in Section 7 of this Policy.

5. RENEWAL TERM INSPECTION REQUIREMENTS: As a condition of renewal of the lease, within thirty (30) days of the date of the City's Renewal/Inspection Notice, Lessee, at Lessee's sole expense, shall hire an independent professionally licensed engineer, architect or building contractor, to conduct an assessment and inspection of the hangar based on the criteria set forth in this Policy. Lessee shall cause such inspection and assessment to be completed, and a written report of all findings from the inspection ("Inspection/Assessment Report") to be filed with the City within sixty (60) days from the date of City's Renewal/Inspection Notice to Lessee. Failure of the Lessee to order such inspection and assessment or to provide the City with the Inspection/Assessment Report as required, shall be considered a violation of the Lease, and shall be grounds for denial of the Renewal Term.

5.1 Inspection/Assessment Report. The Inspection/Assessment Report to be provided the City shall include, but not be limited to:

5.1.1 A detailed list of any maintenance deficiencies found in the interior and on the exterior of the hangar;

5.1.2 A statement verifying Lessee's compliance with current Roseburg Regional Airport Rules and Regulations, limits on storage of hazardous materials and appropriate usage of the facility; and

5.1.3 A structural assessment as to the remaining useful life of the hangar and recommendations for improvements which would increase the useful life expectancy of the hangar.

5.2 Deficiencies Satisfied. Lessee shall satisfy all deficiencies identified in the Inspection/Assessment Report within 30 (thirty) days of the date of such report. If deficiencies require more than thirty (30) days to correct, Lessee may make a written request to the City Manager for an extension of the standard correction time. The City Manager shall not unreasonably deny the extension. Failure of Lessee to correct each reported deficiency will result in ownership of the hangar reverting to the City.

5.3 Appeal of Deficiencies. If Lessee objects to a deficiency identified in the Inspection/Assessment Report, Lessee may file a written appeal with the City Manager, specifying the objection. Such appeal must be submitted to the City Manager within ten (10) days of the date of the Inspection/Assessment Report and shall be processed in accordance with RMC Section 7.06.030 governing the appeal of a notice of nuisance abatement.

6. APPROVAL OF RENEWAL TERM. Upon Lessee's completion of all conditions precedent to the commencement of the Renewal Term, including, but not limited to, the satisfactory completion of all deficiencies identified in the Inspection/Assessment Report, the City shall approve the renewal of the lease for one five-year Renewal Term, or for less than a five-year Renewal Term if the Inspection/Assessment Report reflects the conclusions outlined in the following Section 7 of this Policy.

7. FINAL RENEWAL TERM; REMOVAL OF HANGAR. In the event the Inspection/Assessment Report results in a finding that the anticipated remaining useful life of the hangar is five (5) years or less, the pending Renewal Term shall be deemed to be the last Renewal Term available under the lease (the "Final Renewal Term"). In such event, Lessee shall agree, as a condition to approval of the Final Renewal Term, to remove the hangar, at Lessee's expense, at the end of the Final Renewal Term. If the Lessee does not agree to remove the hangar at the end of the Final Renewal Term, the City shall deny the request to renew and Lessee must comply with Section 10 of this Policy. If Lessee fails to remove the hangar within thirty (30) days of the expiration of the Final Renewal Term, the City shall consider the hangar a nuisance to be abated in accordance with Roseburg Municipal Code (RMC) Chapter 7.06, and after notice to Lessee, may abate the nuisance and charge the Lessee the cost of abatement, plus a penalty as provided in the aforementioned Code Chapter.

8. NON-AVIATION COMMERCIAL USE WITHIN CORPORATE HANGARS WITH STREET SIDE ACCESS. The provisions contained within this Section 8 shall apply only to those corporate hangars with direct street access constructed, assigned or renegotiated for any reason, including the expiration of any term of the applicable lease, after May 1, 2008.

8.1 Non-Aviation Commercial Use Defined. Non-aviation commercial use is defined as any use that is not included in the following Federal Aviation Administration (FAA) definition:

8.1.1 Aeronautical Activity. Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations. Activities within this definition, commonly conducted on the airport include, but are not limited to the following: general and corporate aviation, air taxi and charter operations, scheduled and nonscheduled air carrier operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, parachute or ultralight activities, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities. Activities, such as model aircraft and model rocket operations, are not considered aeronautical activities.

8.2 Limit on Non-Aviation Use. Unless otherwise approved by the Roseburg City Council, non-aviation commercial use within corporate hangars shall be considered temporary and limited as follows:

8.2.1 All non-aviation commercial use of space within corporate hangars, whether by the owner of the corporate hangar or through a sublease with a third party, must be described in written detail and submitted by the corporate hangar owner to the City Manager for written approval a minimum of thirty days prior to the date the non-aviation use begins.

8.2.2 Requests for non-aviation use will be considered only when the City has sufficient land and facilities available to meet the aviation needs of the community and the desired use is compatible with Airport zoning requirements.

8.2.3 Approval of non-aviation use will be granted on a temporary basis, for a period of

time not to exceed five years. At the end of the five year period, the City will evaluate the aeronautical need for the subject space and determine if it is appropriate to authorize continued use of the space for non-aviation related purposes.

8.2.4 All agreements granting approval of non-aviation use of corporate hangar space shall contain a six month termination clause giving the City the right to terminate the non-aviation use of the space if there is an aeronautical need for the subject space.

8.2.5 Non-aviation commercial use will only be allowed on the second floor of the hangar.

8.2.6 The area used for non-aviation commercial purposes shall cover not more than 10 percent of the total square footage of the hangar.

8.3 Lease Rate for Non-Aviation Use. The lease rate for non-aviation commercial use within corporate hangars shall be set at fair market value, at parity with that of other office space within the vicinity of the Airport and based on the total square footage used for non-aviation related purposes. The City Council shall establish a lease rate for "non-aviation commercial use of corporate hangar space" by Council resolution to be incorporated within the Fee Schedule for the City of Roseburg. The rate set by Council shall be re-evaluated in September, 2011; and if such re-evaluation reflects the need for an adjustment to the originally established rate, such adjustment shall become effective July 1, 2012 and thereafter, the non-aviation use rate shall be subject to the same CPI adjustment established for corporate hangar space lease rates in Section 2 of this Policy.

8.4 Parking. Hangar owners shall comply with Section 3.35.100, "Off-Street Parking", of the Roseburg Municipal Code. Two parking spaces shall be assigned to each corporate hangar with direct street access. Owners shall be required to lease additional parking spaces from the City in order to comply with the applicable Code provisions. The lease rate for each additional parking space shall be set by Council Resolution, incorporated into the City's fee schedule, and subject to the same CPI adjustment established for corporate hangar space lease rates in Subsection 2 of this Policy.

8.5 Inspection and Entry. The City shall have the right, after giving the owner reasonable notice, to inspect the hangar for the purpose of determining compliance with the owner's obligations under this Policy.

9. COMPLIANCE WITH AIRPORT POLICY. Notwithstanding any other provision of the lease, any part of this Policy shall be amended as necessary to comply with any Airport policy adopted by the Roseburg City Council following a recommendation of the City's Airport Commission, or its successor, provided that, no such amendment shall shorten a Renewal Term in effect on the date of Policy adoption, or require Lessee to expend additional moneys on hangar improvements during the Renewal Term in effect on the date of Policy amendment.

10. RETURN OF PROPERTY AT THE END OF THE LEASE. Upon the expiration or termination of the Lease, Lessee shall remove the hangar at Lessee's sole expense, and surrender the property to the City within thirty (30) days of the date of expiration or termination of the lease. As outlined in the above Section 7, if Lessee fails to remove the hangar, the City may remove the hangar and charge the Lessee the cost of such removal.

11. **RIGHT OF FIRST REFUSAL.** If at any time during the Initial Term of the lease, or any Renewal Term thereof, Lessee offers the corporate hangar for sale, the City shall have the first right of refusal to purchase the hangar in accordance with Roseburg Municipal Code Section 3.22.200.

12. **EFFECTIVE DATE.** Upon adoption by the City Council, unless otherwise stated herein, all provisions of this Policy shall become effective retroactively to September 1, 2010 and shall be applied toward all existing corporate hangar space leases and any application for lease of a corporate hangar space received from the date of adoption forward.

RESOLUTION NO. 2010-12

**A RESOLUTION AMENDING RESOLUTION NO. 92-13 REGARDING
AIRPORT RENTAL/LEASE FEES**

IT IS HEREBY RESOLVED by the City Council of the City of Roseburg, that Resolution No. 92-13 adopted by the City Council on August 24, 1992, is amended as follows:

Section 1: The following airport related fees shall be instituted upon adoption of this Resolution and become effective September 1, 2010:

Annual Rental/Lease Rates

Non-Aviation Related Use of Corporate Hangar Space \$0.65 per s.f.

Monthly Rental/Lease Rates

Additional North-End Corporate Hangar Parking Space\$24.00 (per each space exceeding the two spaces designated to each north-end hangar with direct street access)

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

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT
ITS REGULAR MEETING ON THE 13TH DAY OF SEPTEMBER 2010.**



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-13

A RESOLUTION ESTABLISHING BUDGET APPROPRIATIONS FOR FISCAL YEAR 2010-11

WHEREAS, the City of Roseburg, Oregon adopted a budget and appropriated funds for fiscal year 2010-11 by Resolution 2010-9; and

WHEREAS, unanticipated revenues and expenditures are expected to exceed the original adopted budget and budgetary changes are necessary to provide increased appropriation levels to expend the unforeseen revenues; and

WHEREAS, ORS 294.326(4) allows an exception to Local Budget Law due to an unforeseen occurrence; to the extent non property tax funds are available for the expenditure; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the City of Roseburg, Oregon, that the budget for the fiscal year beginning July 1, 2010 and ending June 30, 2011 is amended to include increases in revenues and appropriations within the Equipment Replacement Fund:

| | <u>Current Appropriations</u> | <u>Change in Appropriations</u> | <u>Amended Appropriations</u> |
|--------------------|-----------------------------------|-------------------------------------|-----------------------------------|
| Beginning balance | \$ 493,204 | \$ 28,000 | \$ 521,204 |
| Total Resources | \$ 493,204 | \$ 28,000 | \$ 521,204 |
| Capital Outlay | \$ 711,000 | \$ 28,000 | \$ 739,000 |
| Total Requirements | \$ 711,000 | \$ 28,000 | \$ 739,000 |

The increased appropriations are necessary to provide adequate spending authority for the replacement of a police patrol vehicle.

This resolution shall become effective upon adoption by the City of Roseburg.

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 13TH DAY OF SEPTEMBER, 2010.



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-14

**A RESOLUTION AUTHORIZING AND SUPPORTING APPLICATION FOR AN OREGON
DEPARTMENT OF TRANSPORTATION FLEXIBLE FUNDS PROGRAM GRANT**

WHEREAS, there are existing multi-use paths located near the Stewart Park Duck Pond and paralleling I-5 to the east; and

WHEREAS, the connection between these two existing multi-use paths is a curbside sidewalk on Garden Valley Boulevard, Roseburg's highest average daily traffic street; and

WHEREAS, a new off-highway connection between these highly used multi-use paths is desired to improve safety and provide a higher quality walking and biking experience; and

WHEREAS, the City of Roseburg's adopted Bicycle and Pedestrian Plan lists the Duck Pond Multi-Use Path as a critical route and a short term high priority project; and

WHEREAS, the City of Roseburg Comprehensive Parks Master Plan adopted in April 2008 lists trail improvements at the Duck Pond as a high priority project;

WHEREAS, the State of Oregon through its Department of Transportation is seeking grant applications for the Flexible Funds Program; and

WHEREAS, the City of Roseburg desires to participate in this grant program to the greatest extent possible; and

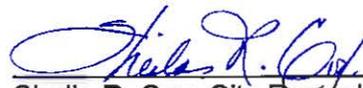
WHEREAS, the City hereby certifies that the matching share for this application is available at this time;

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

Section 1. Authorization is granted to apply for a Flexible Funds Program Grant for the construction of the Duck Pond Path between the I-5 Path and the Duck Pond.

Section 2. 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 25th DAY OF OCTOBER 2010.**



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010-15

**A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2000-11
REGARDING THE CITY OF ROSEBURG PARKS RULES AND REGULATIONS**

WHEREAS, general rules and regulations for the City of Roseburg's parks system were approved by the Roseburg City Council through the adoption of Resolution 2000-11 on June 12, 2000; and

WHEREAS, the City of Roseburg Parks & Recreation Commission determined that the prohibition of tobacco use at the City's parks and recreational facilities serves to protect the health, safety and welfare of the citizens and residents of the City; and

WHEREAS, the City of Roseburg Parks & Recreation Commission developed and recommended a rule specific to the prohibition of tobacco in City parks on November 3, 2010, and such rule should be incorporated into the aforementioned general park rules and regulations; and

WHEREAS, there has been a change in the organizational structure within the City eliminating the Parks & Golf Director position and placing Parks into the Public Works Department; and

WHEREAS, a change to the bandshell rental insurance requirement has been identified; and

WHEREAS, it has been determined to be most advantageous to have all rules and regulations relating to the general use of all City parks incorporated into one document;

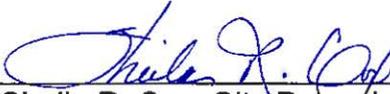
NOW THEREFORE, IT IS HEREBY RESOLVED, by the Roseburg City Council as follows:

Section 1: Resolution No. 2000-11 as adopted on June 12, 2000, is hereby repealed.

Section 2: The City of Roseburg Parks Rules and Regulations, attached hereto as Exhibit "A", are hereby adopted and enforceable under Roseburg Municipal Code Chapter 1.06.

Section 3: This Resolution shall take effect January 1, 2011.

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS
REGULAR MEETING ON THE 8TH DAY OF NOVEMBER 2010.**



Sheila R. Cox, City Recorder

**CITY OF ROSEBURG PARKS
RULES AND REGULATIONS**

The following City of Roseburg Parks Rules and Regulations, adopted by the Roseburg City Council on November 8, 2010 , via Resolution No. 2010-15, shall be observed within the public parks of the City of Roseburg, Oregon. As used herein, the words "public park" shall mean and include all property now or hereafter owned and/or controlled by the City of Roseburg, Oregon, and operated as a park or an area of City beautification available for the use of the public.

GENERAL RULES OF CONDUCT IN CITY PARKS. The following rules and regulations for the conduct of persons using the public parks of the City of Roseburg, Oregon are hereby established and shall be observed and enforced within said public parks:

1. No person shall build any fire within any public park except as permitted in a stove or fireplace designed and provided therefore.
2. No overnight camping will be permitted in any park or part thereof without prior approval of the City.
3. No person may erect signs, markers or inscriptions of any type within a public park, except in a specifically designated area, without permission from the Public Works Director. The following activities are prohibited in all public parks unless specifically authorized by the Public Works Director:
 - 3.1 The distribution of any circular, notice, leaflet, pamphlet or written or printed information of any kind.
 - 3.2 The solicitation of, or engagement in, the sale of any merchandise or service, or the operation of any concessions, within any public park without a permit from the Public Works Director.
4. Smoking or other use of tobacco products is prohibited on all public park property. "Tobacco products" include any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other form of tobacco that may be used for smoking, chewing, inhalation, or other means of ingestion. City-owned Stewart Park Golf Course is excluded.
5. No person shall permit any domestic animal owned by, or in the custody of the person, to run at large within any park or enter any pond, fountain or stream thereof, and all domestic animals within any public park shall be kept in control at all times on a leash not more than eight (8) feet in length (Happy Tails Dog Park excluded). Also, no person shall tease, annoy or injure any animal within any park facility including ponds, streams or fountains. No person shall ride or drive any horse or other livestock, or permit any horse or other livestock, to go upon any portion of a public park at any time except as authorized by City.

6. No person shall be permitted within a public park between dusk and dawn with the following exceptions:
 - 6.1 As permitted for special occasion upon application and approval by the Public Works Director.
 - 6.2 Stewart Park Tennis Courts as posted at each entrance by the Public Works Director.
 - 6.3 Organized events that the City has approved such as Music on the Half Shell, Legion Baseball, Little League activities at Gaddis Park, scheduled softball leagues and tournaments.
 - 6.4 Events sponsored by Umpqua Valley Art Association and Umpqua Actors Community Theater, held at the Arts Center and the Betty Long Unruh Theater.
7. No person shall swim, wade, bathe or operate a boat in any area of a public park except in those areas so designated.
8. No person shall operate any public address or loudspeaker system, or operate a radio or other electronic audio device, in any public park in a manner that constitutes a noise disturbance. For purposes of this section, a "noise disturbance" means any sound which annoys or disturbs a reasonable person of normal sensitivities, but does not include sounds arising from and consistent with any activity approved by City sponsorship or for which a permit has been issued by the Public Works Director.
9. Car washes and garage/yard sales are prohibited on public park property.
10. No person shall interfere with or disrupt any activity in a public park which has been authorized by City permit.
11. Except for park maintenance, public utility and other vehicles judged necessary by the Public Works Director for the construction and maintenance of City parks and utilities therein, no motorized vehicle, of any type, shall be operated, stopped, parked or left standing in a public park, other than on roads, designated trails and parking areas, specified for that type of vehicle use. The Public Works Director may impose reasonable conditions on park use when exempt vehicles are required within a park.
12. No person shall operate a motorized vehicle, or a bicycle, skateboard, roller-skates, roller blades, or any other type of vehicle, in any public park in a manner that endangers, or would be likely to endanger any person or damage any property.
13. Persons desiring to use park property to picket or protest activities authorized by City permit shall be allowed to occupy the sidewalks and bicycle / pedestrian pathway abutting Stewart Parkway only. If the number of people using the

designated area is ten (10) or more, the activity must also comply with City parade regulations.

14. The playing or practicing of golf is prohibited in any City park other than Stewart Park Golf Course, unless authorized by the Public Works Director.
15. Any activity that is not authorized by a City permit which is incompatible with or disrupts the general public use of park property is prohibited.

RULES SPECIFIC TO USE OF THE STEWART PARK BAND SHELL FOR EVENTS NOT UNDER CONTRACT WITH THE CITY. Persons issued a permit for use of the Stewart Park Band Shell for events other than those sponsored by the City of Roseburg shall be responsible for seeing that the following rules and/or requirements are followed, met and adhered to:

1. At least one week prior to the event, Permittee shall provide the City with proof of liability insurance in the amount of \$1,000,000 and a rider naming the City as an additional insured.
2. The sales, dispensing and/or consumption of alcoholic beverages during events held at the band shell is prohibited without a special occasion liquor license obtained from the Oregon Liquor Control Commission **and** approved by the City Manager. The license must be presented to the City a minimum of three days prior to the event.
3. Permittee must pay a permit deposit at least two weeks prior to the date of the event to cover the cost of City services such as police, parks and public works crews if these services are required. The amount of the deposit will be determined on an event by event basis. A final accounting for these services will be done by the City within 10 days following the event, at which time the Permittee will be reimbursed for any over payment or billed for costs in excess of the amount deposited.
4. Permittee must provide, at its own expense, all traffic control and security needed throughout the duration of the event. The minimum traffic control and security will be determined by the City on an event by event basis. Vehicles parked in the Legion Field area when games are in progress must be kept out of the fire lanes and not be double parked.
5. Permittee must provide an adequate number of portable toilets to meet crowd demands.
6. For crowds over 1,500, Permittee must provide additional trash containers at a general rate of one (1) trash can per every 50 people.
7. The decibel level of any sound produced as part of or as a result of the event shall be limited to 95 – 100 decibels.

8. Permittee shall be held liable and responsible for any damage beyond normal wear and tear upon the facilities used during the event. Climbing on the band shell structure for any reason is strictly prohibited.
9. Due to limited availability of parking space, if Permittee anticipates an extra-large crowd, Permittee is encouraged to provide shuttle bus service to the park.
10. Each concessionaire who wishes to sell food or products in conjunction with use of the band shell must enter into a separate agreement with the City. Performer's promotional materials are excepted.
11. All events held at the band shell must conclude no later than 9:30 p.m.

RULES SPECIFIC TO CITY SKATEBOARD PARK FACILITY. In addition to the Park Rules & Regulations, the following rules apply to the City Skateboard Park:

1. No motorized vehicles shall be operated in the skateboard park.
2. No pets shall be allowed in the skateboard park.
3. Bicycles are allowed from dawn until noon on Sunday, Tuesday, and Thursday only. This time is for bicycles exclusively. Skateboards shall not be used in the park during the bicycle time.

PENALTY FOR VIOLATION. A violation of these rules and regulations constitutes a violation under Roseburg Municipal Code Chapter 1.06 and may also constitute an offense under Roseburg Municipal Code Chapter 7.02. Penalties for such violations are set forth in Roseburg Municipal Code Chapter 1.06. The City reserves the right to exclude and/or ban, from any and all park facilities, any person who has been found guilty of violating any of these rules and regulations or who has vandalized, damaged or taken park property or facilities, or attempted to do so.

RESOLUTION NO. 2010 - 16

A RESOLUTION ENACTING THE CITY OF ROSEBURG PARK MEMORIAL AND NAMING POLICY

WHEREAS, the City of Roseburg periodically receives requests for installation of memorials within parks; and

WHEREAS, the City of Roseburg periodically receives requests to name and/or rename existing City parks or specific sections therein; and

WHEREAS, the City of Roseburg Parks & Recreation Commission developed a policy outlining requirements for installing memorials and/or naming or renaming City parks or sections therein; and

NOW THEREFORE, IT IS HEREBY RESOLVED, by the City Council of the City of Roseburg, Oregon, that the "City of Roseburg Park Memorial and Naming Policy" attached hereto as "Exhibit A" is hereby adopted and is effective immediately upon adoption.

APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS REGULAR MEETING ON THE 22ND DAY OF NOVEMBER 2010.



Debi Davidson, Acting City Recorder

Exhibit "A"
City of Roseburg Park Memorial & Naming Policy

Definitions

- 1) "City Property" means a parcel of land or improvement owned and / or controlled by the City of Roseburg.
- 2) "Park" means a parcel of land owned and/or controlled by the City of Roseburg for park and recreation purposes, or as an area of City beautification.
- 3) "Facility" means a building or structure located on a City property, including but not limited to libraries, office buildings, utility buildings, recreation centers, community centers, plazas, pathways, sports fields or structures used for specific sports such as tennis courts, basketball courts and skateparks.
- 4) "Amenity" means a smaller support structure located within a larger City park facility, such as benches, picnic tables, conference rooms, playgrounds, drinking fountains, decorative or water play fountains, gardens, gazebos or vegetation.
- 5) "Memorial" means a facility or amenity placed within a City park facility or on City park property in remembrance of a particular person or event. For the purposes of this policy, "memorials" also include features designated for purposes such as celebrations, or other special recognition. Memorials are divided into two categories:
 - a. "Minor Memorial" means an amenity or facility proposed for use as a memorial with a value of less than \$5,000.
 - b. "Major Memorial" means an amenity or facility proposed for use as a memorial with a value of more than \$5,000.

The value of a memorial will be determined based on the costs attributable to the project.

- 6) "Resident" means a person residing or owning land within the Roseburg city limits, or a business located within the Roseburg city limits.
- 7) "Plaque" means a marker used to identify an amenity or facility as a memorial.

Process; Exemption

- 1) All requests to place memorials on City property shall be submitted in writing to the Public Works Director. Major memorial requests may be made no sooner than two years after an event, activity or occurrence that has generated the desire to create a memorial.

2) Requests shall be evaluated as follows:

- a. Minor Memorials. The Public Works Director shall decide whether to approve or deny any minor memorial request in consultation with other City staff or individuals, as necessary.
- b. Major Memorials. Staff shall make a recommendation to the City of Roseburg Parks Commission, who shall review all major memorial requests. The Parks Commission will forward a recommendation to the City Council for approval, or issue a denial, which can be appealed to the City Manager.

3) The criteria to be used to evaluate a minor or major memorial request shall include, but not be limited to, the following:

- a. Whether the request for memorial includes the direct cost of the amenity or facility including design, purchase of the amenity or facility, installation, and whether any special maintenance requirements are being borne by the requesting party. Staff time to coordinate the memorial and minor levels of effort to assist with design and installation may be borne by the City.
- b. Whether the memorial will interfere with the existing or planned design, function or intended user experience of the area in which it is to be located.
- c. Whether the placement of the memorial will create a condition in which a significant number of amenities or facilities within a City facility or park are used for memorial purposes. The intent is to assure that placement of memorials will not detract from the overall design, intended experience, vision or appeal of any park facility or property.
- d. Whether the placement of the memorial is proposed to replace a facility or amenity currently serving as a memorial for another purpose. Only under extremely rare and unusual circumstances shall existing memorials be replaced by another memorial.
- e. Whether the design of the memorial makes use of equipment, structures, vegetation, or features that are of similar quality and design to existing or planned standards for amenities or facilities within the City.
- f. Whether any identifying plaque associated with the memorial is constructed of heavy duty, high quality material, and no more than 5"x7" in size.
- g. Whether the placement of the memorial will create an increased maintenance or long-term replacement burden.
- h. Whether the installation or construction of the memorial will be completed or overseen by trained individuals in consultation with City staff, in accordance with all applicable master plans, codes, rules and regulations at the local, state and federal level.
- i. Whether the requesting party agrees and understands that all memorials become the property of the City, and the City shall not be required to replace any memorial or portion of a memorial that is vandalized, damaged or stolen. The requesting party must also agree that the memorial may be removed, at the City's sole discretion, if the Public Works Director finds the removal to be in the public's best interest.

Naming of City Park Properties, Amenities or Facilities

- 1) Consideration of the following in naming City park properties, amenities or facilities is strongly encouraged:
 - a. Historical significance;
 - b. Geographical identifiers; and
 - c. Natural characteristics, including flora and fauna that are characteristic of the Roseburg area.
- 2) All requests to name or re-name a City park property, amenity or facility shall be made in writing to the Public Works Director. Such requests may be made no sooner than two years after an event, activity or occurrence that has generated the desire to name a City property, park, amenity or facility.
- 3) Requests to name or re-name a City park property, amenity or facility shall be evaluated by the Parks Commission along with a staff recommendation. The Parks Commission shall make a recommendation to the City Council for approval of the name. A denial by the Parks Commission may be appealed to the City Manager.
- 4) Generally, the naming of a City park property, amenity or facility shall occur before or during development, and be the product of a public participation process.
- 5) For purposes of evaluation and recommendation, the naming of a City park property, amenity or facility shall be divided into two categories:
 - a. Service and Non-monetary Contribution. A City park property, amenity or facility may be named to honor a person, living or deceased, in recognition of that person's extraordinary volunteerism, employment, leadership or similar service or non-monetary contributions to the mission and purpose of parks and recreation in the City of Roseburg. The applicant should submit a letter providing a summary and examples of the significant contributions to the mission and purpose of parks and recreation in Roseburg, with supporting documentation such as newspaper clippings, letters of support, or other relevant information.
 - b. Financial Contributions. The Parks Commission may consider naming a City park property, amenity or facility for a resident, organization or a business that has given or offered to give an appropriate and significant financial contribution to acquire, construct or otherwise enhance a park and recreation facility. A significant contribution means a donation of at least 51% (or \$300,000, whichever is greater) of the cost of the acquisition, construction or improvement of the City property, park, amenity or facility requested for naming. The Parks Commission may consider a time limitation on naming of a park property, amenity or facility by a business.
- 6) Renaming of City Park Properties, Facilities or Amenities. The City of Roseburg intends that the name on a facility be the permanent designation. Only under extreme or extraordinary circumstances shall facilities be renamed, unless the duration of naming was identified by prior agreement.

- 7) An application to rename a facility shall comply with and be evaluated in accordance with the procedures set out in the previous 'Process; Exemption' section.

Deviations from Policy

The Public Works Director may allow minor deviations from this policy if he/she finds that such deviation will further the goals and intent of this policy and will help further the mission of parks and recreation in the Roseburg community.

RESOLUTION NO. 2010- 17

A RESOLUTION REGARDING EXEMPTION FROM COMPETITION IN PUBLIC CONTRACTING FOR THE STEWART PARKWAY REALIGNMENT PROJECT

WHEREAS, in March 2005, the City engaged Pinnacle Western, Inc. to provide engineering services related to the preliminary design report for a project to improve Stewart Parkway between Garden Valley Boulevard and Harvard Avenue, including widening and realigning, and the installation of curb, gutter, sidewalks and storm drainage. And, additionally, in April 2009 the City contracted with Pinnacle Western to provide engineering services to provide preliminary design including wetland delineation and identification of any necessary right-of-way acquisition for the South Stewart Parkway Improvement Project; and

WHEREAS, since the project started in 2005 and continued in 2009, the City has paid Pinnacle Western, Inc. \$167,225.96, for services related to the project, and it is estimated that the cost for completing the final design plans by Pinnacle Western, Inc. would be \$331,442.01; and

WHEREAS, ORS 279C.110(3) states that a local contracting agency may adjust its procedures created for screening and selection of consultants and the selection of a candidate under said section and adjustments to accommodate a contracting agency's objectives may include provision for the direct appointment of a consultant if the value does not exceed a threshold amount as determined by the contracting agency; and

WHEREAS, Roseburg Municipal Code Section 3.06.035 permits the City Council to exempt a special public contract from competition on making appropriate findings; and

WHEREAS, Pinnacle Western, Inc.'s prior work on the project and familiarity with the project gives it specialized knowledge particular to the project and a unique capacity and capability to perform the work within tight time lines and at a cost savings associated with transferrable experience and background in past work performed; and

WHEREAS, the Council finds that the above facts will yield substantial cost savings, enhancement in quality, performance, and other public benefit anticipated by direct appointment of Pinnacle Western, Inc.; and

WHEREAS, the approval of this direct appointment would be unlikely to encourage favoritism or diminish competition for the contract, in that Pinnacle Western, Inc.'s unique familiarity and readiness to perform the work would likely result in Pinnacle Western, Inc. being appointed in any event; and

NOW THEREFORE, the City of Roseburg resolves as follows:

1. The Roseburg City Council, acting as the local contract review board, makes the above findings and based on such findings does hereby approve and authorize staff to award and enter into an final engineering services contract with Pinnacle Western, Inc., in the amount of \$331,442.01, for engineering services on the Stewart Parkway Realignment project.
2. This resolution is effective upon adoption.

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT
ITS REGULAR MEETING ON THE 13TH DAY OF DECEMBER 2010**



Sheila R. Cox, City Recorder

RESOLUTION NO. 2010- 18

**A RESOLUTION. EXTENDING THE TEMPORARY REDUCTION OF THE
TRANSPORTATION SYSTEMS DEVELOPMENT CHARGES**

WHEREAS, on May 10, 2004, the Roseburg City Council adopted Ordinance No. 3155 which authorized implementation of a transportation systems development charge to equitably spread the cost of essential transportation system improvements to new development; and

WHEREAS, on October 25, 2004, the Roseburg City Council adopted Resolution 2004-35 adopting the "Transportation System, System Development Charge Methodology" report dated July 2004; and

WHEREAS, on August 11, 2008, the Roseburg City Council adopted Resolution 2008-13, rescinding Resolution 2004-25 and adopting a revised "Transportation System, Transportation System Development Charge Methodology" report dated August 2008; and

WHEREAS, on July 27, 2009 the Roseburg City Council adopted Resolution 2009-19 temporarily reducing the Transportation System Development Charge due to economic conditions; and

WHEREAS, the Public Works Commission has recommended extending the temporary reduction of Transportation System Development Charge for one additional year due to ongoing economic difficulties within the community;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Roseburg, Oregon, that the temporary reduction of Transportation System Development Charges described in the first paragraph of page 2 of 6 in the "Transportation System, System Development Charge Methodology" adopted July 27, 2009 is hereby extended until December 31, 2011 or until the City Council takes further action, whichever occurs first. This resolution shall become effective January 1, 2011.

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, AT ITS
REGULAR MEETING ON THE 13th DAY OF DECEMBER 2010.**



Sheila R. Cox, City Recorder