

ROSEBURG CITY COUNCIL AGENDA – FEBRUARY 26, 2018
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	Linda Fisher-Fowler	Ashley Hicks	Steve Kaser
John McDonald	Brian Prawitz	Tom Ryan	Andrea Zielinski
- 4. Mayor Reports**
- 5. Commission Reports/Council Ward Reports**
 - A. Budget Committee Resignation – Jon Dyer
- 6. Audience Participation – See Information on the Reverse**
- 7. Consent Agenda**
 - A. Minutes of Regular Meeting of February 12, 2018
 - B. OLCC Privilege Change - Backside Brewing Co., 1640 NE Odell Ave.
 - C. OLCC New Outlet – Evergreen Enterprises, Inc. dba Denny's #7743, 350 W Harvard Avenue
- 8. Public Hearings**
 - A. Ord. No. 3497 - Land Use Development Regulations - Codification
 - B. Resolution No. 2018-03 - Proposed Exemption from Competition in Public Contracting – Library Architectural Design Services
 - C. Resolution No. 2018-04 - Construction Manager/General Contractor (CM/GC) Services Contract – Library Renovation on Project
 - D. Resolution No. 2018-05 - Supplemental Budget and Appropriation Revisions
- 9. Ordinances**
 - A. Ordinance No. 3496 - Establishing Roseburg Public Library and Creating the Library Commission, Second Reading/Adoption
- 10. Department Items**
 - A. Municipal Code Violations – Policy and Strategies
- 11. Informational**
 - A. Activity Report
- 12. Items from Mayor, City Council or City Manager**
- 13. Adjournment**
- 14. Executive Session ORS 192.660(2)**

***** 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.***

OK
2/21/18

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



BUDGET COMMITTEE RESIGNATION

Meeting Date: February 26, 2018
Department: Administration
www.cityofroseburg.org

KTC

Agenda Section: Council Reports
Staff Contact: Koree Tate
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Budget Committee Member Jon Dyer has resigned his position on the Committee effective February 8, 2018.

BACKGROUND

A. Council Action History.

No action has been taken on this issue in the past.

B. Analysis.

Mr. Dyer informed Staff of his resignation effective immediately. An appointee to this position must reside in the City limits. Staff will begin soliciting applications from interested parties through the local news media and the City's website.

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

D. Timing Issues. It is recommended action be taken as soon as practical to accept Mr. Dyer's resignation and take steps to fill the position.

STAFF RECOMMENDATION

n/a

SUGGESTED MOTION

I MOVE TO ACCEPT JON DYER'S RESIGNATION FROM THE BUDGET COMMITTEE, WITH REGRETS.

From: Sheila R. Cox
Sent: Thursday, February 8, 2018 1:10 PM
To: Larry Rich; Tom Ryan; Lance Colley
Cc: Koree Tate
Subject: FW: Budget Committee Position

Thank you Jon – we will put your resignation on the next agenda. Thank you for your two years of service!

Sincerely,

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

From: Jon Dyer [mailto:jondyer1951@gmail.com]
Sent: Thursday, February 08, 2018 12:57 PM
To: Sheila R. Cox
Subject: Re: Budget Committee Position

Sheila

I have been on the budget Committee for two years. As such, I wish to resign from this position

Sincerely,

Jon Dyer

On Feb 8, 2018 11:18 AM, "Sheila R. Cox" <scox@cityofroseburg.org> wrote:

Good morning Jon. I had an Agenda Review meeting with Council President Tom Ryan this morning and he advised me that you wanted to resign from the City's Budget Committee. If that's true, could you please respond to this email confirming it so I'll have it for the City's records? Once you've confirmed it, we'll put the resignation on the next Council agenda and start advertising for the vacancy.

Thank you very much!

Sincerely,

Sheila R. Cox, MMC, City Recorder

**MINUTES OF THE REGULAR MEETING
OF THE ROSEBURG CITY COUNCIL
February 12, 2018**

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on February 12, 2018 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon. Councilor Ryan led the Pledge of Allegiance.

ROLL CALL

Present: Councilors Alison Eggers, Linda Fisher-Fowler, Ashley Hicks, Steve Kaser, John McDonald, Brian Prawitz, Tom Ryan and Andrea Zielinski.

Others Present: City Manager Lance Colley, City Recorder Sheila Cox, City Attorney Bruce Coalwell, Human Resources Director John VanWinkle, Fire Chief Gregg Timm, Community Development Director Stuart Cowie, Public Works Director Nikki Messenger, Finance Director Ron Harker, Management Assistant Koree Tate, Police Sergeant Jeff Eichenbusch, Police Sergeant Gary Klopfenstein, Police Community Services Sergeant Dennis Chrisenbery, Budget Committee Member Bob Scott, Budget Committee Member Bryan Sykes, Kyle Bailey of KQEN Radio and John Dickey of the News Review.

COMMISSION REPORTS/COUNCIL WARD REPORTS

Rich congratulated Eggers for receiving First Female Citizen at the January Chamber of Commerce Banquet. Kaser reported the Public Works Commission discussed project and plan updates and noted there were over 1600 curbs in the City that would need to become ADA compliant over the years to come. He thanked Fisher-Fowler for attending the meeting. Ryan attended a Medcom meeting and said they were still seeking a manager, discussed rate increases for non-emergency transport and listened to representatives for air transport services.

PLANNING COMMISSION RESIGNATION

Ryan moved to accept Elias Minaise's resignation from the Planning Commission with regrets. Seconded by Hicks and carried unanimously.

PUBLIC WORKS COMMISSION APPOINTMENT

Kaser moved to appoint Ken Hoffine to the Public Works Commission. Kaser responded to Hicks stating only one application was received. Motion was seconded by Ryan and carried unanimously.

AIRPORT COMMISSION APPOINTMENT

Fisher-Fowler moved to appoint Chris Berquist to the Airport Commission. Fisher-Fowler noted only one application had been received in response to the question by Hicks. Seconded by Ryan and carried unanimously.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Harker introduced Auditor Jeff Cooley who presented an overview of the Comprehensive Annual Financial Report for fiscal year ending June 30, 2017. Cooley indicated the City once again earned an unqualified opinion known as a clean audit, with the City holding financially steady and strong.

QUARTERLY FINANCIAL REPORT

Harker noted the City once again produced the Popular Annual Financial Report which was geared to a more understandable version of the audit report. He then presented multiple sections of the financial report for the quarter ended December 31, 2017.

BUDGET CALENDAR

The budget calendar for fiscal year 2018-2019 was presented. A Budget Committee orientation will be held on April 18, 2018 with the first formal meeting scheduled for May 1, 2018. Rich responded to a question by Hicks that the first budget meeting was appropriate to introduce a new item for consideration.

CONSENT AGENDA

Ryan moved to approve the following Consent Agenda items:

- A. Minutes of Regular Meeting of January 22, 2018
- B. Minutes of Special Work Study Session of January 29, 2018

Motion was seconded by McDonald and carried unanimously.

SECOND READING, ORDINANCE NO. 3495 – AMENDING THE ZONING OF PROPERTY At 948 SE MILL STREET

Cox read Ordinance No. 3495 for the second time, entitled: An Ordinance Amending the Zoning of 0.5 Acres of Property at 948 SE Mill Street from Medium Industrial to Mixed Use. Ryan moved to adopt the ordinance and was seconded by Hicks. Roll call vote was taken and motion carried unanimously. Rich declared the adoption of Ordinance No. 3495.

ORDINANCE NO. 3496 – ESTABLISHING THE ROSEBURG PUBLIC LIBRARY AND CREATING THE LIBRARY COMMISSION

Cox stated an ordinance was required to establish the Roseburg Public Library and add Chapter 2.23 to the Municipal Code to create a Library Commission. She reiterated that Council had taken many actions in the past year to facilitate the City obtaining ownership of the local library facility and Colley had spent a considerable amount of time to accomplish the goal. The proposed ordinance would establish the Roseburg Public Library and how it would be financed. The Library Commission would be similar to other City Commissions. Rather than delay establishment of the library and creation of the commission, Staff had included a March 1, 2018 effective date. The Commission would consist of seven members, one of whom shall be a member of the Council, appointed by the Mayor to serve as Chair of the Commission. At least five members must be city residents and one member residing in the City's Urban Growth Boundary. Rich wanted to know when advertising would begin. Cox noted advertising would start after March 1, 2018. Colley added that a Commission Chair would be appointed and Staff would continue to move forward in April to establish the Commission. Cox read Ordinance No. 3496 for the first time, entitled: An Ordinance Establishing the Roseburg Municipal Library and Adding Chapter 2.23 to Roseburg Municipal Code to Create a Library Commission Effective Date of March 1, 2018. Rich and the Council applauded Colley for his work to reopen the Library.

RESOLUTION NO. 2018-02 – UPDATING CITY'S PUBLIC RECORDS REQUEST POLICY

Cox reported the updated resolution was a result of the passage of Senate Bill 481 that required public bodies to acknowledge receipt of public records requests within five business

days, and no more than ten business days from the acknowledgement, to either fully respond to the request, or provide a written statement explaining when the request would be fulfilled. Amendments to the City Policy were revised to meet the requirements of Senate Bill 481, as well as the portion of the Policy that exempted certain parties from the copying cost and first one and half hours of Staff time required to process a request. The consensus was to reduce the time allowed under the exemptions to the first half hour and to remove Councilors, City Commissions members and other government entities from the list of parties exempted. Kaser had missed the previous meeting and wanted to know the purpose of reducing the time allowed for requests. Cox advised most information was available on the City website or could be produced electronically which reduced the amount of time needed to produce a response. Ryan moved to adopt Resolution No. 2018-02 Rescinding Resolution No. 2000-03 and Amending the City of Roseburg's Public Records Request Policy. Fisher-Fowler seconded and motion carried unanimously.

SOCIAL MEDIA POLICY

Cox advised Council she had been researching other cities within the State for more information regarding a social media policy and none had been drafted to address Council's concerns. She had reached out to the State Records Association for assistance in drafting a policy with the State Archivist for future distribution to all cities. Cox asked Council to allow the subject to be placed on hold until such policy was available.

2018 PAVEMENT MANAGEMENT PROGRAM ENGINEERING TASK ORDER AWARD

Messenger reported the scope of services for the current task order would provide study and design services required to prepare biddable construction documents for identified pavement rehabilitation projects for multiple streets that would be bid as one project. Hicks wanted to know how one street was prioritized from others. Messenger advised they had software that identified streets and still had a list from the previous year that had not been completed due to lack of funds. Hicks was concerned whether Military Avenue was considered for future work. Messenger said that particular location was a challenge to fix given the topography and shape of the road and noted most homes in that area were not within the city limits. Hicks also expressed concern regarding Jackson Street. Messenger responded the surfaces were in good shape and when the next phase of the Downtown construction takes place, the crosswalk areas would be addressed. Kaser moved to award a task order for the 2018 Pavement Management Project design services to Murraysmith, Inc. for an amount not to exceed \$72,411. Motion was seconded by Ryan and carried unanimously.

ITEMS FROM MAYOR, CITY COUNCIL OR CITY MANAGER

Zielinski reminded everyone the Respect for Law Banquet would be held at the Douglas County Fairgrounds on February 23, 2018 where the Officer of the Year would be announced and those who sacrifice for the community every day would be honored. Colley alerted Council he would have a number of Library items at future meetings to continue with the goal of opening in the summer. Hicks shared her plans to attend a symposium as part of the Oregon Outdoor Initiative the Governor had put together to encourage people to enjoy the physical and mental enjoyment of being outdoors.

RECESS

The meeting recessed at 7:55 p.m. in order for City Council to meet as the Urban Renewal Agency Board.

RECONVENE AND ADJOURNED

The meeting reconvened at 8:07 p.m., at which time the Council adjourned to convene in Executive Session under authority of ORS 192.662(2)(d) and (i).

A handwritten signature in black ink that reads "Koree Tate". The signature is written in a cursive, flowing style.

Koree Tate
Management Assistant

OK
2/21/18

**ROSEBURG CITY COUNCIL
AGENDA ITEM SUMMARY**

[Handwritten initials]



**OLCC APPLICATION – CHANGE IN PRIVILEGE
BACKSIDE BREWING CO. – 1640 NE Odell Avenue**

Meeting Date: February 26, 2018
Department: City Manager's Office
www.cityofroseburg.org

Agenda Section: Consent Agenda
Staff Contact: Koree Tate
Contact Telephone Number: 492-6866

ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code Chapter 9.12 requires staff review of all applications submitted to the Oregon Liquor Control Commission for a license to sell alcoholic beverages within the City. Upon completion of staff review, the City Recorder is required to submit the application and a recommendation concerning endorsement to the Council for its consideration. Changes to existing licenses must be processed in the same manner.

BACKGROUND

OLCC has received an application from KC McKillip and Savannah McKillip, owners of Backside Brewing Co. located at 1640 NE Odell Avenue for an additional privilege to be granted for "Full On-Premises Commercial."

- A. Council Action History.** Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.
- B. Analysis.** The Police Department conducted a background investigation on the applicant and found no reason to deny the application.
- C. Financial and/or Resource Considerations.** The applicant has paid the appropriate fee for City review of the application.
- D. Timing Issues.** The applicant is requesting endorsement from the Council for immediate submittal to OLCC.

COUNCIL OPTIONS

Council may recommend OLCC approval of the application as submitted or recommend denial based on OLCC criteria.

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

"I MOVE TO RECOMMEND APPROVAL OF THE OLCC ADDITIONAL PRIVILEGE APPLICATION FOR BACKSIDE BREWING CO. AT 1640 NE ODELL AVENUE IN ROSEBURG, OREGON.

ATTACHMENTS

A. Subject Application

cc: License Applicant w/copy of agenda
Jonathan Crowl, OLCC Representative
OLCC License File
Chrono File



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).

APPLICATION: Application is being made for:

- Application type checkboxes: Brewery, Brewery-Public House, Distillery, Full On-Premises, Commercial (checked), Full On-Premises, Caterer, Full On-Premises, Passenger Carrier, Full On-Premises, Other Public Location, Full On-Premises, Nonprofit Private Club, Full On-Premises, For-Profit Private Club, Grower Sales Privilege, Limited On-Premises, Off-Premises, Off-Premises with Fuel Pumps, Warehouse, Wholesale Malt Beverage & Wine (WMBW), Winery.

CITY AND COUNTY USE ONLY

Date application received, Name of City or County, Recommends this license be Granted/Denied, By, Date

OLCC USE

Application received by, Date, License Action

Handwritten license action: Add/Privilege, Ext. of Prem. 8 c/hrs

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1

Backside Brewing, LLC

Applicant #3

Applicant #2

Applicant #4

2. Trade Name of the Business (the name customers will see):

Backside Brewing Co

3. Business Location: Number and Street

City Roseburg, County Douglas, ZIP 97470

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

5. Mailing Address (where the OLCC will send your mail):

PO Box, Number, Street, Rural Route 1640 NE Odell Ave., City Roseburg, State OR, ZIP 97470

6. Phone Number of the Business Location: (541) 671-2552

7. Contact Person for this Application: KC McKillip

Name KC McKillip, Phone Number (541) 580-1906

Mailing Address, City, State, ZIP 1640 NE Odell Ave. Roseburg, OR 97470

Email backsidebrewers@gmail.com

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1

Signature of Applicant #3

Signature of Applicant #2

Signature of Applicant #4

cc
2/26/18

CONSENT AGENDA C
02/26/2018

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



OLCC APPLICATION – NEW OUTLET Evergreen Enterprises, Inc. dba Denny's #7743

Meeting Date: February 26, 2018
Department: City Manager's Office
www.cityofroseburg.org

Agenda Section: Consent Agenda
Staff Contact: Koree Tate
Contact Telephone Number: 492-6866

KT

ISSUE STATEMENT AND SUMMARY

Roseburg Municipal Code Chapter 9.12 requires staff review of all applications submitted to the Oregon Liquor Control Commission for a license to sell alcoholic beverages within the City. Upon completion of staff review, the City Recorder is required to submit the application and a recommendation concerning endorsement to the Council for its consideration. Changes to existing licenses must be processed in the same manner.

BACKGROUND

OLCC has received an application from Gurbax Marwah, Rajni Marwah, Ritu Portugal, Rahul Marwah, and Dave Rucker Vieira owners of Evergreen Enterprises, Inc. dba Denny's #7743 located at 350 W Harvard Avenue as a new outlet granted for "Full On-Premises Commercial."

- A. Council Action History.** Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.
- B. Analysis.** The Police Department conducted a background investigation on the applicant and found no reason to deny the application.
- C. Financial and/or Resource Considerations.** The applicant has paid the appropriate fee for City review of the application.
- D. Timing Issues.** The applicant is requesting endorsement from the Council for immediate submittal to OLCC.

COUNCIL OPTIONS

Council may recommend OLCC approval of the application as submitted or recommend denial based on OLCC criteria.

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

"I MOVE TO RECOMMEND APPROVAL OF THE OLCC NEW OUTLET APPLICATION FOR EVERGREEN ENTERPRISES, INC. DBA DENNY'S #7743 AT 350 W HARVARD AVENUE IN ROSEBURG, OREGON.

ATTACHMENTS

A. Subject Application

cc: License Applicant w/copy of agenda
Jonathan Crowl, OLCC Representative
OLCC License File
Chrono File



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).

APPLICATION: Application is being made for:

- Application options: Brewery, Brewery-Public House, Distillery, Full On-Premises, Commercial (checked), Full On-Premises, Caterer, Full On-Premises, Passenger Carrier, Full On-Premises, Other Public Location, Full On-Premises, Nonprofit Private Club, Full On-Premises, For-Profit Private Club, Grower Sales Privilege, Limited On-Premises, Off-Premises, Off-Premises with Fuel Pumps, Warehouse, Wholesale Malt Beverage & Wine (WMBW), Winery.

CITY AND COUNTY USE ONLY

Date application received, Name of City or County, Recommends this license be Granted/Denied, By, Date.

OLCC USE

Application received by (signature), Date (02/07/18), License Action: New Outlet.

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1: Evergreen Enterprises, Inc. Applicant #2, #3, #4.

2. Trade Name of the Business (the name customers will see): Denny's #7743

3. Business Location: Number and Street 350 West Harvard Avenue

City Roseburg, County Douglas, ZIP 97470

4. Is the business at this location currently licensed by the OLCC? Yes No (checked)

5. Mailing Address (where the OLCC will send your mail):

PO Box, Number, Street, Rural Route 15051 Leffingwell Road, Suite 201, City Whittier, State CA, ZIP 90604

6. Phone Number of the Business Location: 541-672-3134

7. Contact Person for this Application:

Name Ritu Portugal, Phone Number 562-372-8751, Mailing Address, City, State, ZIP 15051 Leffingwell Road, Suite 201, Whittier, CA 90604, Email marwah@dencofamily.com

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1 (signature), Signature of Applicant #2, Signature of Applicant #3, Signature of Applicant #4.

JE
2/26/18



**ROSEBURG CITY COUNCIL
AGENDA ITEM SUMMARY**

LAND USE AND DEVELOPMENT REGULATIONS - CODIFICATION
File No. LUDO-18-1

Meeting Date: February 26, 2018
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

As part of a project to clarify and reorganize the City's land use and development regulations, City Staff has been working to incorporate LUDO (Land Use and Development Ordinance) into the Municipal Code and adopt the full text of LUDO under its own Title (Title 12). Currently, LUDO is only "adopted by reference" to the Municipal Code and functions as its own stand-alone Ordinance. Adopting the full LUDO text into the Municipal Code will provide a seamless approach to City regulations, in which the entire City Code will be contained in one document. The additional minor amendments are proposed to provide clarifications concerning titles of position and the use of the term "governing body" and "approving authority".

Staff presented the consolidated changes to the LUDO and additional minor amendments as outlined below and as contained within proposed Ordinance #3497 to the Planning Commission on February 5, 2018. The Planning Commission recommended that City Council adopt the proposed amendments in order to improve the effectiveness of the City's land use and development regulations and Municipal Code.

BACKGROUND

A. Council Action History:

The last changes made to the LUDO were adopted by City Council on July 24, 2017 through Ordinance #3487. This amendment was designed in order to clarify a number of existing standards, address problematic development requirements, and improve the effectiveness of the LUDO. These changes included re-defining the term Geo-Technical Report and including the definition of Engineering Geologist. It also included minor changes to the clear vision areas and time frames in which common boundary line adjustments must be recorded after approval is granted by the City.

B. Proposal:

The proposed LUDO amendments are as follows:

1. Renumbering all Chapter and Section references for incorporation into the Municipal Code Title 12. Title 12 will be referenced as the City's Land Use Development Regulations (LUDR) and no longer referred to as the Land Use Development Ordinance (LUDO). The re-organization of the regulations will match the rest of the Municipal Code by being categorized into Chapter, Sections, and Subsections. References to Articles will be changed to meet the new format.

2. Revising "Governing Body" to "the City" or "City Council" as appropriate.
3. Revising "Approving Authority" to the "Community Development Director", "Planning Commission" or "City Council".
4. Revising "Planning Director" to "Community Development Director" or "Director of Public Works" to "Public Works Director" as appropriate.
5. Additional scrivener's errors as appropriate.

The attached Findings of Fact and Order document provides the proposed justification for the text amendments.

C. Financial and/or Resource Considerations:

Consolidating the City's land use and development regulations into the Municipal Code will help to eliminate staff time necessary to physically update the code. The change will help to eliminate the possibility of amendments to the regulations not being properly codified by City staff. Instead all amendments to the Municipal Code to the Land Use Development Regulations will be updated by the company MuniCode with whom we currently contract to maintain the online version of our Municipal Code.

D. Timing Issues:

Staff is requesting a specified effective date of May 1, 2018 to ensure a smooth transition in managing land use matters.

COUNCIL OPTIONS

1. Adopt the Planning Commission's findings of fact for File No. LUDO 18-1 and proceed with first reading of the ordinance.
2. Modify the proposed action or continue the matter for further consideration.
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council adopt Planning Commission's Findings of Fact.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT APPROVED BY THE PLANNING COMMISSION FOR FILE NO. LUDO-18-1."

Proceed with first reading of Ordinance No. 3497. No motion is needed, only consensus to proceed by the Council.

ATTACHMENTS

1. Planning Commission Findings of Fact & Order
2. Draft City Council Ordinance – (Please be aware due to the size of the document the proposed changes to LUDO may be viewed online via a link next to the February 26, 2018 link to the City Council agenda. The link is as follows:
http://www.cityofroseburg.org/files/5515/1925/8938/Ordinance_3497.pdf

In the matter of the legislative action
by City of Roseburg

) Text Amendment
) File # LUDO-18-001

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

I. NATURE OF AMENDMENTS

City Administration has directed Community Development staff to incorporate LUDO into the Municipal Code and adopt the full text of LUDO under its own Title (Title 12). LUDO will then be referred to in Municipal Code as Land Use and Development Regulations (LUDR). Currently, LUDO is only “adopted by reference” in Municipal Code and functions as its own stand-alone Ordinance. Adopting the full LUDO text into Municipal Code will provide a seamless approach to City regulations, in which all City Code is contained in one document. The additional minor amendments are proposed to provide clarifications concerning Titles of position and the use of the term “governing body” and “approving authority”.

II. PUBLIC HEARING

A public hearing was held on the proposed amendments before the Roseburg Planning Commission on February 5, 2018. At that hearing the Planning Commission reviewed Land Use File LUDO-18-001 for legislative text amendments and it was made part of the record.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance # 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance # 2363, as originally adopted July 1, 1982, and most recently updated in Ordinance #3459 on July 1, 2016, as both may have been amended from time-to-time.
2. Notice of the public hearing was given by publication in the News-Review, a newspaper of general circulation, at least 20 days prior to the hearing. Opportunities were provided for all interested parties to be involved in the planning process through the public hearing.
3. The proposal is to legislatively adopt the text of the Land Use and Development Ordinance into Municipal Code as Title 12, Land Use and Development Regulations.

B. PROPOSAL

The full text of the changes made in this amendment are attached to the implementing Ordinance.

A summary of the proposed LUDO amendments are as follows:

1. Renumbering all Chapters and Section references for incorporation into Municipal Code Title 12.
 2. Revising "Governing Body" to "the City" as appropriate.
 3. Revising "The Community Development Director" to "The Director" as appropriate.
 4. Additional scrivener's errors as appropriate.
- C. AGENCY COMMENTS
No agency comments were received prior to the hearing.
- D. PUBLIC COMMENTS
No public comments were received prior to the hearing.
- E. ANALYSIS
Text Amendments are required to satisfy approval criteria contained within LUDO Section 5.2.010 through Section 5.2.090.
- F. REVIEW CRITERIA
Pursuant to LUDO 5.2.060(2) all legislative action proposals shall be analyzed for consistency with the policies of the Comprehensive Plan, Statewide Planning Goals, and other provisions of LUDO.

Land Use Development Ordinance

Section 5.2.090 Zoning Text Amendments

It may be necessary from time to time to amend the text of this Ordinance in order to conform to the Comprehensive Plan, or to meet other changes in circumstances and conditions. An amendment to the text of this Ordinance is, as is original zoning, a legislative act solely within the authority of the Governing Body and shall be processed pursuant to this Article.

Finding:

The purpose of the LUDO amendment is to renumber and reformat LUDO through an amendment to Municipal Code to incorporate Land Use and Development Regulations (LUDR) as its own Title in Municipal Code. Adopting the full LUDO text into Municipal Code will provide a seamless approach to City regulations, in which all City Code is contained in one document. Amendments to the text in this proposal are necessary to stay consistent with the Comprehensive Plan Policies below as well as Oregon Revised Statute (ORS).

Comprehensive Plan

Finding:

Pertinent policies that apply to the proposal have been evaluated and are found to be consistent with the Comprehensive Plan.

Statewide Planning Goals

Pertinent Statewide Planning Goals that apply to the proposal have been evaluated as follows:

Statewide Planning Goal # 1 - Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City of Roseburg and Douglas County have an adopted and acknowledged Comprehensive Plan for the Roseburg Urban Area. The Comprehensive Plan is implemented via the adopted LUDO, in which the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City as well as through provisions that meet Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized public process and the Commission may include one member who resides outside the city limits. All meetings were advertised to local media. The proposed amendments were the result of input from planning commission work sessions.

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

Statewide Planning Goal # 2 - Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

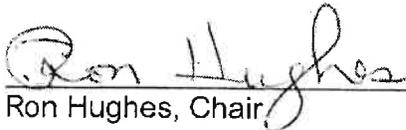
As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.) Implementation of the Comprehensive Plan is accomplished through the adopted LUDO. LUDO has been acknowledged by the State of Oregon and has been amended from time-to-time in order to comply with ORS. (Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and most recently updated in Ordinance No. 3408 on March 11, 2013.)

IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in LUDO Section 5.2.010 through 5.2.090.

V. ORDER

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



Ron Hughes, Chair

2/5/18
Date



Stuart Cowie, Community Development Director

2/5/18
Date

Planning Commission Members:

Ron Hughes, Chair

Daniel Onchuck, Vice Chair

Kerry Atherton

Charlie Allen

Victoria Hawks

Ron Sperry

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OK
2/22/18

PUBLIC HEARINGS B
02/26/2018



Library Improvement Project Architectural Design Services Exemption from Public Contracting Resolution No. 2018-03

Meeting Date: February 26, 2018
Department: Public Works
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

Staff has been negotiating a proposed scope of work and fee for architectural design services for the Library Improvement Project. The issue for Council is whether to adopt the attached resolution and approve the contract.

BACKGROUND

A. Council Action History.

- 1) On February 8, March 14, and March 28, 2016, City Council heard input from the Save Our Libraries group regarding placement of a library district on the November ballot.
- 2) On April 11, 2016, Council adopted Resolution 2016-6 regarding the inclusion of the City of Roseburg boundary in a proposed library district with a permanent tax on a county wide ballot in November 2016.
- 3) On November 8, 2016 the Ballot Measure was defeated 25,499 against- 20,703 in favor.
- 4) The City Council has received regular reports regarding the Library Task Force's meetings, but no action has been considered by the City Council.
- 5) On May 8, 2017 City Council directed staff to evaluate facilitation of a Roseburg Branch Library.
- 6) On June 7, 2017 Staff provided an update of work to date and Council directed staff to proceed with acquiring a deed to the property subject to completing our due diligence.
- 7) On December 11, 2017 Council authorized the transfer of the Library Facility to the City and continued work with the Douglas ESD to finalize renovation plans and work on intergovernmental agreements to reopen a City Library.
- 8) On February 12, 2018 Council heard first reading of Ordinance 3496 establishing the Roseburg Public Library and creating the Library Commission.

B. Analysis. In late 2017, the City contracted with Pivot Architecture to provide a library feasibility study. The intent of the study was to evaluate the existing structure and identify any needed upgrades in order to repurpose the building as both a library and office space for the ESD. The results of that study were presented to the City Council at their December 11, 2017 meeting.

Without an exemption, a contract of this size would require a formal Request for Qualifications (RFQ) process. In a qualifications based selection process, proposals are submitted by interested firms and those firms are ranked based on criteria outlined in the RFQ. Once the highest rank proposer is identified, staff can begin negotiating a scope and

fee with that one proposer. This RFQ process typically takes three to six months to accomplish.

In addition to the length of time the formal process takes, Pivot Architecture's prior work on the project gives it a unique familiarity with the project that would likely yield cost and time savings for the City. Given the urgency to reopen the library and the amount of time and resource the typical RFQ process takes, staff is requesting an exemption from public contracting to allow a direct selection of Pivot to complete the design work involved with the renovation project.

C. Financial and/or Resource Considerations. The existing contract for the feasibility study was for an amount not to exceed \$19,500. The additional design and bidding services, based on a Construction Manager/General Contractor (CM/GC) model, has a not to exceed amount of \$180,000.

Existing resources provided through a \$100,000 grant from Douglas County and existing ESD resources will allow us to complete the design and bidding services contract prior to finalizing the scope of the renovation contract and allow us to secure additional grant funding.

D. Timing Issues. If the resolution is adopted and the contract awarded, Pivot would immediately begin work on thirty percent plans and the Request for Proposals for the CM/GC contract. With this expedited process, the library could reopen as early as September. Without the expedited process, this reopening would be pushed back three to six months.

COUNCIL OPTIONS

Council has the following options:

1. Adopt the attached resolution and award a contract for architectural services to Pivot Architecture for an amount not to exceed \$180,000; or
2. Request additional information; or
3. Recommend not moving forward with the contract, which will require another solution for design services and may delay the project.

STAFF RECOMMENDATION

Based on the findings outlined in the attached resolution, staff recommends that the Council adopt the resolution exempting the contract from competitive bidding and award the contract to Pivot Architecture.

SUGGESTED MOTION

I move to adopt Resolution No. 2018-03 exempting the contract from competitive bidding and award an architectural design contract for the Library Improvements Project to Pivot Architecture for an amount not to exceed \$180,000.

ATTACHMENTS

Resolution 2018-03

RESOLUTION NO. 2018-03

A RESOLUTION REGARDING EXEMPTION FROM COMPETITION IN PUBLIC CONTRACTING FOR DESIGN SERVICES FOR THE ROSEBURG LIBRARY IMPROVEMENT PROJECT

WHEREAS, in October 2017, the City engaged Pivot Architecture, Inc. to provide architectural services related to the study of improvements for the Roseburg library; and

WHEREAS, since the project started in 2017, the City has paid Pivot Architecture, Inc. \$19,500, for study services related to the project, and it is estimated that the cost for providing design and bidding services of said project by Pivot Architecture, Inc. would be \$180,000; 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, Pivot Architecture, 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 Pivot Architecture, Inc.; and

WHEREAS, the approval of this direct appointment would be unlikely to encourage favoritism or diminish competition for the contract, in that Pivot Architecture, Inc.'s unique familiarity and readiness to perform the work would likely result in Pivot Architecture, 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 a construction management services contract with Pivot Architecture, Inc., in the amount not to exceed \$180,000, for design and bid services for the Roseburg Library Improvement Project.

2. This resolution is effective upon adoption.

**ADOPTED BY THE ROSEBURG CITY COUNCIL ON THIS ____ DAY OF
FEBRUARY, 2018.**

Sheila R. Cox, City Recorder

2/22/18



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

Library Renovation Exemption to the Competitive Bidding Process Resolution No. 2018-04

Meeting Date: February 26, 2018
Department: Public Works
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

Staff is working on a project to renovate the library building. The issue for the Council is whether to adopt the attached resolution and approve an alternate competitive contracting process for the construction of the renovations.

BACKGROUND

A. Council Action History.

- 1) On February 8, March 14, and March 28, 2016, City Council heard input from the Save Our Libraries group regarding placement of a library district on the November ballot.
- 2) On April 11, 2016, Council adopted Resolution 2016-6 regarding the inclusion of the City of Roseburg boundary in a proposed library district with a permanent tax on a county wide ballot in November 2016.
- 3) On November 8, 2016 the Ballot Measure was defeated 25,499 against- 20,703 in favor.
- 4) The City Council has received regular reports regarding the Library Task Force's meetings, but no action has been considered by the City Council.
- 5) On May 8, 2017 City Council directed staff to evaluate facilitation of a Roseburg Branch Library.
- 6) On June 7, 2017 Staff provided an update of work to date and Council directed staff to proceed with acquiring a deed to the property subject to completing our due diligence.
- 7) On December 11, 2017 Council authorized the transfer of the Library Facility to the City and continued work with the Douglas ESD to finalize renovation plans and work on intergovernmental agreements to reopen a City Library.
- 8) On February 12, 2018 Council heard first reading of Ordinance 3496 establishing the Roseburg Public Library and creating the Library Commission.

B. Analysis. The Council has expressed its desire to get the library up and running as quickly as practical. There are several moving parts that need to occur simultaneously in order to make this happen. The intent is to renovate the existing building to allow the operation of a public library and to make the changes to the building that are necessary to allow the ESD to utilize the east side of the building. As part of this renovation, the existing children's library space will be removed and relocated to allow adequate space for the ESD. As a result, a new children's library space will need to be constructed within the west side of the building. Other improvements include updated meeting spaces, new flooring, new control systems, and bathroom upgrades.

Staff proposes to use the Construction Manager/General Contractor (CM/GC) delivery method as an alternate competitive contracting process in order to reduce costs and increase efficiencies with the goal of re-opening as quickly as practical. Under this method, a contractor is selected early in the design process in order to gain input on the most efficient and cost effective way to approach the project. The City's architect will provide a preliminary design and will act as the City's representative in finalizing the design and negotiating the final not to exceed cost for the construction. Under this delivery method, the contractor is invested in ensuring that any potential issues are identified and resolved prior to final design. The City will select the CM/GC utilizing a proposal process scored on cost, experience, technical knowledge and construction management skills.

The alternative contracting process will result in the selection of the most qualified CM/GC for the project. It will enable the CM/GC to participate in cost negotiation, construction review and value engineering. The CM/GC will work directly with the architect and staff in fashioning the best construction phasing and coordination strategies. The result will be a design with the potential issues identified and addressed prior to obtaining a final not to exceed cost, which will result in a reduced total construction cost.

As required by state law, the proposal to use an alternative contracting method has been advertised in the Daily Journal of Commerce and on the City's website. The attached resolution has been available for public inspection for two weeks. Staff has not received any comments to date.

C. Financial and/or Resource Considerations. Staff has been working with the ESD to determine what improvements need to be made to the current facility to meet the needs of the City Library and the ESD administrative portions of the building. The current estimates indicate that the library portion, inclusive of architectural costs will be between \$550,000 and \$600,000, inclusive of some shared space. The ESD portion is currently estimated at around \$1.2 to \$1.3 million. There are some additive alternates that would be shared space that are estimated at an additional \$200,000 to \$300,000.

Douglas County has provided an initial grant in the amount of \$100,000 for the library portion and we have some current soft commitments for an additional \$220,000. Both City staff and ESD staff are identifying additional grant opportunities to complete the funding for the library renovation and hopefully the shared space needs. The ESD will be funding their component of the project.

Our goal is to complete the entire renovation without additional cost to the City, but to meet our matching grant obligation we may need to identify some current resources. Until the architectural design process is complete, we will not know what the total obligation will be.

D. Timing Issues. Staff is requesting the award of a Professional Services Contract for the project architect at the February 26, 2018 Council meeting. If awarded, the design will begin immediately. Once the plans are approximately 30 percent complete, a Request for Proposals will be issued for a CM/GC contractor. The CM/GC will work directly with the architect and staff in fashioning the best construction phasing and coordination strategies. Construction is anticipated to start in the summer of 2018. The construction is expected to be phased, with the library renovation completed in September and the ESD portion completed by November.

COUNCIL OPTIONS

Council has the following options:

1. Adopt the attached resolution and approve an alternate competitive contracting process for the construction of the library renovations; or
2. Request additional information; or
3. Recommend not approving the resolution for an alternate competitive contracting process, which will require the standard design/bid/build contracting process be used and may delay the project.

STAFF RECOMMENDATION

Staff believes the alternate competitive contracting process utilizing a CM/GC is the best method to ensure a successful project. The alternate contracting process will allow value engineering and constructability reviews early in the design process, resulting in a reduction in the likelihood of claims for design modifications, delays and varied conditions. Staff recommends that the Council adopt the resolution approving the alternate competitive contracting process utilizing the CM/GC method.

SUGGESTED MOTION

I move to adopt Resolution No. 2018-04 approving an alternate competitive contracting process for the renovation of the library building.

ATTACHMENTS

Resolution 2018-04

RESOLUTION NO. 2018-04

**A RESOLUTION OF THE CITY OF ROSEBURG ADOPTING FINDINGS,
APPROVING AN ALTERNATE CONTRACTING PROCESS, AND CREATING
AN EXEMPTION TO THE COMPETITIVE BIDDING REQUIREMENTS OF ORS
CHAPTER 279C FOR THE PROPOSED IMPROVEMENTS TO THE
ROSEBURG LIBRARY.**

The City Council of the City of Roseburg, Oregon finds as follows:

- A.** The project consists of improvements to the City of Roseburg Library, including relocation of walls, office improvements, mechanical upgrades, electrical upgrades, and other incidental repairs to make the library meet the requirements for occupancy. Estimated cost of contract is \$1,900,000.
- B.** The City intends to enter into an agreement in February 2018, with PIVOT Architecture to provide architectural and engineering services for the project. Upon completion of the preliminary design, the project will be ready to move forward with the participation of a construction manager/general contractor (CM/GC) as part of the project team
- C.** The nature of the project requires specialized skills for construction and successful experience in construction management of complex and multi-disciplined retrofit and remodel projects.
- D.** The City proposes an alternate competitive contracting process in order to enable the CM/GC to be available from this point forward on the project to allow the project team to develop a well-coordinated schedule and a construction phasing plan to minimize costs.
- E.** The City will select the CM/GC based on cost, technical knowledge and construction management skills.
- F.** The City Council is a Local Contract Review Board pursuant to ORS 279A.060 with the authority to exempt certain public contracts from the competitive bidding requirements of ORS Chapter 279C.
- G.** A public hearing was conducted by the City Council after having published notice of the hearing in the Daily Journal of Commerce, a trade newspaper of general statewide circulation, 14 days in advance of the hearing.
- H.** Draft findings as set forth herein addressing competition, cost savings, operational, budget and financial data, public benefits, value engineering, specialized expertise required, public safety, market conditions, technical complexity and funding sources were available 14 days in advance of the public hearing and were presented at the hearing.

I. The alternative contracting process will result in the selection of the most qualified CM/GC for the uniquely specialized requirements of the project. It will also enable the CM/GC to participate over an extended period in cost negotiation, construction review and value engineering. The CM/GC will also be available to work directly with the engineer and the City in fashioning the best construction phasing and coordination strategies. The result will be a design with the potential issues and coordination of the work addressed. It will also result in the least overall cost for construction.

J. The traditional bidding process requires the designer to guess about the best construction techniques without contractor input until after the design is completed and a price is provided to the City for the intended work. Changes made after that point are traditionally more expensive than if they occurred beforehand. First, the City would have to pay the architect to perform additional design services that might not have been necessary had the contractor discussed the matter with the designer earlier. Second, the cost of construction changes after a contract is awarded would not be subject to the competitive bidding process. Changes made without price competition are traditionally higher than they would be if competition existed. Therefore, the alternate contracting process proposed here will not only save the public time and money, but should save the public agency's time as well. The alternate contracting process will afford the opportunity to engage the CM/GC in value engineering and constructability reviews early in the design process, when value engineering has proven to be the most effective. Because of the participation of the CM/GC in the design process, there will be a reduction of uncertainties and the likelihood of claims for design modification, delays and varied conditions.

K. The alternate contracting process will allow more time than the normal competitive bidding process for the CM/GC to bid, negotiate, and gain firm commitments from subcontractors and suppliers. Numerous subcontractors and suppliers with unique expertise and capabilities will be required to perform the specialized features of the project. The alternate contracting process will provide the maximum assurance that qualified subcontractors and suppliers are available when needed to meet demanding project schedule requirements and cost constraints.

L. The alternate contracting process will not limit competition or encourage favoritism in the selection process. The City will issue a request for proposals (RFP) for a CM/GC for the project in accordance with established RFP procedures. Potential CM/GCs will submit proposals for the work. The proposals will be evaluated by City staff. The evaluation process will be based on predefined technical qualifications, including firm experience, assigned staff appropriateness, specific experience with similar projects, project approach, proposed fee, and proposed schedule.

M. The alternate contracting process will allow the CM/GC additional time to bid, negotiate and gain firm commitments from subcontractors and suppliers. Partnering will reduce change orders, design modifications, and delays, resulting in cost savings, a project completed on time and in a functional end product.

N. Services performed by a low bid contractor are less likely to meet the City's needs and less likely to provide the best long term value than services performed by a contractor whose qualifications have been thoroughly evaluated and determined to be superior to the qualifications of all competing proposers.

O. The project has a series of unique construction requirements not normally encountered in public works projects.

P. The project requires uniquely specialized qualifications to be able to accomplish the quality of work necessary to achieve the City's objectives with regard to the structures involved, and also in order to coordinate and supervise the various subcontractors which will be needed for the project.

NOW THEREFORE the City Council of the City of Roseburg, Oregon resolves as follows:

1. The above findings are hereby adopted.
2. The Roseburg Library Improvement project is exempt from the competitive bidding requirements of ORS Chapter 279C, and shall be carried forward through an alternate contracting process.
3. The City will put out a request for proposals for a construction manager/general contractor for the Roseburg Library Improvement project.
4. The City Council will review the recommendations of staff and the Public Works Commission and make the final decision about awarding the contract.

**ADOPTED BY THE ROSEBURG CITY COUNCIL ON THIS
___ DAY OF _____, 2018.**

SHEILA R. COX, CITY RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

CF
2/21/18

PUBLIC HEARINGS D
02/26/2018



Supplemental Budget and Appropriation Revisions for Fiscal Year 2017-18

Meeting Date: February 26, 2018
Department: Finance
www.cityofroseburg.com

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

ISSUE STATEMENT AND SUMMARY

Staff seeks to make two mid-year corrections to the 2017-18 budget; both affecting the General Fund. With the City taking on the Library there is a need to establish an operating fund and provide it with appropriation authority to cover expenses through the second half of this fiscal year. Additionally, with an increased emphasis on nuisance abatement and derelict building management there is a need to augment appropriations in the Community Development Department.

BACKGROUND

A. Council Action History. Pertaining to the need for establishing a library department within the General Fund:

- 1) On February 8, March 14, and March 28, 2016, City Council heard input from the Save Our Libraries group regarding placement of a library district on the November ballot.
- 2) On April 11, 2016 Council adopted Resolution 2016-6 regarding the inclusion of the City of Roseburg boundary in a proposed library district with a permanent tax on a county wide ballot in November 2016.
- 3) On November 8, 2016 the Ballot Measure was defeated 25,499 against – 20,703 in favor.
- 4) The City Council has received regular reports regarding the Library Task Force's meetings, but no action has been considered by the City Council.
- 5) On May 8, 2017 City Council directed staff to evaluate facilitation of a Roseburg Branch Library.
- 6) On June 7, 2017 Staff provided an update of work to date and Council directed staff to proceed with acquiring a deed to the property subject to completing our due diligence.
- 7) On December 11, 2017 Council authorized the City Manager to accept a deed from Douglas County to the City for the library facility and property.
- 8) On February 12, 2018 Council adopted Ordinance No. 3496 establishing the Roseburg Public Library and creating the Library Commission.

Pertaining to the need to increase appropriation authority in the Community Development Department for increased nuisance abatement and derelict building mitigation.

- 1) In 2016 Council authorized the Compliance Officer position move from part-time to full-time status to facilitate greater emphasis on mitigating nuisances involving derelict buildings.
- 2) On November 27, 2017 Council adopted Ordinance 3492 to permit staff to: 1) more effectively secure derelict structures, 2) register derelict buildings and begin assessing appropriate fees if the owner is deceased, cannot be located, or unwilling to cooperate, and 3) speed the process in which liens can be filed on delinquent accounts.

- 3) On November 27, 2017 staff updated Council of the demolition of two unsafe structures at 319 Ella and 1248 Pine.

B. Analysis. An appropriation is an authorization granted by the governing body to make expenditures and to incur obligations for specific purposes. It is limited to one fiscal year [ORS 294.311(3)]. Appropriations are a legal limitation on the amount of expenditures that can be made during the fiscal year and on the purposes for which expenditures can be made [ORS 294.456(6)]. After the beginning of the fiscal year, when a local government is operating with the adopted budget, changes in appropriated expenditures sometimes become necessary. Appropriations may be increased or decreased, transferred from one appropriation category to another, or new appropriations categories created.

The method used to amend the budget is determined by the budgetary change needed. If the change involves a new fund or a new appropriation category, a supplemental budget is usually required. If the change is a transfer of appropriation authority (and the corresponding resources) from one fund to another, or within the same fund, then a resolution transfer is allowed.

If the proposed supplemental budget will change any fund's expenditures by more than 10 percent a public hearing to receive public comment must be held prior to adoption of the supplemental budget. The hearing is held by the governing body. The Budget Committee is not required to be involved.

Currently there are two unanticipated events which require mid-year adjustments to the General Fund so that the intent and purposes of the budget can be accomplished; the proposed corrections are detailed below:

General Fund – Library Department (New): Since the City has taken formal action to receive the deed to the library in order to reopen the library service, a separate operating department within the General Fund needs to be created so as to properly provide appropriation authority for expenditures related to the library operations through the remaining portion of the fiscal year. Expenses that will need to be covered through the remainder of the year include personnel costs for a library director, utility expenses as well as other materials and services. The City does have a remaining balance of \$45,000 which was appropriated as part of its annual library contribution to the County when the County operated the system; it is proposed that these funds be transferred to a newly created Library Department in the General fund.

The proposed correction is: 1) a decrease to Other expenditures in the General Fund of \$(45,000), and 2) an increase of appropriations to a Library Department in the General Fund of \$45,000.

General Fund – Community Development Department: During this fiscal year, the City has become more proactive in addressing nuisance abatement and mitigation of derelict and dangerous structures in order to address Council's goals of: 1) support and adopt policy development and implementation to enhance housing and community development, 2) take proactive role in community economic development and revitalization, and 3) develop programs and policies to enhance community livability and public safety. Consequently, with a greater emphasis on this program, the City is experiencing greater costs than what was originally budgeted for and in order to carry out the program additional resources are needed to be transferred to the Community Development Department. It is projected that the program will require an additional \$43,315 to adequately fund the nuisance abatement program; \$20,000 for

additional abatement expenses and \$23,315 to cover the demolition costs of 319 Ella and 1248 Pine. The City has \$1,000,000 appropriated as a general fund contingency; it is proposed that \$45,000 be transferred to the community development fund to satisfy those needs.

The proposed correction is: 1) an increase to Community Development of \$45,000 and 2) a decrease to General Fund Contingency of \$-45,000.

C. Financial and/or Resource Considerations. The financial impacts to the City from these two corrections are:

General Fund - Library (New): The budgetary correction is simply transferring the remaining balance of funds which are appropriated for library services to a newly formed operating department for the library, consequently, there is no detrimental financial impact on the City; the net impact on the fund balance is zero.

General Fund – Community Development: The transfer of \$45,000 to the Community Development Department is marginal as it only constitutes a 0.6% decrease to the fund balance. It is important to note that the General Fund began the year at 107% of budget.

D. Timing Issues. As the City has already taken title to the library building and has transferred utility accounts to the City and will need to pay the utility bills immediately and other library costs as they begin to come in, it is important that this action be taken care of promptly.

COUNCIL OPTIONS

- 1) Adopt the attached resolution as written; or
- 2) Adopt the attached resolution with modifications to the proposed figures; or
- 3) Not adopt the attached resolution.

STAFF RECOMMENDATION

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

SUGGESTED MOTION

I move to adopt Resolution No. 2018-05 authorizing a supplemental budget and budget appropriation revisions for fiscal year 2017-18.

ATTACHMENTS

Attachment 1 Resolution entitled "A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET AND BUDGET APPROPRIATION REVISIONS FOR FISCAL YEAR 2017-18"

RESOLUTION NO. 2018 – 05

A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET AND BUDGET APPROPRIATION REVISIONS FOR FISCAL YEAR 2017-18

WHEREAS, the City of Roseburg, Oregon adopted a budget and appropriated funds for fiscal year 2017-18 by Resolution 2017-13; and

WHEREAS, unanticipated service demands require the creation of a new operating department (Library Department) within the General Fund and appropriation levels to be established for its delivery; and

WHEREAS, ORS 294.471 provides a city may amend the current year adopted budget through the supplemental process when transferring appropriation authority to an appropriation category that doesn't already exist in the adopted budget; and

WHEREAS, publication requirements have been met as outlined by ORS 294.473 for a supplemental budget that transfers appropriation authority to a new appropriation category that doesn't already exist; and

WHEREAS, certain expenditures are projected to exceed the original adopted budget and budgetary revisions are necessary to provide adequate appropriation levels to expend the unforeseen costs; and

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

WHEREAS, the City's 2017-18 adopted budget appropriated operating contingency funds within the General Fund and such budgeted contingencies shall be used for unanticipated expenditures.

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

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

	Current	Amount	Amended
General Fund (100)			
Resources			
Total Resources:	\$28,414,888	\$0	\$28,414,888
Appropriations			
Library	\$0	\$45,000	\$45,000
Other	\$50,000	(\$45,000)	\$5,000
Community Development	\$642,506	\$45,000	\$687,506
Contingency	\$1,000,000	(\$45,000)	\$955,000
Other Requirements	\$26,722,382	\$0	\$26,722,382
Total Appropriations:	\$28,414,888	\$0	\$28,414,888

To establish the Library Operating Department and to provide appropriation authority for its operations. Also, to provide additional appropriation authority in the Community Development Department to facilitate the operations of the nuisance abatement program which has included the demolition of two derelict structures.

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

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

**APPROVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON,
AT ITS REGULAR MEETING ON THE 26th DAY OF FEBRUARY, 2017.**

Sheila R. Cox, City Recorder

ajc
2/21/18 ORDINANCES A
02/26/2018

ORDINANCE NO. 3496

**AN ORDINANCE ESTABLISHING THE ROSEBURG MUNICIPAL LIBRARY AND
ADDING CHAPTER 2.23 TO ROSEBURG MUNICIPAL CODE TO CREATE A
LIBRARY COMMISSION EFFECTIVE DATE OF MARCH 1, 2018**

SECTION 1. Establishment of and Funding for the Roseburg Public Library.

A. A public library is hereby established for the City of Roseburg under the provisions of ORS 357.400 to 357.621. The Roseburg Public Library shall be the public agency responsible for providing library and information services suitable to persons of all ages and making such services freely accessible to all residents in the City of Roseburg.

B. The Roseburg Public Library shall be financed through the use of general fund monies, revenue obtained from the operation of the library, grants, gifts, donations and bequest received and designated to be used for library purposes, and any tax levies that may be authorized by the electors. Gifts of any real or personal property or funds donated to the Roseburg Public Library shall be accepted by the City Council and shall be administered in accordance with each gift's terms and all property or funds shall be held in the name of the City of Roseburg.

SECTION 2. Chapter 2.23, entitled "*Library Commission*" is hereby added to the Roseburg Municipal Code to read as follows:

**CHAPTER 2.23
LIBRARY COMMISSION**

Sections:

- 2.23.010 Creation of Commission**
- 2.23.020 Purpose**
- 2.23.030 Duties-Responsibilities**
- 2.23.040 Organization of Commission**

2.23.010 Creation of Commission. There is hereby created and established under the provisions of ORS 357.400 through 357.621, a commission of the City to be designated as the "Library Commission".

2.23.020 Purpose. The Library Commission is established to assist in the provision of public library and information services suitable to persons of all ages and ensure such services are accessible to all residents of the City; to foster widespread public knowledge and support of the library's role in the City; and to promote the library through volunteer efforts, donations and fund raising.

2.23.030 Duties-Responsibilities. The Library Commission shall be an advisory commission and shall have no executive or administrative authority, the existence of which shall not deprive elected or appointed officials of the City of any power they may under the laws of the State or the City Charter. The Commission shall have powers and duties to:

A. Make recommendations to the City Council regarding rules, regulations and policies for the efficient and effective operation of the library, its services and programs.

B. Gather information and advise the City Council and City staff on current trends in library administration and library-related technology, and represent the interests and needs of library patrons.

C. Make recommendations to the City Council on the acceptance, use or expenditure of any real or personal property or funds donated to the library, and make recommendations for the purchase, control or disposal of real and personal property necessary for library operations.

D. Develop and recommend to Council long-range plans for library services and facilities consistent with City priorities and with national, state, regional and local goals pertinent to library operations.

E. Review and recommend to the City Council the terms and conditions for contracts and working relationships with private and public agencies regarding library services.

F. Assist with an annual report to the State Library and the City Council on a form supplied by the State Library and consult with the State Library Board on improving and extending public library services.

G. Advocate for the library budget, as well as for library events and programs.

2.23.040 Organization of Commission. The Commission shall consist of seven members, one of whom shall be a member of Council, appointed by the Mayor to serve as Chair of the Commission. At least five members must be residents of the City. Any member not residing in the City must reside within the City's Urban Growth Boundary. No member of the Commission shall have any financial interest, either directly or indirectly, in any contract to which the library is a party, nor receive a salary or any payment for materials or services rendered by the Commission.

SECTION 3. Pursuant to Section 8.6 of the Roseburg City Charter, the Council hereby finds it necessary for the preservation of the peace, health and safety of the City, for this ordinance to take effect March 1, 2018 to facilitate establishment of the Roseburg Public Library and establishing a Library Commission prior to opening of the facility.

**ADOPTED BY THE ROSEBURG CITY COUNCIL ON THIS 26th
DAY OF FEBRUARY, 2018.**

APPROVED BY THE MAYOR ON THIS 26th DAY OF FEBRUARY, 2018.

ATTEST:

Larry Rich, Mayor

Sheila R. Cox, City Recorder

ORDINANCE NO. 3496 - page 2

CJC
2/22/18

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



MUNICIPAL CODE VIOLATIONS – POLICY AND STRATEGIES

Meeting Date: February 26, 2018
Department: City Manager
www.cityofroseburg.org

Agenda Section: Department items
Staff Contact: C. Lance Colley
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Staff has recently been asked to report to Council on policies and strategies being utilized to enforce code violations that do not generally rise to the level of statutory criminal activities that would commonly result in incarceration.

BACKGROUND

Council has adopted a number of Roseburg Municipal Code (RMC) violations which are in addition to Oregon Revised Statutes. RMC violations include drinking in public, public urination, prohibited camping, certain public tobacco uses, curfew violations, and a host of other offenses outlined in RMC 7.02 as well as the nuisance abatement section of the Code, RMC 7.04.

Citations can be, and are issued for each of these types of RMC 7.02 violations. The most problematic violations continue to be drinking in public and prohibited camping. Generally, we find that many violators are cited for both drinking in public and prohibited camping, as well as obnoxious littering.

We have policies around some of these activities and have recently instituted standard operating procedures for site cleanups whether they are for RMC 7.02 or RMC 7.04 violations. Our Compliance Officer is now coordinating the cleanup efforts on behalf of all City departments. If violations are related to RMC 7.02 for prohibited camping, the Police Department follows the procedures attached in Policy 423. After citing individuals and giving appropriate notice, the Police Department advises the Compliance Officer who in turn notifies the Douglas County work crew supervisor and requests assistance with camp cleanup. If violations are related to RMC 7.04, the Compliance Officer provides notice in accordance with the Code and then provides camp locations to the Douglas County work crew supervisor. We are currently coordinating with the work crew supervisor to schedule cleanup activities every other Wednesday.

This process for routine cleanup dates was established in late 2017, but was generally implemented over the past summer. We estimate that over 50,000 pounds of trash was collected and disposed of by the County work crews during 2017. I anticipate that if we continue cleanup on an every two-week-schedule, over time we should reduce the amount of camps and possibly reduce the amount of cleanup necessary. Each cleanup costs between \$400 and \$1,000 depending on the amount of trash sent to the landfill.

There are a number of issues related to nuisance abatement outlined in RMC 7.04 where we have developed standard operating procedures. In the past year, we worked with Douglas County to remove three dangerous residential structures and with Council to develop new

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dangerous and derelict building standards. We also identified a number of homes that fit the categories of either dangerous or derelict and began abatement procedures against those. We are currently working on over 20 different properties that will require some level of abatement and will fall under the new process.

I will provide additional information orally during your meeting.

ATTACHMENTS

Roseburg Police Department Policy 423

Homeless Persons

423.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Roseburg Police Department recognizes that members of the homeless community are often in need of special protection and services. The Roseburg Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy sections when serving the homeless community.

423.1.1 POLICY

It is the policy of the Roseburg Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

423.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

423.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.

Roseburg Police Department

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- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Elder Abuse Policy.
- (f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

423.3 HOMELESS ENCAMPMENTS

Officers who encounter encampments, bedding, or other personal property in public areas that reasonably appears to belong to a homeless person should not immediately remove or destroy such property if it appears likely that the property will be retrieved by the owner within a short amount of time on the same day.

423.3.1 HOMELESS CAMPS ON PUBLIC PROPERTY

ORS 203.077 and 203.079 requires all municipalities to develop and implement policies which address unauthorized camping on public property.

This policy has been developed to ensure the humane treatment and removal of individuals from illegal camping sites on public property. This policy applies to all public property where camping is prohibited. Roseburg Municipal Code 7.02.100 outlines the specifics of "Prohibited Camping."

Definitions:

Camp or Camping – to set up or to remain in or at a campsite.

Campsite - any place where any bedding, sleeping bags or other sleeping matter, or any stove, or fire, is placed, established or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure erected or maintained for shelter, or any vehicle or part thereof.

Established Campsite - an unauthorized campsite in which person(s) evidence the intent to camp longer than one (1) overnight (sunset to sunrise) period. Such intent may be evidenced by facts such as, but not limited to;

- (a) Leaving items of personal property on site which have apparent utility and to which persons would reasonably be expected to return.
- (b) Preparing the site for living activities such as eating, drinking, and sleeping.

Personal Property – items that are reasonably recognized as belonging to a person and that have apparent utility. Items with no apparent utility or are in an unsanitary condition shall be deemed debris.

Debris – for purposes of this policy, debris is any item that has no apparent utility or are in an unsanitary condition, including, but not limited to, camp structures, camping paraphernalia, and personal property that have no apparent utility or are in an unsanitary condition.

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Roseburg PD Policy Manual

Homeless Persons

Unauthorized Camps – a location on public property where persons are camping in violation of the municipal code. The following may be considered in determining whether a person has camped or is camping in violation of city code:

- (a) Sleeping or making preparations to sleep, including the lying down of bedding for the purpose of sleeping overnight.
- (b) Occupying a shelter out of doors. "Shelter" means any cover or protection from the elements other than clothing, such as a tent, shack, tarp, sleeping bag, or other structure or material.
- (c) The presence or use of a campfire, camp stove or other heating source or cooking device.
- (d) Keeping or storing personal property.

Notification Process - Upon notification or discovery of unauthorized camp sites on public property the following shall occur:

- (a) An officer will respond to the location and attempt to contact the occupant(s). If the unauthorized campsite is not an established campsite the officer will give the occupants time to gather and remove belongings as is reasonable under the circumstances. If the unauthorized campsite is an established campsite the officer will post a "Notice of Unauthorized Campsite," per ORS 203.079. Such notice will be 24 hours in advance of any persons or property removal and shall be written in both English and Spanish.

The "Notice" can be found in the RPD forms files.

- (a)
 - 1. The Notice of Unauthorized Campsite allows the occupants 24 hours to willingly vacate the property.
 - 2. The Notice states that personal property will be removed after the 24 hour period.
 - 3. The Notice states that property can be reclaimed at the Roseburg Police Department between 0800 and 1700 hours, Monday through Friday, after the owner of the property has made an appointment with the RPD Property Technician.
- (b) Unclaimed personal property shall be disposed of after 30 days of retention.
- (c) Items that have no apparent utility, or are in an unsanitary condition may be immediately disposed of.
- (d) Officers will take photos of the campsite and property when the Notice has been posted.
- (e) After posting the property, the officer will contact Deana Butler at UCAN, 541-672-3421 or 541-580-9419 (cell) and advise of the camp location and date and time that the Notice was posted.

When 24-Hour Notice is NOT Required, per ORS 203.081:

- (a) The 24-hour notice is not required under the following circumstances:

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1. There are grounds to believe that illegal activities other than camping are occurring.
2. In the event of an emergency such as possible site contamination by hazardous or bio-hazardous materials or when there is immediate danger to human life, welfare or safety.
3. Private property; There is no requirement for a 24-hour notice on private property and all applicable laws and ordinances apply. Railroad property to which the general public does not have access will be considered private property.

Sites Not Subject to ORS 203.077 to 203.081 (per ORS 203.081)

- (a) Public Property that is a day use recreation area (such as a public park)
- (b) Public Property that is a designated campground and occupied by an individual under an agreement with a municipality or county.

Removal of Persons Process - removal from unauthorized campsites, which are established campsites should proceed as follows:

- (a) On or after the posted 24 hour period, but not longer than 7 days (this time frame gives UCAN an opportunity to respond to the camp if so desired), an officer shall revisit the site to determine if it is occupied and whether clean up of the site has occurred.
- (b) People who remain at the unauthorized campsite will be ordered to leave.
- (c) People who fail to comply or violate any other codes or statutes, may be subject to applicable sanctions.

Issuing Citations for Non-Compliance:

- (a) Failing to comply with the posted Notice or violating any other state law or city code may result in the issuance of a citation.
- (b) The officer issuing the citation "may NOT issue the citation if the citation would be issued within 200 feet of the Notice and within two hours before or after the Notice is posted," per ORS 203.077.

Clean-up of Abandoned Property and Debris:

- (a) If clean up is necessary, the on-duty Watch Commander will be advised and will contact the Community Corrections Supervisor for Douglas County to inform them of the clean-up request and to be placed on a list for the next available clean-up. The contact person(s) is currently; John Olinghouse; 541-430-8558 / 541-957-2071, jolingh@co.douglas.or.us or Bruce Madison; 541-430-2135, bdmadiso@co.douglas.or.us. If the property belongs to ODOT, clean-up should be requested by calling the ODOT switchboard at 541-858-3103.
- (b) If an unauthorized campsite is occupied when the clean-up crew arrives, they may request a uniform officer assist.

Reporting and Documentation Process

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Each incident where a camp has been posted shall be documented with a case number as follows;

- (a) The officer will document in the Incident History from Dispatch the specific location of the camp, the reason for our presence at the location, and any names of Persons Reporting and people present at the campsite. If people are contacted, the Incident History should also include those details, as well as details of any warnings or other action that was taken during the initial contact, including UCAN notification.
 1. The initial Incident History will also include the officer's observations of the camp (tents, sleeping bags, garbage, etc.)
 2. The officer will document that the official Notice was posted and where it was posted at the location, along with the fact that photos of the campsite and Notice were taken and stored in the RPD photo file.
- (b) Once the minimum 24-hours has passed, the officer shall document any follow-up actions or observations on the Incident History (i.e. citations issued, full compliance observed, campsite vacated, clean-up necessary, etc.)
 1. In cases where no citations were issued, the officer shall submit the completed Incident History to the on-duty Watch Commander. The Watch Commander shall then cause the Incident History to be turned in to the Records Division for filing.
 2. In cases where a citation is issued, the officer shall submit the completed Incident History with the citation to the Records Division for filing and processing.

Reference ORS

"203.077 Camping by homeless on public property; local governments required to develop policy for removal of camps. All municipalities and counties shall:

- (1) Develop a policy that recognizes the social nature of the problem of homeless individuals camping on public property.
- (2) Implement the policy as developed, to ensure the most humane treatment for removal of homeless individuals from camping sites on public property. [1995 c.121 §1]

203.079 Required elements of local government policies on camping by homeless.

- (1) A policy developed pursuant to ORS 203.077 shall include, but is not limited to, the following:
 - (a) Prior to removing homeless individuals from an established camping site, law enforcement officials shall post a notice, written in English and Spanish, 24 hours in advance.
 - (b) At the time that a 24-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals where the notice has been posted.
 - (c) The local agency may arrange for outreach workers to visit the camping site where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.

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(d) All unclaimed personal property shall be given to law enforcement officials whether 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 30 days may be disposed of. For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.

(e) Following the removal of homeless individuals from a camping site on public property, the law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

(2) The 24-hour notice required under subsection (1) of this section shall not apply:

(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.

(b) In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety.

(3) A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued within 200 feet of the notice described in this section and within two hours before or after the notice was posted. [1995 c.121 §2; 1999 c.761 §1]

203.081 Sites not subject to ORS 203.077 to 203.081. As used in ORS 203.077 to 203.081, "camping site" does not include:

(1) Public property that is a day use recreational area.

(2) Public property that is a designated campground and occupied by an individual under an agreement with a municipality or county. [1995 c.121 §3]

203.082 Camping by homeless on property of religious institutions; required elements of policies of local governments and religious institutions. (1) Any political subdivision in this state may allow churches, synagogues and similar religious institutions to offer overnight camping space on institution property to homeless persons living in vehicles:

(2) In addition to any conditions or limitations imposed by a political subdivision, a religious institution located within the political subdivision and offering camping space described under subsection (1) of this section must:

(a) Limit camping space at the institution site to three or fewer vehicles at the same time; and

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(b) Provide campers with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities. [1999 c.319 §1]

Note: 203.082 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 203 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation."

423.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individual(s) from the camp site (ORS 203.079(d)).

All property collected for safekeeping shall be stored for a minimum of 30 days. The property and evidence technician shall ensure that reasonable efforts are made to inform the owner of status of the property and inform him/her of how and when such property may be claimed (ORS 203.079(d)).

423.5 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if the person consents and approved by a supervisor.

423.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

CJC
2/21/18

INFORMATIONAL A
02/26/2018

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ACTIVITY REPORT

Meeting Date: February 26, 2018
Department: City Manager
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

At each meeting I will provide the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's part. The reports are intended to provide a mechanism to solicit feedback and enhance communication between the Council, City Manager and City Staff. For your February 26, 2018, meeting, I provide the following items:

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



Agenda
Department Head Meeting
February 20, 2018, 10:00 a.m.

1. Review February 26, 2018 City Council Meeting
2. Review Tentative Future Council Meeting Agendas
3. Documents/Grants Signing
 - A. Right of Way Use Permit-The Hangover Mile (Fun Run)
4. Department Items
 - A. Five Year CIP General Fund Projects (attachment)



Agenda
Department Head Meeting
February 13, 2018, 10:00 a.m.

1. Review February 12, 2018 City Council Synopsis
2. Review February 26, 2018 City Council Meeting
3. Review Tentative Future Council Meeting Agendas
4. Documents/Grants Signing
5. Department Items
 - A. Updated Public Records Request Policy
 - B. I.T. Budget Meetings with Departments

TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- Add CIP
- Asphalt Patch Truck Purchase
- Re-appropriation Resolution
- RHS Softball Field Turf
- RMC 5.04 Amendment - Water Rules and Regulations
- Umpqua Basin Urban Services Agreement
- Umpqua Valley Tennis Center Fee Schedule

March 12, 2018

Special Work Study Session – Goal Update (6:00 p.m.)

Special Presentation

- A. Blue Zones Umpqua

Consent Agenda

- A. Minutes of February 26, 2018

Ordinances

- A. Ordinance No. ____ - Mitel Cloud Services, Inc. Telecommunication Franchise

Resolutions

- A. Resolution No. ____ - Local Government Grant OPRD

Department Items

- A. Visitors Bureau Annual Report
- B. Directional/Wayfinding Signage Design and Implementation
- C. Bid Award – Water System SCADA Improvements, Phase 2

Informational

- A. Activity Report

March 26, 2018

Consent Agenda

- A. Minutes of March 12, 2018

Department Items

- A. Bid Award – Water Treatment Plan VFD Retrofit

Informational

- A. Activity Report

April 9, 2018

Mayor’s Report

- A. Volunteer Recognition Month Proclamation

Consent Agenda

- A. Minutes of March 26, 2018
- B. Cancel May 28, 2018 Meeting
- C. 2018 OLCC License Renewal Endorsement

Resolutions

- A. Resolution No. ____ - Recreational Trails Program

Informational

- A. Activity Report – Budget Calendar Reminder

April 23, 2018

Consent Agenda

- A. Minutes of April 9, 2018

Informational

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

May 14, 2018

Consent Agenda

- A. Minutes of April 23, 2018
- B. U-TRANS Services Contract
- C. Annual Fee Adjustments
 - Resolution No. 2018-____ - General Fees
 - Resolution No. 2018-____ - Water Related Fees

Informational

- A. Activity Report

June 11, 2018

Mayor's Report

- A. Camp Millennium Week Proclamation

Consent Agenda

- A. Minutes of May 14, 2018

Public Hearing

- A. Resolution No. 2018-____ - 2018/19 Budget Adoption

Informational

- A. Activity Report

Urban Renewal Agency Board

- A. Approval of Minutes
- B. Public Hearing – 2018/19 Budget Adoption

June 25, 2018

Consent Agenda

- A. Minutes of June 11, 2018

Informational

- A. Activity Report

Executive Session

- A. Municipal Judge Evaluation

July 9, 2018

Consent Agenda

- A. Minutes of June 25, 2018

Informational

- A. Activity Report

July 23, 2018

Consent Agenda

- A. Minutes of July 9, 2018

Informational

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

August 13, 2018

- Consent Agenda
 - A. Minutes of July 23, 2018
- Informational
 - A. Activity Report
- Executive Session
 - A. City Manager Quarterly Evaluation

August 27, 2018

- Consent Agenda
 - A. Minutes of August 13, 2018
- Informational
 - A. Activity Report

September 10, 2018

- Council Reports
 - A. Implementation of Annual City Manager Performance Evaluation
- Consent Agenda
 - A. Minutes of August 27, 2018
- Department Items
 - A. Downtown Roseburg Association Annual Report
- Informational
 - A. Activity Report

September 24, 2018

- Consent Agenda
 - A. Minutes of September 10, 2018
- Informational
 - A. Activity Report

October 8, 2018

- Consent Agenda
 - A. Minutes of September 24, 2018
- Informational
 - A. Activity Report

October 22, 2018

- Consent Agenda
 - A. Minutes of October 8, 2018
 - B. Cancel December 24, 2018 Meeting
- Informational
 - A. Activity Report – Municipal Court & Financial Quarterly Reports

November 12, 2018

- Consent Agenda
 - A. Minutes of October 27, 2018
- Informational
 - A. Activity Report
- Executive Session
 - A. City Manager Annual Performance Evaluation

November 26, 2018

Consent Agenda

- A. Minutes of November 12, 2018

Informational

- A. Activity Report

December 10, 2018

Consent Agenda

- A. Minutes of November 26, 2018

Informational

- A. Activity Report

January 14, 2019

Mayor Reports

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

Council Reports

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

Consent Agenda

- A. Minutes of December 10, 2018

Informational

- A. Activity Report

January 28, 2019

Consent Agenda

- A. Minutes of January 14, 2019

Department Items

- A. The Partnership Annual Report
- B. Municipal Court Quarterly Reports

Informational

- A. Activity Report
- B. Distribution of CAFR and PAFR

February 11, 2019

Special Presentation

- A. CAFR Review – Auditor Jeff Cooley
- B. Quarterly Report – Quarter Ended December 31, 2018
- C. 2019-2020 Budget Calendar

Consent Agenda

- A. Minutes of January 28, 2019

Informational

- A. Activity Report

Executive Session

- A. City Manager Quarterly Evaluation

February 25, 2019

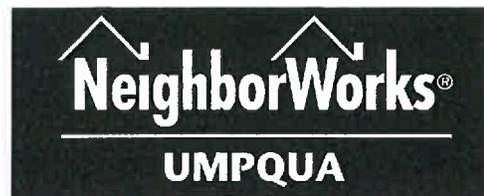
Consent Agenda

- A. Minutes of February 11, 2019

Friday February 9, 2018

Good Friday afternoon everyone! This week flew by again didn't it? While I look back at this week's calendar it looks like I had a couple of blocks of time that were open however, I certainly can't remember not being in meetings the entire week.

Tuesday we hosted this month's Local Public Safety Coordinating Council (LPSCC). The agenda included allocating remaining resources to "transitional housing" and a letter of support from LPSCC to the local housing authority to provide project vouchers to support a veteran's housing project that will be undertaken by NeighborWorks Umpqua (NWU) in the near future. Last year property was donated to NWU for veteran's housing. The property is located on Douglas Avenue and would support 64 housing units. There are currently over 350 veterans signed up on waiting lists for housing in our community. While 64 units will not solve our veterans housing problem, it could make a big dent in the problem. Vouchers can help make units more affordable to those in need, and a local commitment from the housing authority could provide significant benefit to NWU in the pursuit of grants and funding.



Thursday afternoon Councilor Kaser chaired the Public Works Commission's regular meeting. Public Works Director, Nikki Messenger, updated the Commission on a number of project closeouts that have been done in the last year or so, and also provided storm drain, street light/sidewalk, and transportation fund Capital Improvement five-year plan draft information. The Commission reviewed the draft that will be coming forward to Council for approval in the future. We wanted the Commission to review the first year of the plan in some detail as it will be included in the 2018-19 budget. There are no significant changes from the prior plan and the Commission supported inclusion of the proposed projects in the budget.

Nikki and one of our City Engineer's, Mark Rodgers, provided the Commission with a draft of an updated American's with Disabilities Act (ADA) Title II Transition Plan that was prepared by Century West Engineering. The plan is a federal requirement and this update will provide a roadmap for the prioritization and implementation of ADA improvements that will need to be constructed or reconstructed in the City's public right of way. The approximately 80 page document can be found at the following link if you are interested in the draft.

http://www.cityofroseburg.org/files/7115/1761/8357/2-8-18_PW.pdf

The Commission will continue to review the draft and wait until after the public comment period to complete its review and then forward a recommendation to City Council. The

draft plan was shared with the local disAbilities Network and we look forward to feedback and input from that group and other individuals impacted by the needed improvements. Please stay tuned, this will be forwarded to Council later in the spring.

The Commission recommended approval of a task order to begin design for this year's Pavement Management System program as well. That task order approval is on your Council agenda for Monday evening. Murraysmith, Inc. has been providing our program design work under a five-year contract, but each task order in excess of \$50,000 requires Council approval. There is a memo in your packet outlining the priority projects for this summer's work that Murraysmith will be designing.

This afternoon I will be in Salem testifying at the request of the League of Oregon Cities in support of House Bill 4127 which amends the statute relating to Qualification Based Selection processes. The measure includes a provision that allows the agency to request and consider pricing from up to five qualified contractors after going through the initial qualification process. If passed, this will allow local governments to balance both the cost of the service and quality of the service on consulting projects. This would allow for more transparency and a more justifiable basis for award of major engineering and architectural contracts. The bill can be found at <https://olis.leg.state.or.us/liz/2018R1/Downloads/MeasureDocument/HB4127> .

Your agenda includes an Ordinance that will establish the Roseburg Public Library and add a Chapter to the Code creating a Library Commission. This is the culmination of almost a year of work, and will now be a jumping off point for the City in our efforts to reopen the facility as a Roseburg Library. We look forward to continuing on that road and to hopefully move forward with the renovation and remodel work in an effort to open later this year. We are currently working on a timeline for renovation, program development and hiring so that we can provide Council and the public with that information in the very near future.



As a heads up, we will hold an Urban Renewal meeting after Council Monday evening to consider a property transaction related to the Stewart Parkway/Edenbower Project. You have reviewed the property in the past and after executive session, staff is asking that the Urban Renewal Board provide staff with the authority to acquire the necessary property. Again, we will discuss the issue in executive session prior to asking for approval.

Have a great weekend everyone. See you Monday!