

ROSEBURG CITY COUNCIL AGENDA – JULY 9, 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**

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|---------------|---------------------|--------------|------------------|
| 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**
- 6. Audience Participation – See Information on the Reverse**
- 7. Consent Agenda**
 - A. Minutes of Regular Meeting of June 25, 2018
- 8. Ordinance**
 - A. Ordinance No. 3502 – Diamond Lake Urban Renewal Plan, Second Reading
- 9. Department Items**
 - A. Proposed City Voters’ Pamphlet
 - B. Proposed Regulations for Vehicle for Hire Services - Update
 - C. Library Renovation CM/GC Contract Amendment – Construction 18PW06
- 10. Informational**
 - A. Activity Report
- 11. Items from Mayor, City Council**
- 12. Adjournment**
- 13. Executive Session ORS 192.660(2)(d) – Labor Negotiations**

***** 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.

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**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
June 25, 2018**

Mayor Larry Rich called the regular meeting of the Roseburg City Council to order at 7:01 p.m. on June 25, 2018 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon. Councilor McDonald led the Pledge of Allegiance.

ROLL CALL

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

Others present: City Manager Lance Colley, City Recorder Amy Sowa, City Attorney Bruce Coalwell, Public Works Director Nikki Messenger, Human Resources Director John VanWinkle, Fire Chief Gregg Timm, Incoming Fire Chief Gary Garrisi, Community Development Director Stuart Cowie, Police Chief Jim Burge, Incoming Police Chief Gary Klopfenstein, Police Captain Jerry Matthews, Management Assistant Koree Tate, Police Staff Assistant Yvonne Russell, Carisa Cegavski of the News Review and Kyle Bailey of KQEN.

MAYOR REPORTS

Mayor Rich thanked Public Works Director, Nikki Messenger, and Staff for the new Fir Grove Splash Pad and Playground and stated it was a good opportunity for children to be in the water to cool down.

COMMISSION AND COUNCIL WARD REPORTS

Councilor Fisher-Fowler shared the Airport Commission did not have a quorum and those present received a verbal update. Councilor Eggers stated she was unable to attend the ribbon cutting ceremony for the new Splash Pad and Playground, but had received many great remarks about the finished project. Councilor Prawitz reported he held his second Library Commission meeting. He and the Commission are looking forward to the arrival of the new Library Director. The Commission discussed efforts to make the library a community center for literacy and that all are welcome when the library opens. Councilors Prawitz and Ryan attended a MedCom meeting to review and approve their budget. Councilor Ryan shared the Music on the Half Shell concert series begins June 26th.

SPECIAL PRESENTATION – DOUGLAS COUNTY HISTORICAL SOCIETY

Peggy Rowe-Snyder, President of Douglas County Historical Society, provided information regarding the history of the Floed-Lane House. It was one of the first buildings built in Roseburg and the only one left that is directly tied to the General, Joseph Lane, who was Oregon's first territorial Governor. Ms. Rowe-Snyder shared this museum is special because collections are from pioneers and not just collections of various antiques. Volunteers manage the facility and provide tours on Saturdays and Sundays from 1:00 to 4:00 p.m. Mayor Rich thanked Ms. Rowe-Snyder for her information and invitation to tour the facility.

EMPLOYEE RECOGNITION

Mayor Rich announced the retirement of four City employees. Mr. Colley shared his appreciation for their years of service, dedication to public safety and combined 120 years of service to the community. Mayor and Council congratulated Fire Chief Gregg Timm, Police Chief Jim Burge, Police Captain Jerry Matthews and Police Staff Assistant Yvonne Russell.

AUDIENCE PARTICIPATION

Robert Dannenhoffer, Umpqua Community Health Center Physician, 255 Dawson Road, shared information regarding blue green algae in the South Umpqua River. He explained toxins can be released in areas that are confined and are most harmful to animals. Dr. Dannenhoffer explained there has always been algae in the river, which hasn't changed much over time. In response to Councilor Hicks, Dr. Dannenhoffer said he was unaware of any specific reports of human or animal illnesses or incidents at this time within the city limits.

CONSENT AGENDA

Councilor Ryan moved to approve the minutes of the regular meeting of June 11, 2018. Motion was seconded by Councilor Hicks and carried unanimously.

RESOLUTION 2018-15 – IN SUPPORT OF A COUNTY-WIDE NON TAX TRANSPORTATION DISTRICT

Mr. Colley reported Douglas County currently is the government agency responsible for public transit in the County. They provide services through a series of contracts for UTrans services, Dial-a-Ride, UVDN and other providers. With the passage of HB 2017 during the 2017 legislative session, there will be a significant increase in the funds available for rural public transit. Douglas County initially began exploring the concept of a non-property tax district with its providers some time ago. Formation of a district with elected volunteer board members similar to other special districts that would concentrate their efforts only on public transit/transportation issues, appears to be a very appropriate local agency direction to take. Mr. Colley expressed this was a great opportunity to expand services throughout the County and particularly in each City.

Because there are timelines that must be met in order to allow for board elections to occur in November, the County must complete their process to form the transportation district in early July. The Board of Commissioners is asking that each City determine if they would like to be formally included in the district and receive services directly through the future district. Mr. Colley thought this was a great opportunity for the City of Roseburg to receive enhanced transportation services in the future. If Council chooses not to join the district at this time, there could be a period of service interruption while an intergovernmental agreement is drafted with the new district. Joining the district up front does not appear to have any downside and will allow the City to work with a new district board from the beginning to enhance services to the community and the surrounding area. There are no direct financial or resource considerations. All of the funding for a non-tax transportation district will be provided through federal and state resources and will be administered by an unpaid elected board similar to City Council.

In response to Councilor Kaser, Mr. Colley explained UTrans and nine other providers are on contract with the County to provide services in the area. When the district is formed, it will transfer the contracts, but services will not change. Councilor Ryan wanted to know if the yearly payment to UTrans would potentially discontinue. Mr. Colley explained payments are to UTrans, not the County. If the taxing district provides enough funds, the City may not need to continue paying each year. Councilor Hicks wanted to know if all cities have agreed to participate or if some had opted against joining. Douglas County Transportation System Mobility Manager, Dennis Pinheiro, explained other cities were currently discussing this same question. Mr. Pinheiro stated five cities were passing the resolution and Myrtle Creek was

taking more time to provide their decision. Councilor Hicks asked how the Board would determine projects for the cities who adopt the resolution. Mr. Pinheiro responded there would be a special transportation advisory committee and surveys to determine transportation needs from city to city. Surveys will provide information from residents to identify needs that will be presented to the Board to help select projects that will move forward. In response to Councilor Prawitz, Mr. Pinheiro explained funding is anticipated conservatively at 2.5 million dollars. Councilor Hicks asked how the Board would be selected and Mr. Pinheiro confirmed it would be part of the November election.

Councilor McDonald moved to adopt Resolution No. 2018-15, a Resolution approving the Douglas County Commission's order initiating the formation of a county-wide transportation district. Motion was seconded by Councilor Zielinski and approved unanimously. Councilor McDonald added this was a necessary first step and not being part of the district would be a great disservice to those who rely on the transit service.

PUBLIC HEARING – DIAMOND LAKE URBAN RENEWAL PLAN – ORDINANCE NO. 3502

Mayor Rich opened the public hearing at 7:51 p.m. regarding the Diamond Lake Urban Renewal Plan. Mr. Colley introduced Elaine Howard with Elaine Howard Consulting, LLC who provided a presentation explaining the process for the new Diamond Lake Urban Renewal area. Ms. Howard explained the Diamond Lake Urban Renewal Plan (Plan) was developed for the City Council with input from an Advisory Committee that was formed for this purpose. The Advisory Committee was composed of representatives from the community, Douglas County, Roseburg School District, Oregon Department of Transportation, Roseburg City Council, Roseburg Planning Commission and Roseburg staff.

The purpose of urban renewal is to improve specific areas of a city that are poorly developed or underdeveloped. These areas can have old deteriorated buildings, public spaces which need improvements, a lack of investment, streets and utilities in poor condition or they can lack streets and utilities altogether. The Area has many properties that are undeveloped or under developed and lacks sufficient infrastructure within the Area. The Plan contains goals, objectives, and projects for the development of the Area. The Advisory Committee met three times to discuss and refine the boundary, projects and financing of the Plan. The Plan also includes input from the community received at the public Open House through comments made during the Open House and comment cards that were filled out at the Open House. The Open House was attended by some members of the Advisory Committee, Roseburg staff and the consultant.

Public meetings have been held at the Roseburg Urban Renewal Agency (Agency), before the Roseburg Planning Commission and City Council. Pursuant to the Roseburg City Charter and Oregon Revised Statute (ORS) 457, this Plan will go into effect when it has been adopted by a non-emergency ordinance by the City Council. The Plan is to be administered by the Agency.

Ms. Howard stated the mailing sent to property owners had specific requirements per State statute. These requirements sometimes alarm people when taxes and indebtedness is mentioned. The property in the Urban Renewal boundary does not come with restrictions to the property owners. The City will focus on investments in that area. Maximum indebtedness is a feature showing the maximum the City can spend over the life of the Plan. At the time of adoption, the Assessor freezes the tax base. Taxes will continue going to all taxing

jurisdictions, but increases will move to the Urban Renewal Agency to use for projects in the area. Urban Renewal areas help forecast growth and entice investors to come to the area. In response to Mayor Rich, Ms. Howard added there will be a 3% growth due to the infrastructure the City is planning to add in the area.

Councilor Eggers added safety and transportation was important as things have changed over the years. She wanted to know how information would be given to encourage investors for new housing developments. Mr. Colley said staff have already been contacted by potential investors interested in the area. In response to Councilor McDonald, Mr. Colley explained the Plan identified as much property as possible for the area. Councilor Hicks asked for clarification regarding bicycle and pedestrian improvements. Mr. Colley explained there were specific areas outlined in the project including Douglas Avenue east of Ramp Road. All improvements will need to meet City standards. When projects are identified that can be funded through ODOT, there is typically a 10 to 20 percent match requirement.

Valynn Currie, 331 Pamona Street, stated she was in favor of the new Urban Renewal Area and looked forward to seeing apartments and homes added that would improve tax revenue.

George Gibby, 670 Frontier Lane, expressed his support for the effort Staff had started for the Urban Renewal Area. He had been through the Garden Valley development and remembered when there used to be a lumber yard and pond. Mr. Gibby offered to meet with Staff to discuss options in the Diamond Lake area.

Dick Dolgonas, 1335 SE Overlook, said the Diamond Lake Area is in need of help. He appreciated the presentation and suggested following guidelines provided by Blue Zones Umpqua to encourage public participation to determine the best projects, and spend money in areas that will have the most impact on the community. Mr. Dolgonas added he would like to see Winchester Street become more pedestrian friendly.

Burt Tate, 444 Winchester, expressed displeasure with the planning for the new area. He would like improvements to the safety, aesthetics and overall quality of the area. He felt there was a lot of traffic noise and home values would increase if sound walls were included in the project. Attracting people to the area will involve less sound, more trees and bike and pedestrian friendly areas. Mr. Tate gave the example of Jackson Street and Main Street. Jackson Street typically has more business and foot traffic due to the shade from the trees. He would like the City to incorporate standard facades like other cities to attract businesses and people to the area. He expressed the importance of helping the community become healthier and to make eastern Roseburg one of the most beautiful parts of the State that will attract others to visit.

John McLean, 1908 NW Oerding Avenue, stated the success of a project is subjective and before shovels go in the dirt, he hoped there would be a change on the focus. He thought the City should focus on principles like Blue Zones Umpqua for bicycles and increasing to a Silver status. He expressed concern and hoped changes would not be motorist focused only. Mr. McLean added he was not comfortable riding his bicycle on Stewart Parkway due to narrow bike path and speeding traffic.

Brian Shelton-Kelly, NeighborWorks Umpqua, shared he is in the process of development plans for affordable housing and a home ownership project. He said he sees the Urban Renewal Area as fundamental for redevelopment and noted that financiers are looking for this type of tool to help them with housing options.

As no one else wished to speak, Mayor Rich closed the hearing at 8:46 p.m. Council asked Ms. Sowa to proceed with reading Ordinance No. 3502. Ms. Sowa read Ordinance No. 3502 for the first time, entitled: "An Ordinance Making Certain Determinations and Findings Relating to and Approving the Diamond Lake Urban Renewal Plan and Directing that Notice of Approval be Published."

PROPOSED CITY VOTERS' PAMPHLET

Ms. Sowa explained candidates from cities with a population of 50,000 or more have the opportunity to submit information for inclusion in the State Voters' Pamphlet. City of Roseburg candidates do not have the opportunity to submit their information. Citizens often contact the City to obtain additional information on local candidates and measures, but the City is limited to provide only the State filing documents candidates are required to file.

Per discussions with the State Elections Division, staff has been told that cities are allowed to create and produce a Voters' Pamphlet independent from the State Voters' Pamphlet. Other cities in Oregon have drafted policies and procedures which include many of the same requirements as set forth for the State Voters' Pamphlets, to provide a local Voters' Pamphlet with information on local candidates and measures. Staff has drafted a similar policy for Council's consideration and has contacted the Douglas County Elections Clerk who is supportive of the City moving forward.

Information regarding candidates would be submitted by the candidate or their treasurer. The City's policy would include a disclaimer that the City would not guarantee whether the information is accurate and current. Information regarding a City measure could be provided by the City and would include a summary which concisely and impartially summarizes the measure and its major effects. In addition to candidate and measure information, a local Voters' Pamphlet would include additional general information related to the election process such as the location of drop boxes, requirements for a citizen to qualify as an elector, how an elector may register or re-register to vote, and how an elector may obtain a ballot.

In order for the City Recorder to proceed with creating a City Voters' Pamphlet, Code revisions would also be required. A draft ordinance was provided which includes the proposed changes to the RMC allowing production of a City Voters' Pamphlet. In addition, a resolution and draft policy was provided for Council consideration. Staff proposes that the Online Voters' Pamphlet be titled, "*City of Roseburg Election Information*" to avoid confusion with the State Voters' Pamphlet. Drafting a City Voters' Pamphlet will take additional staff time; therefore, it is recommended that Council set a fee for submittals to the City Voters' Pamphlet at \$25. This fee would be required for any candidate submitting their information, or anyone submitting an argument in favor or in opposition to a local measure. If Council agrees with charging a fee, a resolution will be drafted for formal adoption during a July Council meeting. Mayor Rich said this would be a nice option to help voters in the community learn more about candidates and a good opportunity to include others. In response to Councilors Ryan and Fisher-Fowler, Ms. Sowa added she would research other entities to include in the pamphlet. Councilor Kaser

asked if any issues arose in Springfield with the online pamphlet. Ms. Sowa confirmed submissions were checked for obscenity, hateful language and spelling, but those who used the online pamphlet did not submit slander or inappropriate information. Mayor and Council asked Ms. Sowa to continue researching additional entities to be included and bring this discussion back to the next meeting.

DOUGLAS COUNTY FIRE DISTRICT NO. 2 DIVISION OF ASSETS – REQUEST FOR REDUCTION

Mr. Colley reported the 2016 Intergovernmental Agreement (IGA) between the City of Roseburg and Douglas County Fire District No. 2 addresses the Division of Assets when property is annexed into the City and withdrawn from Douglas County Fire District No. 2. The calculation to determine the funds owed to the City includes a ratio (the total value of the property annexed divided by the total assessed value of the District) multiplied by Net Assets. The current calculation does not include the District's most significant liability related to PERS. The request from Douglas County Fire District No. 2 is that the City consider reducing this year's contribution by 50%, and including the District's pension liability in future calculations.

Douglas County Fire District No. 2 Fire Chief Rob Bullock consulted with City Manager Lance Colley regarding the District's request. City Manager Colley supports the reduction and consideration of the District's PERS liability for future Division of Assets. This reduction would not adversely affect the current City budget. If Council agrees to the reductions, Staff would propose allocating the current year's funds received from the District (approximately \$67,000) to the seismic upgrades to Fire Station #3. Councilor McDonald wanted to know what would happen if the reduction was at 100%. Mr. Coalwell stated the agreement would need re-negotiated. In response to Councilor Prawitz, Mr. Colley added this reduction was specific to fire only. Councilor McDonald stated he would be in favor of authorizing the City Manager to re-negotiate in the future if needed. Councilor Ryan moved to reduce the division of assets from Douglas County Fire District No. 2 for 2018 by 50% and include the district's PERS liability for future division of assets. Motion was seconded by Councilor McDonald and carried unanimously.

ROSEBURG HEAD START – BID AWARD

Mr. Cowie stated all preliminary work required by HUD has been completed for this project and construction of the building is ready to begin. The project was designed by Pinnacle Architecture. The CDBG project award to the City provides \$1.5 million toward construction of a permanent Head Start Facility. UCAN will provide additional funding of \$2.4 million for a total project cost of nearly \$3.9 million. The project architect reviewed the bids and found the lowest bidder submitted all required documentation and is considered both responsive and responsible. Money has been budgeted and is available. In response to Councilor Hicks, Mr. Cowie added the project completion is scheduled for spring 2019. Councilor Ryan moved to award the Head Start Facility Construction project to the lowest responsible bidder, Zerbach Construction, for \$3,291,790.40, upon expiration of the 7-day Notice of Intent to Award. Motion was seconded by Councilor McDonald and unanimously approved. Mike Fieldman, UCAN Executive Director, thanked Council, City Manager and Staff for working on this project. He added this process took a considerable amount of time and could not have been accomplished without the City.

ITEMS FROM MAYOR, COUNCIL AND CITY MANAGER

Councilor McDonald shared he took his family to the new Splash Pad and Playground and enjoyed the new park. Councilor Kaser attended a League of Oregon Cities Board Meeting and asked Council to review the survey of priorities for upcoming legislature and their new website. Councilor Hicks thanked Dr. Dannenhoffer for providing information pertaining to blue green algae in the South Umpqua River and encouraged others to continue using the river but avoid any discolored puddles. Mr. Colley thanked Ms. Messenger, Mr. Harker, Ms. Sowa, Ms. Tate and other City Staff who helped with the Urban Renewal process. He added this was a great opportunity and Council took a huge step to proceed with future changes.

ADJOURNMENT

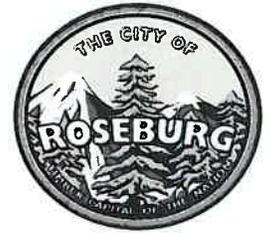
The meeting adjourned at 9:13 p.m.



Koree Tate
Management Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

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7-3-18



DIAMOND LAKE URBAN RENEWAL PLAN

Meeting Date: July 9, 2018
Department: Administration
www.cityofroseburg.org

Agenda Section: Items from Departments
Staff Contact: C. Lance Colley, City Manager
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Over the last year, Council and staff have been working towards developing a new Urban Renewal Plan area with the assistance of consultant Elaine Howard.

Council is asked to have the second reading of the proposed ordinance and consider approval of the Diamond Lake Urban Renewal Plan.

BACKGROUND

A. Council Action History

In September of 2017, Council directed staff to proceed with work on the East Roseburg Urban Renewal Plan area. Since that time, with the assistance of consultant Elaine Howard, an Advisory Committee and staff, the proposed Diamond Lake Urban Renewal Plan was drafted and submitted to the Roseburg Planning Commission, Douglas County Commissioners and affected taxing districts for review. The Planning Commission considered the Plan and Report and adopted a finding that the Plan conformed with the Roseburg Comprehensive Plan. The other agencies expressed no concerns with the Plan.

A public hearing was held on June 25, 2018 before the City Council to accept testimony on the Plan. Testimony was heard and a first reading held on the proposed ordinance.

B. Analysis.

The Diamond Lake Urban Renewal Plan (Plan) was developed for the City Council with input from an Advisory Committee that was formed for this purpose. The Advisory Committee was composed of representatives from the community, Douglas County, Roseburg School District, Oregon Department of Transportation, Roseburg City Council, Roseburg Planning Commission and Roseburg staff.

The Advisory Committee met three times to discuss and refine the boundary, projects and financing of the Plan. In addition to the projects proposed by staff, the Advisory Committee requested a project for "Beautification" be added to the project list. Advisory Committee members noted there was very little "sense of place" in the Diamond Lake Urban Renewal Area (Area) and that condition could be addressed by improved conditions along Diamond Lake Boulevard, including beautification projects.

The Plan also includes input from comment cards that were filled out at the Open House. The Open House was attended by some members of the Advisory Committee, Roseburg staff and the consultant.

Public meetings have been held at the Roseburg Urban Renewal Agency (Agency), before the Roseburg Planning Commission and City Council. Pursuant to Roseburg City Charter and Oregon Revised Statute (ORS) 457, this Plan will go into effect when it has been adopted by a non-emergency ordinance by the City Council. The Plan is to be administered by the Agency.

C. Financial/Resource Considerations.

The Diamond Lake Urban Renewal Area (Area) consists of approximately 711.54 acres of land, including right of ways.

The purpose of urban renewal is to improve specific areas of a city that are poorly developed or underdeveloped. These areas can have old deteriorated buildings, public spaces which need improvements, a lack of investment, streets and utilities in poor condition or they can lack streets and utilities altogether. The Area has many properties that are undeveloped or under developed and lack sufficient infrastructure. The Plan contains goals, objectives, and projects for the development of the Area. The goals of the Plan are listed in Section III of the attached Plan. The specific projects proposed in this Plan are outlined in Section V and include:

- Economic Development
- Housing Incentives
- Public Safety
- Transportation
- Transportation – Economic Development
- Transportation – Multi-modal
- Transportation – Safety
- Beautification.

The overall purpose of the Plan is to use tax increment financing to overcome obstacles to the proper development of the Area.

Urban renewal is unique in that it brings its own financing source: tax increment financing. Tax increment revenues - the amount of property taxes generated by the increase in total assessed values in the urban renewal area from the time the urban renewal area is first established – are used to repay borrowed funds. The funds borrowed are used to pay for urban renewal projects. The Plan is projected to take 30 years of tax increment revenue collection.

D. Timing Considerations.

The public hearing and first reading of the proposed ordinance were conducted on June 25, 2018. The second reading and vote by City Council are scheduled for this evening's meeting. The ordinance must be a non-emergency ordinance, which means that the ordinance does not take effect until 30 days after its approval and during that period of time

may be referred to Roseburg voters if a sufficient number of signatures are obtained on a referral petition.

STAFF RECOMMENDATION/COUNCIL OPTIONS: Staff recommends Council conduct a second reading and adopt the proposed ordinance approving the Diamond Lane Urban Renewal Plan.

SUGGESTED MOTION: *"I MOVE TO ADOPT ORDINANCE NO. 3502."*

ATTACHMENTS: #1 –Ordinance Making Certain Determinations and Findings Relating To and Approving the Diamond Lake Urban Renewal Plan and Directing that Notice of Approval be Published.

ORDINANCE NO. 3502**AN ORDINANCE MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE DIAMOND LAKE URBAN RENEWAL PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED**

WHEREAS, the Roseburg Urban Renewal Agency (“Agency”), as the duly authorized and acting urban renewal agency of the City of Roseburg, Oregon, is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has caused the preparation of the Diamond Lake Urban Renewal Plan attached hereto as Exhibit A (the “Plan”). The Plan authorizes certain urban renewal activities within the Diamond Lake Urban Renewal Area (the “Area”); and

WHEREAS, the Agency has caused the preparation of a certain Urban Renewal Report dated June 25, 2018 attached hereto as Exhibit B (the “Report”) to accompany the Plan as required under ORS 457.085(3); and

WHEREAS, during their April 23, 2018 the Agency passed a motion sending the Plan and Report out for public review, including forwarding the Plan and Report to the Roseburg Planning Commission (the “Commission”) for review and recommendation. The Planning Commission considered the Plan and Report on May 7, 2018 and adopted a finding that the Plan conformed with the Roseburg Comprehensive Plan; and

WHEREAS, the Plan and the Report were forwarded on April 30, 2018 to the governing body of each taxing district affected by the Plan, and the Agency has thereafter consulted and conferred with each taxing district; and

WHEREAS, on May 1, 2018 the City met with representatives of Douglas County to review the Plan, including proposed maximum indebtedness for the Plan; and

WHEREAS, the City Council has not received any written recommendation from the governing bodies of the affected taxing districts; and

WHEREAS, in May and June, the City caused notice of the hearing to be held before the Council on the Plan, including the required statements of ORS 457.120(3), to be mailed to utility customers within the City’s incorporated limits through utility bills; and

WHEREAS, on June 25, 2018 the City Council held a public hearing to review and consider the Plan, the Report, the recommendation of the Roseburg Planning Commission and the public testimony received on or before that date and to receive additional public testimony; and

WHEREAS, The City Council found that the Plan conforms with all applicable legal requirements; and

WHEREAS, after consideration of the record presented through this date, the City Council does by this Ordinance desire to approve the Plan.

NOW THEREFORE, THE COUNCIL OF THE CITY OF ROSEBURG HEREBY ORDAINS THAT:

Section 1. The Plan complies with all applicable requirements of ORS Chapter 457 and the specific criteria of 457.095(1) through (7), in that, based on the information provided in the Report, the Roseburg Planning Commission Recommendation, and the public testimony before the City Council:

1. The process for the adoption of the Plan has been conducted in accordance with the applicable provisions of Chapter 457 of the Oregon Revised Statutes and all other applicable legal requirements;
2. The area designated in the Plan as the Diamond Lake Urban Renewal Area (“Area”) is blighted, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan because of conditions described in the Report in the Section “Existing Physical, Social, and Economic Conditions and Impacts on Municipal Services”, including the existence of inadequate streets and other rights of way, open spaces and utilities and underdevelopment of property within the Area (ORS 457.010(1)(e) and (g));
3. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to protect the public health, safety or welfare of the City because absent the completion of urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according the goals of the City’s Comprehensive Plan;
4. The Plan conforms to the Roseburg Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan as more fully described in Section XI of the Plan and in the Roseburg Planning Commission Recommendation;
5. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities proposed in the Plan and therefore the Plan does not include provisions to house displaced persons;
6. The acquisition of real property provided in the Plan is necessary for the development of infrastructure improvements in the Area; because the Agency does not own all the real property interests (e.g., rights-of-way, easements, fee ownership, etc.) that will be required to undertake and complete these projects as described in Section V of the Plan. No property is specifically identified for acquisition. If a property is to be acquired the Plan will be amended to indicate the parcels to be acquired. and
7. Adoption and carrying out the Plan is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and

ORS 457.440 and other available funding as more fully described in the Sections of the Report;

8. The City shall assume and complete any activities prescribed it by the Plan; and
9. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

Section 4: Diamond Lake Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, the Roseburg Planning Commission Recommendations, each of which is hereby accepted, and the public testimony in the record.

Section 5: The City Recorder shall forward forthwith to the Agency a copy of this Ordinance.

Section 6: The Agency shall thereafter cause a copy of the Plan to be recorded in the Records of Douglas County, Oregon.

Section 7: The City Recorder, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Plan including the provisions of ORS 457.135, in the The News Review no later than four days following adoption of this Ordinance.

Adopted by the City Council of the City of Roseburg this 25th day of June, 2018.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, CITY RECORDER

Attachments: Exhibit A – Diamond Lake Urban Renewal Plan
Exhibit B – Report on the Diamond Lake Urban Renewal Plan
Exhibit C – Roseburg Planning Commission Recommendation on
the Diamond Lake Urban Renewal Plan

ORDINANCE NO. 3502 ATTACHMENTS

The Urban Renewal Plan and Report as referenced in Ordinance No. 3502, are available on the City's website at the following links.

Urban Renewal Plan:

http://www.cityofroseburg.org/files/7715/2849/2683/6-2018_Urban_Renewal_Plan..pdf

Accompanying Report to the Plan:

http://www.cityofroseburg.org/files/4115/2848/3514/6-2018_Report_Accompanying_Urban_Renewal_Plan.pdf

These documents are also available by request from the City Manager's Office by calling 541-492-6866.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

ALS
7-5-18



PROPOSED CITY VOTERS' PAMPHLET

Meeting Date: July 9, 2018
Department: Administration
www.cityofroseburg.org

Agenda Section: Items from Departments
Staff Contact: Amy L. Sowa, City Recorder
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

On June 25, 2018, Council reviewed a proposal to amend the Roseburg Municipal Code to allow the City to create a City Voters' Pamphlet, and a resolution authorizing the City Recorder to draft a policy and procedures to allow City of Roseburg candidates to submit information to be included in an Online Voters' Pamphlet. In addition, arguments for or in opposition to local measures could be submitted.

BACKGROUND

A. Council Action History. On June 25, 2018, Staff presented information to the Council regarding a proposed City Voters' Pamphlet. It was recommended that if Council would like to have the City publish a voters' pamphlet, it be the electronic version only rather a published pamphlet mailed to all electors due to the cost. Council was supportive of an Online City Voters' Pamphlet and asked staff to contact Roseburg Public Schools, Roseburg Urban Sanitary Authority (RUSA), Umpqua Community College and the Douglas Education Service District (ESD) to include their candidates and measures as well. Staff contacted all of the agencies listed and all have indicated support.

B. Analysis. Candidates from cities with a population of 50,000 or more have the opportunity to submit information for inclusion in the State Voters' Pamphlet. Candidates for local office in Roseburg do not have the opportunity to submit their information. Citizens often contact the City to get additional information on local candidates and measures, but the City is limited to provide only the State filing documents candidates are required to file. Producing a local Voters' Pamphlet would provide electors with additional information about the candidates and measures on the ballot.

In order for the City Recorder to proceed with creating a City Voters' Pamphlet, Code revisions would be required. A draft ordinance is attached which includes the proposed changes to the Roseburg Municipal Code (RMC) allowing production of a City Voters' Pamphlet for candidates and measures for the following agencies: City of Roseburg, Roseburg School District, Roseburg Urban Sanitary Authority, Umpqua Community College and Douglas Education Service District. In addition, a resolution and draft policy is attached for Council consideration to be adopted on July 23, 2018 in conjunction with adoption of the ordinance. Staff proposes that the Online Voters' Pamphlet be titled, "*City of Roseburg Election Information*" to avoid confusion with the State Voters' Pamphlet.

C. Financial/Resource Considerations. It is recommended that Council set a fee for submittals to the City Voters' Pamphlet of \$25 to help offset staff costs. This fee would be required for any candidate submitting their information, or anyone submitting an argument in favor or in opposition to a local measure. A resolution setting that fee will be presented for adoption on July 23, 2018.

D. Timing Considerations. In order for a City Voters' Pamphlet to be prepared in time for the upcoming General Election in November, staff requests Council conduct a first reading this evening and move the ordinance forward for a second reading and adoption at the July 23, 2018 Council meeting. The resolution and policy, and fee setting resolution could also be adopted on July 23, 2018.

STAFF RECOMMENDATION/COUNCIL OPTIONS: No motion is required at this time, only consensus to proceed with first reading of Ordinance #3503.

SUGGESTED MOTION: No motion required at this time.

**ATTACHMENTS: #1 – Proposed Ordinance Amending RMC Section 2.02.005, Adding RMC Section 2.02.075, and Amending RMC Section 2.06.005.
#2 – Proposed Resolution w/Attached City Voters' Pamphlet Policy**

ORDINANCE NO. 3503

AN ORDINANCE AMENDING SECTION 2.02.005 “DEFINITIONS”, ADDING SECTION 2.02.075 “LOCAL VOTERS’ PAMPHLET”, AND AMENDING SECTION 2.06.005 “DEFINITIONS” OF THE ROSEBURG MUNICIPAL CODE ESTABLISHING A PROCESS FOR CREATING A VOTERS’ PAMPHLET

SECTION 1. Chapter 2.02, Section 2.02.005, titled “Definitions” of the Roseburg Municipal Code is hereby amended by adding the following definitions:

- A. “Candidate” means an individual whose name is printed or expected to be printed on the ballot after meeting filing requirements.
- B. “College” for purposes of this Section means Umpqua Community College.
- C. “Education Service District” for purposes of this Section means Douglas Education Service District.
- D. “Electorate” means the registered voters in the City of Roseburg, Roseburg School District 4, Roseburg Urban Sanitary Authority district, Umpqua Community College district, and Douglas Education Service District.
- E. “Sanitary Authority” for the purposes of this Section means the Roseburg Urban Sanitary Authority.
- F. “School District” for purposes of this Section means the Roseburg School District #4.

SECTION 2. Chapter 2.02, Section 2.02.075, titled “Local Voters’ Pamphlet” is hereby added to the Roseburg Municipal Code to read as follows:

Except as may be required by ORS Chapter 192, it shall not be necessary, in connection with any election conducted pursuant to this section, to prepare or distribute any voters’ pamphlet, nor distribute to voters any copies of candidate lists, measures or arguments.

- A. The Council may, by motion, resolution or ordinance, provide for the preparation and distribution of a printed voters’ pamphlet that includes copies of candidates list, statements from candidates, measures or arguments relative to measures to be considered and voted upon at any such election.
- B. The Council may, by motion, resolution or ordinance, provide for the preparation and make available, an electronic voters’ pamphlet or make available electronically, candidates list, statements from candidates, measures or arguments relative to measures to be considered and voted upon at any city, school district, college, sanitary authority or education service district election. An electronic voters’ pamphlet may be prepared independent of or in lieu of, a printed voters’ pamphlet.

7/09/2018

- C. Standards for printed and electronic voters' pamphlet shall be set by policy and approved by the City Manager.

SECTION 3. Chapter 2.06, Section 2.06.005, titled "Definitions" of the Roseburg Municipal Code is hereby amended by adding the following definitions:

- B. "Initiative" means the process of initiating legislation and its enactment or rejection by the electorate.
- C. "Measure" means legislation referred to the voters either by referendum or initiative.
- D. "Referendum" means the process of referring legislation to the electorate.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ___ DAY OF JULY, 2018.

APPROVED BY THE MAYOR THIS ___ DAY OF JULY, 2018.

LARRY RICH, MAYOR

ATTEST:

AMY L. SOWA, CITY RECORDER

RESOLUTION NO. 2018-_____

**A RESOLUTION ADOPTING
THE CITY OF ROSEBURG VOTERS' PAMPHLET POLICY**

WHEREAS, the City of Roseburg adopted Ordinance No. _____ Amending Section 2.02.005 "Definitions", Adding Section 2.02.075 "Local Voters' Pamphlet", and Amending Section 2.06.005 "Definitions" of the Roseburg Municipal Code Establishing a Process for Creating a Voters' Pamphlet; and

WHEREAS, Ordinance No. _____ provided the option of a printed or electronic voters' pamphlet with a list of candidates, statements from candidates, measures or arguments relative to measures to be considered and voted upon in the City;

WHEREAS, Ordinance No. _____ authorized that the City Council by motion, resolution or ordinance may provide for the preparation and make available an electronic voters' pamphlet;

WHEREAS, Ordinance No. _____ set forth that standards for the printed and electronic voters' pamphlet shall be set by Policy approved by the City Manager;

WHEREAS, the Voters' Pamphlet Policies written and approved are attached;

WHEREAS, Council now wishes to adopt by resolution the City Manager's policies for a City of Roseburg Voters' Pamphlet.

IT IS HEREBY RESOLVED by the City Council of the City of Roseburg as follows:

Section 1: The City of Roseburg hereby adopts the City Manager's policy for a Voters' Pamphlet.

Section 2: This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE _____ DAY OF _____, 2018.**

Amy L. Sowa, City Recorder

VOTER'S PAMPHLET POLICY
CITY OF ROSEBURG

I. Definitions

Ballot Title. A ballot title describes a City, School District, Sanitary Authority, College or Education Service District measure. All ballot titles must be qualified by the county elections filing officer.

Candidate. An individual whose name is printed or expected to be printed on the ballot after meeting filing requirements set forth in Roseburg Municipal Code §2.02.040 for city offices and ORS 255.235 for school district offices, sanitary authority offices, college offices and education service district offices.

City Elections Filing Officer. The City Recorder is the elections filing officer for the City of Roseburg Mayor and City Council positions.

College. Umpqua Community College.

County Elections Filing Officer. The County Clerk is the elections filing officer for Douglas County and Special Districts.

Education Service District. Douglas Education Service District.

Elective Office. Elective offices shall include Mayor, City Councilor, Roseburg School District 4 board members, Roseburg Urban Sanitary Authority board members, Umpqua Community College board members and Douglas Education Service District board members.

Electorate. The registered voters in the City of Roseburg, Roseburg School District 4, Roseburg Urban Sanitary Authority district, Umpqua Community College district, and Douglas Education Service District.

Initiative. The process of initiating legislation and its enactment or rejection by the electorate.

Measure. Legislation referred to the voters either by referendum or initiative for the City of Roseburg, Roseburg School District 4, Roseburg Urban Sanitary Authority, Umpqua Community College, and Douglas Education Service District.

Referendum. The process of referring legislation to the electorate.

Referral. The process of the governing body referring a measure to voters for approval.

Regular Election. An election held at the same time as the statewide primary or general biennial election.

Sanitary Authority. Roseburg Urban Sanitary Authority.

School District. Roseburg School District 4.

Special Election. An election held on a date that is not a regular election date.

Voter's Pamphlet. An informational brochure that may be in print or electronic form regarding candidate or measure information for an upcoming general or special election. The Voter's Pamphlet may also be referred to as "City of Roseburg Election Information".

II. Purpose

- (1) It is the purpose of the City of Roseburg to create a voter's pamphlet that will provide voters with easy access to information regarding upcoming elections for candidates and/or ballot measures for the City of Roseburg, the Roseburg School District, the Roseburg Urban Sanitary Authority (RUSA), Umpqua Community College (UCC), or Douglas Education Service District (ESD);
- (2) The policy guidelines provided here are designed to provide the City Recorder with flexibility to generate a voters' pamphlet that balances the interests of voters' access to information and the City's interest in efficient and economical means to provide access to that information.

III. City Recorder Duties and Voters' Pamphlet Content

- (1) The City Recorder shall include additional general information related to the election process in the Voters' Pamphlet such as the location of drop boxes, requirements for a citizen to qualify as an elector, how an elector may register or re-register to vote, and how an elector may obtain a ballot. The City Recorder makes no guarantees as to whether the information is accurate and current.
- (2) The City Recorder shall create a voters' pamphlet for a general or special election only when directed to do so by City Council pursuant to RMC § 2.02.075.
- (3) The order of candidates will be by election (City of Roseburg, Roseburg Public School District, Roseburg Urban Sanitary Authority, Umpqua Community College and Douglas Education Service District), and then by order of position. The order of measures will be in numeric order of the ballot number.
- (4) If the City Recorder is directed to create a voters' pamphlet, it shall include:
 - a. For a Measure:
 - i. the full text of the measure;
 - ii. the ballot number;
 - iii. a summary of the measure, created by the City Recorder's Office, that does not exceed 500 words, that which concisely and impartially summarizes the measure and its major effects. If not filed, the Voters' Pamphlet may be printed without it;
 - iv. any arguments relating to the measure and filed with the City Recorder's Office in compliance with Section IV of this policy. Such arguments shall not exceed 325 words.
 - b. For a Candidate:
 - i. the candidate's name to be included on the ballot;
 - ii. the office sought;
 - iii. a portrait no smaller than 1.5 inches by 1.75 inches of the candidate submitted by the candidate no later than 56 days prior to the election date, that is less than four years old, only shows the face and shoulders of the candidate, and has no background or other identifying markers in the picture that would associate the candidate with an organization

- or other entity (if candidate does not submit a portrait then no portrait will be included);
- iv. a statement submitted by the candidate no later than 56 days prior to the election date that includes the candidate's current occupation, occupational and educational background, and any additional information the candidate may deem relevant to the election. The length of the statement shall not exceed 325 words.
- (5) The City Recorder shall reject any statement, argument or other matter offered for filing and printing in the Voters' Pamphlet which:
 - a. Contains any obscene, profane or defamatory language;
 - b. Incites or advocates hatred, abuse or violence toward any person or group; or
 - c. Contains any language which may not be legally circulated through the mail.
 - (6) The City Recorder's determination regarding subsection (5) of this Section III shall be final.
 - (7) Nothing in these guidelines shall make the author of any statement or argument exempt from any civil or criminal action because of any defamatory statements offered for printing or contained in the Voters' Pamphlet. The persons writing, signing or offering a statement or argument for filing shall be deemed its authors and publishers.
 - (8) The City Recorder shall notify a person who offered a portrait, statement, argument or other matter that was rejected pursuant to this section. Subject to the Voters' Pamphlet deadlines, the City Recorder will allow the person upon notification to revise the portrait or statement so that it does not violate the provisions of this section.

IV. Submission and Printing of Arguments/Statements of Endorsement For or Against a Measure or Candidate

- (1) Arguments or statements of endorsement must be filed no later than 56 days prior to the date of the general election. Arguments or statements of endorsement for or against the measure or the candidate shall not exceed 325 words. Arguments or statements of endorsement must include a signature of the individual responsible for submission.
- (2) Each argument or statement of endorsement that is printed in the Voters' Pamphlet will include the name of the person who submitted the argument, the name of the organization the person represents (if any), whether the argument supports or opposes the measure or the candidate, and a disclaimer that the argument does not constitute an endorsement by the City and that the City does not warrant the accuracy of any statement made in the argument.
- (3) The filing fee for an argument or statement of endorsement shall be set by resolution. If a person is unable to pay the filing fee, the City Manager may waive the fee.
- (4) The City Recorder shall reject any statement, argument or other matter offered for filing and printing in the Voters' Pamphlet in the same manner as outlined in Section III (5).

V. Candidate Statement Fees

- (1) The filing fee for a candidate's statement for inclusion in the voters' pamphlet shall be set by resolution. Fees are due at the time the candidate submits his or her portrait and candidate statement. If a person is unable to pay the filing fee, the City Manager may waive the fee.

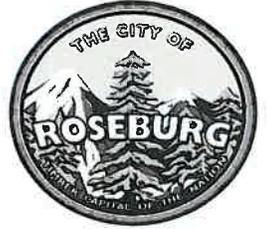
VI. Distribution and Access to the Voter's Pamphlet

- (1) The City Recorder may publish the Voters' Pamphlet in hard-copy or electronically.
 - a. A hard-copy voters' pamphlet may be produced and distributed in a manner that provides voters with reasonable access to the pamphlet. Reasonable access may include, but is not limited to, providing copies of the Voters' Pamphlet at City Hall, the Public Safety Center, or other public facility. (Mailing hard copies to each eligible voter is not required to provide reasonable access); or
 - b. An electronic voters' pamphlet may be provided on the City website or may be provided through a website created for the sole purpose of providing voters with information about upcoming elections.
- (2) The City Recorder shall provide the Voters' Pamphlet in a manner that is reasonably likely to reach registered and potential voters no later than 21 days before the election. Distribution of hard-copy voters' pamphlets to Roseburg residences are "reasonably likely" to reach voters.
- (3) If the pamphlet is only available electronically, the City Recorder shall provide notice to voters that the Voters' Pamphlet is available online. The City Recorder will have discretion to select a method that is reasonably likely to reach voters; methods may include, but are not limited to, mailing a post-card to Roseburg residences notifying the voter(s) of the electronic pamphlet or notification in a city or local newspaper.

VII. Construction and Interpretation of this Policy

- (1) The provisions of this Policy shall be liberally construed to provide the City Recorder or designee with the authority and flexibility to affect the purposes of this Policy.
- (2) Any aspect of the voters' pamphlet not specified in this policy or made ambiguous by the provisions of this policy shall not restrict the City Recorder's authority to use his or her discretion in determining reasonable means to implement this policy.
- (3) The information presented here is not the view of the City. This information is a means of disseminating candidates' and others' views. This is only a platform for information. The information has not been verified for accuracy or truthfulness. The City accepts no responsibility for the accuracy or veracity of the statements or information contained herein.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PROPOSED REGULATIONS FOR VEHICLE FOR HIRE SERVICES - UPDATE

Meeting Date: July 9, 2018
Department: Administration
www.cityofroseburg.org

Agenda Section: Items from Departments
Staff Contact: Amy L. Sowa, City Recorder
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY Council has discussed the proposed draft of an ordinance regulating vehicle for hire services during several Council meetings. The most recent draft of this ordinance is being presented this evening. This ordinance will allow transportation network companies (TNC) such as Uber and Lyft to operate in Roseburg, while allowing traditional taxi service to continue as well.

BACKGROUND

A. Council Action History.

- March 26, 2018: Council directed staff to prepare an ordinance that would allow TNCs to operate in Roseburg along with traditional taxi operators. The ordinance was to be based primarily on the ordinances that had been recently adopted by Medford, Corvallis, Redmond, Salem and most recently Eugene.
- April 16, 2018: Staff presented a draft ordinance to Council during a Special Meeting. After review and hearing testimony on the draft ordinance, Council determined they would continue their review and provide comments to staff over the course of the following week.
- April 17-30, 2018: Staff received and compiled Council's comments which are attached to this memo as Attachment #1.
- The draft ordinance was further reviewed by the City Attorney who proposed some minor corrections and clarifications.
- June 22, 2018: City Manager Lance Colley, City Attorney Bruce Coalwell and City Recorder Amy Sowa held a conference call with Jon Isaacs, a representative of Uber, to discuss the proposed ordinance.
- June 22, 2018: The City Recorder updated the draft ordinance with the change to the age of the vehicle. This ordinance was then emailed to Uber for final comments.

B. Analysis.

After discussing components of the ordinance with Mr. Isaacs from Uber during the June 22, 2018 conference call, it was determined that Uber would be comfortable with the City retaining their current background check requirements for each driver to obtain a Driver's Permit from the City. Uber would continue to do their background check per their policy, but each driver would need to be approved by the City based on our requirements in order to receive the City's driver's permit.

Mr. Isaacs expressed concern with the City's requirement for vehicles to be "no more than ten years old" and asked if that could be changed to "no more than fifteen years old" to match the Uber requirement. Staff felt this was reasonable and has made that change in the attached proposed ordinance. If Council agrees with this change, it would also apply to taxis.

The updated draft ordinance (Attachment #2) was sent to Uber on June 22 with a request to provide any additional comments to the City Recorder by Monday, July 9, 2018.

Below is information to address Council questions and comments received following the April 16 Council meeting:

- Audits:
The updated draft ordinance increased the number of audits the City could perform per year from "up to two", to "up to three times per calendar year".
- Background Checks:
Roseburg currently requires a criminal background investigation on all business applicants, including taxi operators or drivers, be performed by the City of Roseburg Police Department. If a person has ever been convicted of a felony, or of a misdemeanor within the past five years, the applicant can be denied.

Staff recommends that if Council is interested in lessening those requirements, that it be as a separate discussion item in the future to address all business registrations.

- Direct Route Provision:
The current Code section relating to taxicab services currently has the following language regarding direct routes: "Unless otherwise directed by the passenger, any taxicab driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to the desired destination safely and expeditiously."

The draft ordinance includes the following language regarding direct routes: "All TNC, vehicle for hire or taxi drivers employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination."

- Drivers:
There were several comments regarding requirements for drivers and driver permits that Council may want to discuss such as requiring drivers to report a change of vehicle to the City within X # of days; and requiring a driver to provide proof from a certified mechanic that the vehicle has been inspected and passes a safety test.
- Fines:
Currently, RMC Section 1.06.010 sets fines for violations against the provisions of the Code or rules authorized by the Code in an amount up to \$1500.00.
- Insurance:

The insurance provisions were based on those in other cities' ordinances relating to Vehicle for Hire Services.

- License:

Other comments included the license fees which Council has not yet discussed at length.

C. Financial/Resource Considerations. The City currently charges taxi operators an original application investigation fee of \$200 and an annual license fee of \$150 per cab, with the requirement that they have a minimum of three cabs available at all times. They are also charged a taxi vehicle permit fee of \$10 for each taxi they operate. Once a taxi company is established, their annual license fee will cost them a minimum of \$480 (3 cabs @ \$150 each + \$30 each for three taxi vehicle permits.) Taxi drivers are charged an original application investigation fee of \$30 and an annual license fee of \$20.

Attachment #3 to this memo shows a license fee comparison from other cities who are currently allowing TNCs. Once Council determines how to proceed, the related fees will need to be established by resolution.

D. Timing Considerations. Uber has indicated an interest in serving the citizens of the City of Roseburg.

STAFF RECOMMENDATION/COUNCIL OPTIONS: Staff will be prepared to discuss the draft ordinance at the meeting. Council has the following options:

- Direct staff to bring the draft ordinance as presented back for a first reading;
- Request changes to the ordinance to be brought back for a first reading; or
- Choose not to move forward with the ordinance at this time

Staff would also request direction regarding fees for Transportation Network Companies (TNC) if Council chooses to move forward with the proposed ordinance.

ATTACHMENTS: #1 – Memo with Council Comments

#2 – Draft Ordinance – City of Roseburg

#3 – Memo regarding fees from other jurisdictions

cc: Uber, Inc.-1455 Market St. 4th Floor-San Francisco, CA 94103; Sunshine Taxi-1276 Cleveland Rapids Rd.-Roseburg, OR 97471; Elite Taxi-864 SE Stephens St.-Roseburg, OR 97470; Chrono File

Council Comments Received Regarding Vehicle for Hire Services 4/17/2018 thru 4/30/2018

City Council members provided comments during the week following the April 16, 2018 Special Council meeting in which City Recorder Sheila Cox presented information and a draft ordinance regarding Vehicles for Hire Services. Below is a brief synopsis of the issues and questions received:

1. Audit

- Consider giving the City authority to conduct an audit anytime rather than setting scheduled audits. Items to be audited:
 - ✓ Compliance
 - ✓ Logs
 - ✓ Vehicle Safety Inspection

2. Background checks

- Look at modifying current standards
 - ✓ 7 years not sufficient for certain felonies
 - ✓ 5 years not sufficient for certain misdemeanors
 - ✓ No major traffic offenses in 5 years (i.e. DUI, DWS, Reckless, etc.)
- Consider changing only if it is a deal breaker
 - ✓ 20 year background check for drivers of vehicles only
 - ✓ Disqualification for anyone with Class A or B (violent) felonies
- Consider doing background checks of permit holders after permitted as well

3. Direct Route Provision

- Look at removing this section (9.08.120F)

4. Drivers

- Consider requiring drivers to report a change of vehicle to City within X # of days.

- Consider requiring driver to provide proof from a certified mechanic that the vehicle has been inspected and passes a safety test – Section 9.08.110 (adopted by Eugene).
- Consider requiring Vehicle for Hire companies to confirm a driver is permitted upon inquiry from the City.
- Consider requiring Vehicle for Hire companies to give information on a couple of drivers a year to the city.

5. Drivers Permit

- Review standards of issuance to make sure they provide enough guidance to City Recorder

6. Fines

- Consider issuing a \$250 or \$500 fine for operating without being licensed

7. Insurance

- How do insurance requirements interrelate in 9.08.110?
- What liability does the City have which warrants being named as an insured?
- Review and consider changing hold harmless wording

8. License

- Consider changing from “filed with City Recorder” to “filed with the City”
- Consider a minimal annual renewal fee
- Consider just one fee for all drivers (part-time, weekend only, etc.)

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ROSEBURG MUNICIPAL CODE CHAPTER 9.08, ENTITLED
“TAXICAB AND LIMOUSINE SERVICES” AND REPLACING IT WITH NEW CHAPTER 9.08
ENTITLED “VEHICLE FOR HIRE SERVICES”**

SECTION 1. Roseburg Municipal Code Chapter 9.08, entitled “*Taxicab and Limousine Services*” is hereby repealed in its entirety and replaced with a new Chapter 9.08, entitled “*Vehicle For Hire Services*” to read as follows:

**RMC CHAPTER 9.08
VEHICLE FOR HIRE SERVICES**

Sections:

| | |
|----------|--|
| 9.08.005 | Definitions |
| 9.08.010 | Purpose |
| 9.08.020 | Vehicle for Hire Operator’s License Required |
| 9.08.030 | Application for Operator’s License |
| 9.08.040 | Term of Operator’s License |
| 9.08.050 | Operator’s License Fee |
| 9.08.060 | Transfer of Operator’s License |
| 9.08.070 | Vehicle for Hire Driver’s Permit Required |
| 9.08.080 | Application for Driver’s Permit |
| 9.08.090 | Term and Fee for Driver’s Permit |
| 9.08.100 | Standards of Issuance for Driver’s Permit |
| 9.08.110 | Insurance Requirements |
| 9.08.120 | Operational Requirements |
| 9.08.130 | Registered Agent Required |
| 9.08.130 | Charges for Vehicle for Hire Services |
| 9.08.140 | Audit |
| 9.08.150 | Indemnification |
| 9.08.160 | Denial, Suspension and Revocation |

9.08.005 Definitions. As used in this Chapter, unless the context clearly indicates otherwise, the following words and phrases shall mean:

“**Digital Dispatch System**” is an internet-based software application, website, platform or interface that allows for the solicitation, arrangement or provision of vehicle for hire services and the display of rates, calculation of fares or acceptance of payment for vehicle for hire services.

“**Driver**” is any individual person who drives a vehicle for hire within the City.

“**Employee**” is any person employed for remuneration or under any contract of hire, written or oral, express or implied, including independent contractors. All persons who drive public passenger vehicles, including any person who has an ownership interest in the company, shall be considered employees of the public passenger vehicle company for purposes of this Chapter.

“Key Personnel” is any owner, officer, manager, employee or agent of the licensee who exercises management or supervisory authority.

“Licensee” is the holder of an operator’s license as described in this Chapter.

“Limousine” is any luxury motor vehicle which has a total length of twenty feet or more or a seating capacity of more than six but less than ten passengers, which carries passengers for hire, whose journey has originated in the City and where the destination and route may be controlled by the passenger and the fare is calculated on the basis on an hourly rate.

“Operator” or “Owner” is any person engaged in the business of furnishing vehicle for hire services or operating a vehicle for hire company, whether upon contract or by offering such service to the public generally. A driver who is an employee of an operator does not him/herself become a separate operator solely because of such employment relationship.

“Operator’s License” is a license issued to an operator pursuant to this Chapter.

“Person” means and includes any individual natural person, partnership, corporation, unincorporated association, or other entity.

“Taxi” or “Taxicab” is any motor vehicle for hire, other than a limousine or a transportation network vehicle which carries passengers for hire, whose journey has originated in the City, the destination is controlled by the passenger and the fare is calculated on the basis of any combination of an initial fee, distance traveled and delays.

“Taxi Company” is a business operating one or more vehicles for hire, regardless of the legal form of the entity and regardless of whether the taxis so operated are owned by the company, leased, or owned by individual members of an entity. Taxi companies do not include Transportation Network Companies.

“Transportation Network” is one or more drivers working as independent contractors and utilizing a digital dispatch system and personal motor vehicles in the provision of transportation services.

“Transportation Network Company” or “TNC” is a company that operates or facilitates a transportation network using an Internet-enabled technology application service, website or system to connect passengers to TNC affiliated drivers who provide prearranged rides in TNC vehicles for hire.

“Transportation Network Vehicle” or “TNV” is any personal motor vehicle which is used as a vehicle for hire and is part of a transportation network.

“Vehicle for Hire” is any motor vehicle used for the ground transportation of passengers for compensation within the City, including taxis and transportation network vehicles. The following vehicles shall not be considered as vehicles for hire for the purposes of this Chapter: limousines as defined by this Chapter; regularly scheduled buses; bona fide state-approved buses engaged in charter service with a seating capacity of more than twenty persons; vans and mini-buses which carry passengers for hire and have a seating capacity of more than seven passengers; courtesy vehicles

operated by vehicle repair businesses, hotels, motels, or residential facilities without charge to the user; ambulances licensed under State law; specially equipped vehicles used exclusively to transport wheelchair-bound passengers and their attendants; and non-motorized vehicles such as horse-drawn buggies.

“Vehicle for Hire Company” is a business engaged in furnishing or providing one or more vehicles for hire through a digital dispatch system or by any other means, regardless of whether such business has employees or delivers its services through independent contractors, including a taxi company or a transportation network company.

“Vehicle for Hire Driver” is any person who carries on the vocation of driving a vehicle for hire.

“Vehicle for Hire Services” shall mean motor vehicle transportation services provided by a TNC, taxi or vehicle for hire company.

9.08.010 Purpose. It is the purpose of this Chapter to require persons operating vehicles for hire to do so in a safe, fair and efficient manner. The vehicle for hire industry should be allowed to operate without unnecessary restraint, but because the provision of such services constitutes an essential part of the City’s transportation system and because transportation fundamentally affects the City’s well-being and that of its citizens, some regulation is necessary to ensure the public safety is protected, the public need provided for and the public convenience promoted. The provisions contained in this Chapter should be applied and enforced in such a manner as to require the vehicle for hire industry to regulate itself, under City supervision, to promote innovation and adaptation to changing needs, and respond to the economics of the marketplace, so long as the public interest is served thereby.

Nothing in this Chapter is intended or shall be construed to create any liability on the part of the City or its employees for any injury or damage related to any provision of this Chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this Chapter.

9.08.020 Vehicle for Hire Operator’s License Required. No person shall own or operate a vehicle for hire company or provide vehicle for hire services within the City without first obtaining an operator’s license as required by this Chapter. An application for a vehicle for hire operator’s license shall be filed with the City Recorder on a form provided by the City. The City may issue a license to an operator if the operator certifies that it is in compliance with, and will continue to comply with, all requirements of this Chapter, including but not limited to driver and insurance requirements, operating standards and any other Code requirements. The City may include conditions, restrictions or special provisions in the license, including but not limited to conditions related to routes, times of operation, lighting, alternative requirements or means of meeting requirements, if, in the sole discretion of the City, the applicant’s vehicles or operations warrant conditions, restrictions or special provisions.

9.08.030 Application for Operator’s License.

A. An application for an original operator's license shall be filed with the City Recorder on a form provided by the City, verified under penalty of perjury, accompanied by a nonrefundable application investigation fee in an amount set by Council resolution and contain the following:

1. The name, date and place of birth, driver's license number and residence address of the operator of the proposed vehicle for hire company and any of the company's key personnel;
2. The company name under which the vehicle for hire service shall operate;
3. A statement whether the operator of the proposed vehicle for hire company, or any key personnel of the company, have ever:
 - a. Been convicted of any felony, misdemeanor or violation of any federal or state law or municipal ordinance (other than minor traffic and parking offenses), the nature of the offense and the punishment or penalty assessed;
 - b. Had a business license or bond denied, revoked or suspended and, if so, a description of the reason for such revocation or suspension.
4. The rates applicant proposes to charge for vehicle for hire service;
5. Such other relevant information as the City Recorder may deem necessary for the proper protection of the public.

B. Each licensed vehicle for hire operator shall maintain accurate, current records for each vehicle for hire driver employed by, contracting with, or otherwise affiliated with the company, including all drivers accessing the business's digital network to operate within the City. The records shall include the driver's name, date of birth, address, driver's license information, motor vehicle registration and proof of automobile insurance. Operators shall provide a person in compliance with this Section written confirmation of compliance. Both the operator and each driver must submit a copy of such confirmation of compliance with their application for a vehicle for hire operator's license or a vehicle for hire driver's permit.

C. An operator must revoke a driver's authority to operate as a driver for their vehicle for hire company and inform the City if it finds at any time that the standards set forth in this Chapter are no longer being met by the driver.

B. Each licensed vehicle for hire operator shall continue to keep the information provided in its application current, and shall inform the City Recorder of any changes within ten days of the occurrence.

9.08.040 Term of Operator's License. An operator's license shall be issued for a term of one year, or any portion thereof if the application is received after January 1 of any calendar year. All operator licenses shall expire on December 31st of the year issued. If a licensee intends to continue to operate in the next following license year, not less than thirty days prior to the license expiration date, licensee shall complete a license renewal application and submit the annual license fee as described in Section 9.08.050, to the City Recorder.

9.08.050 Operator's License Fee. The annual license fee for an operator's license shall be as set by Council resolution and shall be paid before an original license is issued and thereafter on or before January 1st of each year before a renewal license shall be issued. If the initial operator's license is issued on or after July 1st, the fee shall be reduced by one-half for the initial license year.

9.08.060 Transfer of Operator's License. No operator's license may be sold, assigned, mortgaged or otherwise transferred without the consent of the City Recorder. Such transfer shall be subject to the same terms, conditions and requirements as the application for the original license.

9.08.070 Vehicle for Hire Driver's Permit Required. No person shall drive a vehicle for hire within the City without first obtaining a vehicle for hire driver's permit issued pursuant to this Chapter.

9.08.080 Application for Driver's Permit. Application for a vehicle for hire driver's permit shall be made to the City Recorder on a form provided by the City and accompanied by the payment of a nonrefundable original application investigation fee as set by Council resolution. Upon approval of the application, the annual license fee as set by Council resolution must be paid before the license is granted. Applicants shall provide the following:

1. The applicant's name, date and place of birth, driver's license number and residence address;
2. The name of the TNC, taxi or vehicle for hire company under which the driver shall provide vehicle for hire services;
3. A statement whether the applicant has ever been convicted of any felony, misdemeanor or violation of any federal or state law or municipal ordinance (other than minor traffic and parking offenses), the nature of the offense and the punishment or penalty assessed;
4. Satisfactory proof that the applicant is at least 21 years of age and possesses the appropriate valid Oregon driver's license;
5. Satisfactory proof that the applicant has a current vehicle registration as well as current automobile liability insurance that meets the requirements of this Chapter and state law; and
6. Such other relevant information as the City Recorder may deem necessary for the proper protection of the public.

9.08.090 Term and Fee for Driver's Permit. Each person approved to be a vehicle for hire, TNC or taxi driver under this Chapter shall pay an annual permit fee as set by Council resolution. All permits shall expire on December 31st of the year issued. If the original permit is issued on or after July 1st, the permit fee may be reduced by one-half the annual fee for the initial permit year. If permittee intends to continue to operate as a vehicle for hire driver during the next following permit year, not less than 30 days prior to the permit expiration date, permittee shall complete a permit renewal application and pay the annual permit fee as described in Section 9.08.090.

9.08.100 Standards for Issuance of Driver's Permit. The City Recorder shall review each application to determine the applicant's fitness to obtain a TNC, taxi or vehicle for hire driver's permit. Among the factors which may be considered are:

1. Applicant's prior criminal history;
2. Prior traffic violations by the applicant and prior violations of municipal regulations of the City or other municipalities governing vehicle for hire services;
3. The applicant's driving safety record; and
4. Any other relevant factor which the City Recorder may deem necessary.

9.08.110 Insurance Requirements.

A. General Coverage. Every vehicle for hire operator and driver licensed under this Chapter shall maintain continuous, uninterrupted insurance coverage as described herein, for the duration of the license and any operations within the City. Any lapse in insurance coverage, even if it is later backdated by the insurance company is a violation of this Chapter. Operators shall secure and maintain commercial general liability insurance with limits of not less than \$1 million per occurrence

and \$2 million aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating within the City. For all insurance required by this Chapter, operators shall provide certificates of insurance naming the City, its officers, agents and employees as additional insured parties and give at least 30 calendar days' notice to the City before a policy is canceled, expires or has any reduction in coverage. Insurance requirements of this Chapter shall be satisfied by insurance issued by a licensed insurer or an eligible surplus lines insurer in the State of Oregon. The insurance limits for operators are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon, other statutory changes or other changes deemed necessary by the City during the term of the operator's license. The adequacy of insurance coverage is subject to the review and approval of the City. Upon request or as part of an application, all TNC, taxi and vehicle for hire operators shall provide the City proof of current, valid insurance covering the affiliated TNC, taxi and vehicle for hire company, and any vehicles and drivers associated with the company

B. Insurance for Taxi Operators. Taxi operators licensed under this Chapter shall secure and maintain commercial automobile liability insurance, with a combined single limit of not less than \$1 million per occurrence for claims arising out of, but not limited to, bodily injury and property damage on all vehicles owned by the taxi operator but driven by a vehicle for hire driver.

C. Insurance Limits During Service Periods for TNC or Vehicle for Hire Operators. Service periods for operators providing vehicle for hire or TNC services shall be defined as follows:

1. **Period 1:** The TNC or vehicle for hire driver has logged into the operator's digital dispatch system app or is otherwise connected to the operator's digital network, but has not yet accepted a request for a ride from a passenger (when the app is open and the driver is waiting for a match).
2. **Period 2:** A passenger match has been accepted, but the passenger is not yet picked up (the driver is on the way to pick up the passenger).
3. **Period 3:** The passenger is in the vehicle.

D. Insurance for TNC or Vehicle for Hire Operators. All TNC or vehicle for hire operators licensed under this Chapter shall secure and maintain the following automobile liability insurance:

1. Primary insurance coverage during Period 1, as defined in the above Subsection 9.08.110(C), with minimum liability limits of \$50,000 per person for death and injury, \$100,000 per incident for death and injury, and \$25,000 for property damage, plus any other state compulsory coverage.
2. Primary coverage during Periods 2 and 3, as defined in the above Subsection 9.08.110(C), with minimum liability limits of \$1 million in combined single limit coverage for death, personal injury and property damage per incident; and \$1 million in combined single limit under/uninsured motorist coverage for death, personal injury and property damage per incident.
3. The required automobile liability insurance shall specifically recognize the driver's provision of TNC or vehicle for hire services and shall comply with the laws of the State of Oregon and/or other applicable governing bodies.

E. Insurance for TNC or Vehicle for Hire Drivers. TNC or vehicle for hire drivers shall be responsible for maintaining all personal automobile liability insurance as required by State law.

9.08.120 Operational Requirements.

- A.** All vehicles operating for a TNC, vehicle for hire or taxi company shall be no more than ten years old and maintained in a clean, sanitary, safe and mechanically sound condition and shall be clearly marked with the TNC, taxi or vehicle for hire's company name or logo. Vehicles operating for a taxi company shall include the company name or logo, phone number and a vehicle identification number in plain sight. No vehicle may display the words "taxi", "taxicab" or "cab", or attempt to appear as a taxi unless such vehicle is directly affiliated with a taxi company licensed under this Chapter. Vehicles operated solely for TNC or vehicle for hire companies shall be clearly marked as operating for the TNC or vehicle for hire company, although any vehicle marking requirements imposed by a TNC or vehicle for hire company may apply. The signage identifying a TNC or vehicle for hire must be clearly visible from the front and rear of the vehicle from a distance of 20 feet and shall be placed on the interior or exterior of the vehicle body. No vehicle shall be operated as a TNC vehicle or vehicle for hire unless affiliated with a TNC or vehicle for hire company licensed by this Chapter. The TNC's or vehicle for hire's software application or website shall display for the passenger the make, model and license plate number of the TNC vehicle or vehicle for hire.
- B.** TNCs and vehicle for hire companies shall maintain records of all trips made by all drivers for at least one year from the date of the trip. The data may be aggregated or anonymized, and shall at a minimum include the locations by ZIP code of trip origination and destination, vehicle miles traveled, trip origination and completion times, trip duration and passenger wait times from a driver's acceptance of a request for passenger pick-up. The City may require a TNC or vehicle for hire company to enter a data sharing agreement in order to receive a license.
- C.** All operators licensed under this Chapter shall implement and maintain at all times a zero tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services. All operators shall provide notice of the zero tolerance policy on their website and/or have it clearly displayed in each vehicle. The notice must include contact information to report a complaint about a driver for possible violation of this policy. An operator shall immediately suspend a driver upon receipt of a passenger complaint alleging violation of the zero tolerance policy for at least the duration of the investigation of the complaint.
- D.** Operators must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with hearing and visual impairments and passengers with mobility devices and must comply with all applicable requirements of the Americans with Disabilities Act.
- E.** All TNC, vehicle for hire or taxi drivers employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.
- F.** It shall be unlawful for any TNC, vehicle for hire or taxi driver to smoke in the presence of any passenger without the consent of such passenger. It shall at all times be unlawful for any person to smoke in a vehicle for hire if oxygen tanks or other devices containing inflammable materials are present in the vehicle.
- G.** All taxi meters shall be inspected and tested for accuracy by the taxi or vehicle for hire company at least once every six months.

9.08.130 Registered Agent Required. TNC and vehicle for hire companies must maintain a registered agent for service of process in the State of Oregon. The name, telephone number, physical address, electronic mail address of the registered agent shall be provided as part of the operator's license application. The company shall notify the City in writing of any changes regarding its registered agent.

9.08.140 Charges for Vehicle for Hire Services.

A. All charges for vehicle for hire services shall be calculated and displayed by a taximeter or digital dispatch system. When charges are to be displayed by a taximeter, the taximeter shall be placed in the vehicle for hire so that the reading dial showing the amount to be charged is illuminated and readily discernable to passengers.

B. No taximeter or digital dispatch system shall be operated in a manner so as to cause any charge to be registered thereon except during the time while the vehicle for hire is engaged by a passenger.

C. No passenger shall be carried in a vehicle for hire unless the taximeter or digital dispatch system is in operation, whether or not the trip is entirely within or partially outside the boundaries of the City. The taximeter or digital display system shall be in continuous operation during the entire time that a passenger is being transported for compensation.

D. A TNC, taxi or vehicle for hire company may impose a specialized charge to carry extra passengers or to deliver goods or other items so long as such specialized charge is clearly calculated and displayed before any service is provided.

9.08.150 Audit. The City may audit operators licensed under this Chapter up to three times per calendar year for compliance with this Chapter. Upon request, an operator shall provide the City a sample of records for up to thirty (30) drivers affiliated with the operator that have operated in the thirty (30) days preceding the audit. An audit shall occur at a time and location designated by the City. In addition to an audit, the City may require an operator to produce records related to an investigation of a specific allegation of a violation of the Chapter or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the twice-per-year auditing limit.

9.08.160 Indemnification.

A. All operators and drivers issued a license or permit under this Chapter shall agree to pay all damages and penalties the City may legally be required to pay as a result of granting such license or permit and shall agree to defend and indemnify the City against all claims resulting from the granting of such license or permit. These damages or penalties shall include, but not be limited to, damages arising out of the operation or maintenance of a vehicle used to provide vehicle for hire services pursuant to this Chapter whether or not any act or omission complained of is authorized or prohibited by the Chapter.

B. By its application and the granting of an operator's license under this Chapter, the operator agrees to pay all necessary and reasonable expenses incurred by the City in defending itself under this Section, including, but not limited to, reasonable attorney's fees.

9.08.170 Denial, Suspension and Revocation.

A. Operator's License. In addition to the grounds in Chapter 9.100, the City Recorder may deny an application for an operator's license or suspend or revoke an operator's license upon finding that:

1. The application, operator or key personnel fails to meet the requirements of this Chapter or is doing business in violation of this Chapter or applicable federal, state, county or City law;
2. The applicant, operator or key personnel has provided false or misleading material or information or has omitted disclosure of a material fact on the application or related materials or on the applicant's business records.
3. The applicant's, operator's or key personnel's past or present violation of law or ordinance presents a reasonable doubt about the applicant's or operator's ability to provide TNC, taxi or vehicle for hire services without endangering property or the public health and safety.
4. The information supplied in the application does not indicate that the applicant or key personnel has the experience, knowledge or ability to provide the services required under this Chapter.

B. Driver's Permit. In addition to the grounds in Chapter 9.100, the City Recorder may deny an applicant for a TNC, taxi or vehicle for hire permit, or suspend or revoke the driver's permit if the Recorder determines the applicant to be unfit based upon the factors in Section 9.08.100 or if the permittee is convicted of a violation of this Chapter or similar regulations of another municipality or of any state statute involving the operation of a motor vehicle; or if the City Recorder has reasonable grounds to believe that the permittee would endanger life or property while operating a motor vehicle.

C. Recorder's Decision and Applicant's, Licensee's or Permittee's Right. The City Recorder's decision to deny an application, to suspend or revoke a license or permit and the rights of an applicant, licensee or permittee shall be governed by this Chapter and Chapter 9.100.

D. Summary Suspension. In addition to the grounds in Chapter 9.100, the City Recorder may summarily suspend an operator's license if any vehicle used to provide TNC, taxi or vehicle for hire services under the licensee's business operates without the insurance required by Section 9.08.110 of this Chapter.

SECTION 2. Applicability to Existing Licenses and Permits. Any individual currently possessing a taxi operator's license, taxi vehicle permit or taxi driver's permit issued under the provisions of Chapter 9.08 as previously in effect prior to the effective date of this ordinance may continue operating under the standards and conditions in place prior to the effective date of this ordinance, and is exempt from new Chapter 9.08 "*Vehicle for Hire Services*" until January 1, 2019; unless the licensee or permittee wishes to apply under new Chapter 9.08 at an earlier date. All taxi operator licenses, vehicle and driver permits issued prior to the effective date of this ordinance shall expire automatically on December 31, 2018.

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

APPROVED BY THE MAYOR ON THIS ____ DAY OF _____, 2018.

ATTEST:

AMY L. SOWA, CITY RECORDER

TNC/TAXI LICENSE FEE COMPARISON

SALEM:

| | | |
|-----------------------|------|--------------------|
| Application Fee | \$40 | |
| Annual Renewal Fee | \$25 | Total = \$82.50/yr |
| Annual Processing Fee | \$12 | (both TNC & Taxi) |
| Annual Automation Fee | \$ 5 | |

CORVALLIS:

| | |
|---------------------------------------|-------|
| Initial Application Fee for Operators | \$100 |
| Annual Taxi Renewal | \$ 50 |
| Annual TNC Renewal | \$100 |

**No Driver or Vehicle Permit Required*

BEND:

| | |
|---------------------|------------------------------------|
| Annual Taxi License | \$285 + \$50 Business Registration |
| Annual TNC License | \$685 + \$50 Business Registration |

MEDFORD: Annually:

| | |
|----------------------------------|---------|
| Application & Renewal Fee – TNC | \$1,000 |
| Application & Renewal Fee – Taxi | \$ 100 |
| Driver's Permit | \$ 60 |

**Both TNC & Taxi fees are based on number of drivers...*

REDMOND: Annually:

| | | |
|---------------|---------------|---------|
| Taxi or TNC - | 1-2 drivers | \$ 75 |
| | 3-5 drivers | \$ 125 |
| | 6-15 drivers | \$ 250 |
| | 16-59 drivers | \$ 500 |
| | 51+ drivers | \$1,000 |

PORTLAND:

| | |
|-------------------------------------|--------|
| Taxi or TNC Initial Application Fee | \$ 250 |
|-------------------------------------|--------|

**\$0.50 Per Ride Fee/Paid Quarterly plus 2% business tax*

EUGENE:

| | |
|--------------------------------|----------------------------------|
| Taxi Annual License | \$ 500 covers first vehicle only |
| Annual each additional vehicle | \$ 100 each |
| Taxi drivers-original license | \$ 70 |
| Annual taxi driver renewal | \$ 50 |

**TNC Annual Fee yet to be established/will be based on number of vehicles, Eugene PD will continue background checks*

NOTE: Most of the above cities indicated the fees they adopted would be reviewed after they've had the TNC regulations in place for a year and they've been able to determine the true impact of administration and enforcement.

Handwritten initials and date: 7/5/18

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



LIBRARY RENOVATION CM/GC CONTRACT AMENDMENT - CONSTRUCTION 18PW06

Meeting Date: July 9, 2018
Department: City Manager

Agenda Section: Department Items
Staff Contact: Lance Colley/Nikki
Messenger

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Staff has been working with Douglas ESD, Pivot Architects and Vitus Construction to determine the costs and timelines for renovation of the Library and ESD administrative portions of the facility. The City has received the contractor's Guaranteed Maximum Price (GMP) for the Library Renovation Project. The issue for the Council is whether to authorize a contract amendment to proceed with the construction phase of the project.

BACKGROUND

A. Council Action History. The Council has a lengthy history to get to this point. Only those items related to the actual construction project have been summarized below.

- On February 26, 2018 the Council authorized a contract with Pivot Architecture to design the project.
- On April 23, 2018 the Council awarded the CM/GC project to Vitus Construction.
- On June 11, 2018, the Council authorized an amendment to the CM/GC contract to purchase the "long lead" items.

B. Analysis. The City went through a proposal process to select a contractor to perform the CM/GC services for the project. The CM/GC master contract utilizes amendments to authorize phases of work. These amendments are similar to task orders the City utilizes with other types of master contracts.

Staff has been working closely with the Douglas ESD, the architect and the CM/GC contractor to develop plans for the Library building upgrades. Final plans were provided to the CM/GC contractor in late May. The contractor publicly advertised and competitively bid the subcontract work. The contractor has submitted the Guaranteed Maximum Price (GMP) for completing the proposed work. The GMP is similar to a formal bid and would be the basis for the proposed contract amendment.

B. Financial and/or Resource Considerations. The total GMP, including both the library and ESD responsibilities is \$1,526,167. This includes the long lead items that were captured as part of the second amendment to the contract. The total project costs (*not including ESD only costs*) are outlined below:

| | Cost | City Portion |
|------------------------------------|--------------------|------------------|
| Construction | | |
| CM/GC Preconstruction Phase (1)* | \$ 2,000 | |
| CM/GC long lead package (2) | \$ 340,135 | |
| CM/GC Construction balance (3) | \$1,184,032 | |
| Construction subtotal | \$1,526,167 | \$567,753 |
| Other | | |
| Design | \$170,850 | \$ 85,425 |
| Construction Management | \$ 45,000 | \$ 22,500 |
| Contingency | \$ 98,000 | \$ 49,000 |
| Fees, permits, AV equip., security | \$ 57,572 | \$ 28,786 |
| Incentive deducts (est.) | \$ -8,200 | \$ (4,100) |
| Furniture, Data (library) | \$ 25,850 | \$ 25,850 |
| Subtotal | \$405,472 | \$207,461 |
| Total | \$1,923,552 | \$775,214 |

**Estimated actual cost (lower than contract amendment #1)*

To date the City has received financial commitments in the approximate amount of \$610,000 and we have additional asks outstanding in the amount of \$150,000. We did receive confirmation of an additional \$60,000 since our last meeting and staff has a conference call scheduled for Monday July 9, 2018 on an additional significant request. I anticipate award notification relating to that request for funding by mid-July. I will be contacting two additional regional funding sources during July to determine if we can meet the entire funding commitment with philanthropic resources in addition to an original \$25,000 commitment from the City when we started the construction design project. Staff at the City and Douglas ESD will continue to pursue additional library funding over the next sixty days. I am confident that we will receive additional funding but it is not guaranteed.

We have not yet secured 100% of the Library cost and our portion of the common area funding per the updated Guaranteed Maximum Price presented above. I would like to ask Council to commit to the additional funding necessary to complete the project while staff continues to identify funding sources. Our potential commitment would consist of less than 15% of the cost of the Library renovation and our portion of the common area (\$775,214). This commitment would potentially require a budget amendment to transfer additional funds from the General Fund to the Facilities. The potential amount necessary will be known by early August and could be accommodated by a Council resolution to reappropriate funds.

There will be additional costs associated with furnishings and equipment that will be paid directly by the ESD. The FY 2018-19 Facilities Fund budget includes \$1,900,000 for the project with grants and inter-agency revenues as the funding sources. Much of the original design cost was expended in 2017-18 and some direct costs will be provided by the ESD and will not impact the City Facilities Fund budget.

D. Timing Issues. If the contract amendment is approved at the July 9th meeting, construction is expected to begin in mid-July and the library portion should be complete by October. In accordance with the recently approved funding agreement between the City and Douglas ESD, the ESD will have up to ten days to execute that agreement and then 30 days to deposit the construction funds with the City. We will execute the next amendment, if approved, subject to the ESD's execution of the funding agreement.

COUNCIL OPTIONS

The Council has the following options:

1. Authorize an amendment to the CM/GC contract for \$1,184,032 to complete the construction of the library renovation; or
2. Request additional information; or
3. Not authorize the amendment and not proceed with the project.

STAFF RECOMMENDATION

Money has been budgeted and is available to complete the construction subject to Douglas ESD's execution of the funding agreement. Staff recommends the Council authorize an amendment to the CM/GC contract to proceed with this project.

SUGGESTED MOTION

I move to authorize Amendment #3 to the contract with Vitus Construction, Inc. for CM/GC services in the amount of \$1,184,032 for the Library Renovation Project subject to approval of the ESD dollar amount included in the funding agreement between the City of Roseburg and Douglas ESD.

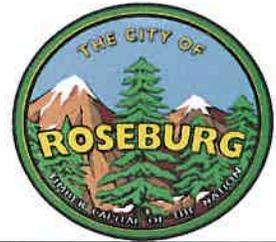
ATTACHMENTS

None

ajs
7-3-18

INFORMATIONAL A
7/09/2018

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ACTIVITY REPORT

Meeting Date: July 9, 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 July 9, 2018, meeting, I provide the following items:

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



Agenda
Department Head Meeting
June 26, 2018 - 10:00 a.m.

1. Review June 26, 2018 City Council Meeting Synopsis
2. Review July 9, 2018 City Council Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents/Grants Signing
Loudspeaker Permits:
 - FX420, Inc.
 - Deathtrap Dressed to Kill
5. Department Items



Agenda
Department Head Meeting
July 2, 2018 - 10:00 a.m.

1. Review July 9, 2018 City Council Meeting Agenda
2. Review Tentative Future Council Meeting Agendas
3. Documents/Grants Signing
4. Department Items
 - Welcome New Library Director Kris Wiley

TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- RMC 5.04 Amendment - Water Rules and Regulations
- Umpqua Basin Urban Services Agreement
- Umpqua Valley Tennis Center Fee Schedule
- Special Work Study – Visitor’s Center Contract/Tourism Promotion

July 23, 2018

Consent Agenda

- A. Minutes of July 9, 2018

Ordinance

- A. Ordinance No. 3504– Proposed Regulations for Vehicle for Hire Services, First Reading
- B. Ordinance No. 3503 – Proposed City Voters’ Pamphlet, Second Reading

Department Item

- A. Municipal Court Update
- B. Fire Station No. 2 Seismic Upgrades – Contract Amendment

Informational

- A. Activity Report
- B. Financial Quarterly Report

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

Executive Session

- A. Municipal Judge Evaluation

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

Informational

- A. Activity Report

March 11, 2019

Consent Agenda

- A. Minutes of February 25, 2019

Informational

- A. Activity Report

March 25, 2019

Mayor Report

- A. Child Abuse Prevention Month Proclamation

Consent Agenda

- A. Minutes of March 11, 2019

Informational

- A. Activity Report

April 8, 2019

Mayor Report

- A. Volunteer Recognition Month Proclamation
- B. Arbor Day Proclamation

Consent Agenda

- A. Minutes of March 25, 2019
- B. Cancel May 27, 2019 Meeting
- C. 2019 OLCC License Renewal Endorsement

Informational

A. Activity Report

April 22, 2019

Consent Agenda

- A. Minutes of April 8, 2019

Informational

- A. Activity Report
- B. Finance and Municipal Court Quarterly Reports

May 13, 2019

Consent Agenda

- A. Minutes of April 22, 2019
- B. Annual Fee Adjustments
 - Resolution No. 2019-__ - General Fees
 - Resolution No. 2019-__ - Water Related Fees

Informational

- A. Activity Report

June 10, 2019

Mayor Reports

- A. Camp Millennium Week Proclamation

Consent Agenda

- A. Minutes of May 13, 2019

Public Hearing

- A. 2019-2020 Budget Adoption – Resolution No. 2019- ____

Informational

- A. Activity Report

June 24, 2018

Consent Agenda

- A. Minutes of June 10, 2019

Informational

- A. Activity Report

Friday June 22, 2018

Good Friday afternoon everyone! Since I will be out of the office next week on vacation, I want to take this final Friday opportunity to recognize four long-time City employees who have provided significant leadership for our organization and our community over these last 30 years. Fire Chief Gregg Timm, Police Chief Jim Burge, Police Captain Jerry Matthews and Police Staff Assistant Yvonne Russell are all retiring effective June 30, 2018 and deserve our heartfelt thanks for their dedication to their professions and the City of Roseburg. I have had the honor of working with each of them in some capacity since they were hired and they have all exhibited great integrity and loyalty to the City and our community. Thank you to each of you. You will be missed!

To that end, we have discussed the transition on a number of occasions, but I would once again like to congratulate each of their replacements: Fire Chief Gary Garrisi, Police Chief Gary Klopfenstein, Police Captain Jeremy Sanders and Police Staff Assistant Dana Bateson. These promotions resulted in a number of other opportunities in our public safety departments. We look forward to continuing to provide an extremely high level of service to our community with these folks in place!

Many of you had an opportunity to attend the splash pad grand opening. Thank you Mayor Rich for introducing the new playground/splash pad to our community. Well over a hundred people were in attendance. It was great to recognize some of the key contributors to making this happen. Mayor Rich introduced Stacey Crowe and Dan Clark who headed up the local fundraising efforts through the local Morning Rotary and long-time Parks Commission member Leila Heislein who was a major donor to the project. Thanks to all who attended and our Public Works department staff who made it possible. I want to recognize former Parks employee Barbara Taylor who returned from Arizona where she is living in retirement who was instrumental in developing the project, the grant support and much of the design. Barb indicated the finished product exceeded even her very high expectations.



As you are all aware, there is a significant amount of construction work going on right now. We are thrilled to have the splash pad open and there are many more projects underway. You should be receiving periodic updates specifically related to the downtown project. If you are not, please let us know. In addition, you can find general information on many of the projects on our website at <http://www.cityofroseburg.org/departments/public-works/projects/>. Work has begun on the Fire Station 3 seismic rehab project and we will be starting the Station 2 project and the Library project in July if we can insure that costs are within our budget. More to come soon on those two projects.

The annual Umpqua Valley Arts Festival got underway today and will run through the weekend. I hope you all have an opportunity to attend and support this great event. The Partnership is once again planning a food truck event and fireworks show at the Douglas County Fairgrounds on the 4th of July. This is another great opportunity to get out and support activities in our community. Through our EDC, we provide financial support for the food truck event, and through our General Fund, we continue to provide support for the Hometown 4th of July Fireworks.



What a great start to the summer. The Arts Festival, Movies in the Park, 4th of July celebration, Music on the Half Shell is starting up soon and Graffiti Week is right around the corner. I hope you all have a great weekend. Enjoy and see you all Monday evening.

