

ROSEBURG CITY COUNCIL AGENDA – NOVEMBER 13, 2023
City Council Chambers, City Hall
900 SE Douglas Avenue, Roseburg, Oregon 97470



Public Online Access:

City website at <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

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*Comments on Agenda Items and Audience Participation can be provided in person or electronically via Zoom.
See Audience Participation Information for instructions on how to participate in meetings.*

6:30 p.m. Executive Session ORS 192.660(2)(i)

- A. Municipal Judge Evaluation

7:00 p.m. Regular Meeting

- 1. **Call to Order – Mayor Larry Rich**

- 2. **Pledge of Allegiance**

- 3. **Roll Call**

Tom Michalek

David Mohr

Kylee Rummel

Andrea Zielinski

Ellen Porter

Ruth Smith

Patrice Sipos

Shelley Briggs Loosley

- 3. **Mayor Reports**

- 4. **Commission Reports/Council Ward Reports**

- 5. **Audience Participation – In Person or via Zoom**

- 6. **Special Presentation**

- A. Community Rating System Flood Insurance Assessment

- 7. **Consent Agenda**

- A. October 9, 2023 Regular Meeting Minutes

- B. October 23, 2023 Regular Meeting Minutes

- C. Resolution No. 2023-21 – A Resolution Repealing and Replacing Resolution No. 2023-14 Regarding the City of Roseburg Parks Rules and Regulations.

- 8. **Ordinances**

- A. Ordinance No. 3595 – Amending Subsection 3.06.025 of the Roseburg Municipal Code, Second Reading

- 9. **Resolutions**

- A. Resolution No. 2023-23 – Support to Repeal or Change Measure 110

- 10. **Department Items**

- A. Intergovernmental Agreement with Umpqua Community College – Southern Oregon Medical Workforce Center

- B. Bid Award Recommendation - Standby Power at Airport 22PW06

- C. Emergency Purchase of Two (2) Pickup Trucks for Parks Maintenance Division

- D. Providing Interim Cash Flow for Off Street Parking Fund

- E. City Manager Contract

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11. Items from Mayor, City Council and City Manager

12. Adjourn

13. Executive Session ORS 192.660(2)

Informational

A. City Manager Activity Report

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:

Comments may be provided in one of three ways:

- **In person during the meeting in the Council Chambers, Roseburg City Hall, 900 SE Douglas Ave.**
- **Email by sending an email by 12:00 p.m. the day of the meeting to info@cityofroseburg.org**
- **Virtually during the meeting. Contact the City Recorder by phone (541) 492-6866 or email (info@cityofroseburg.org) by 12:00 p.m. the day of the meeting to get a link to the meeting.**

When providing comments in person, each speaker must provide their name, address, phone number and which item on the agenda they wish to speak on the Audience Participation Sign-in Sheet.

When providing comments virtually, each speaker must provide their name, address, phone number and which item on the agenda they wish to speak in an email to info@cityofroseburg.org.

When participating virtually, log or call in prior to the start of the meeting using the link or phone number provided.

- **When accessing the meeting through the **ZOOM link**, click “Join Webinar” to join the meeting as an attendee.**
- **When accessing the meeting through the **phone**, call the number provided.**
- **All attendees will be held in a “waiting room” until called on to speak.**

Persons addressing the Council must state their name and city of residence for the record. 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 not have been previously presented to Council.

A total of 30 minutes shall be allocated for the “Audience Participation” portion of the meeting.

CITIZEN PARTICIPATION

- **Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item.**
- **Anyone wishing to speak regarding an item on the Consent Agenda, or on a matter not on the evening’s agenda, may do so under “Audience Participation.”**

PROVIDING COMMENTS

For each item in which speakers have requested to speak, the order will be as follows:

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1. Speakers who attend in person will be called up to speak by the Mayor in the order in which they signed up.
2. Speakers on Zoom (video or phone only) will be called on to speak by the Mayor in the order in which they signed up. Each speaker will be brought in from the “waiting room” into the meeting to provide comments, then moved back to the “waiting room” after comments are provided.

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

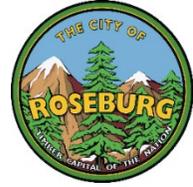
1. Postpone the public comments to “Items from Mayor, Councilors or City Manager” after completion of the Council’s business agenda, or
2. Schedule the matter for continued discussion at a future Council meeting.

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

The City Council meetings are on Facebook Live and available to view on the City website the next day at: <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

The full agenda packet is available on the City’s website at: <https://www.cityofroseburg.org/your-government/mayor-council/council-agendas>

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



NATIONAL FLOOD INSURANCE PROGRAM & COMMUNITY RATING SYSTEM UPDATE & 2023 RECERTIFICATION RESULTS

Meeting Date: November 13, 2023
Department: Community Development
www.cityofroseburg.org

Agenda Section: Special Presentations
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

The City recently completed its latest five-year recertification exercise for the National Flood Insurance Program (NFIP) with the Federal Emergency Management Agency (FEMA). As part of the City's program, staff presents information related to the program to the Council annually. No action is required by Council at this time.

BACKGROUND

A. Council Action History.

Council recognizes the importance of protecting its residents and businesses from flooding. Since joining the CRS program in 1994, Council has supported floodplain management policies and practices by encouraging coordinated efforts between all city departments by enforcing sound development practices and training staff to implement them.

B. Analysis.

Every year flooding causes hundreds of millions of dollars' worth of damage to homes and businesses in the US. Standard homeowners and commercial property insurance policies do not cover flood losses. To provide this important coverage, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP). NFIP offers reasonably priced flood insurance to all properties in communities that comply with minimum standards for floodplain management.

The NFIP's Community Rating System (CRS) credits community efforts beyond those minimum standards by reducing flood insurance premiums for the community's property owners. The City of Roseburg entered the CRS program October 1994 as a Class 10 community which allowed its residents to purchase flood insurance. Over the next few years, Community Development staff documented more effective flood plain management to lower the City's classification to 9 in 1998 and to Class 8 in 2003. In 2018, recertification efforts resulted in a Class 7 rating. Each step in classification results in an additional 5% discount in flood insurance premiums; meaning that since 2018, residents have received a 15% discount.

Every 5 years the City goes through recertification process which includes a review of the City's floodplain requirements and the implementation of these standards. On August 14, 2023, the City was informed by FEMA that we will retain our current Class 7 rating. This savings is a tangible result of the flood mitigation activities our community implements to protect and save lives.

Council adopts floodplain management ordinances and policies which support CRS efforts toward effective floodplain management practices, such as requiring new homes to be elevated at least one foot above the base flood level, continuously maintaining storm drainage facilities, attending promptly to problem areas, and providing an effective public outreach program to inform citizens of their flood risks.

One aspect of outreach is promoting the purchase of flood insurance to protect all properties in the City of Roseburg. Staff analysis of flood insurance coverage currently in effect finds that only about 12% of properties in the Special Flood Hazard Area (SFHA) are covered by flood insurance and that although properties near the SFHA backed by federal mortgages are not required to carry flood insurance, flooding impacts them too often.

The attached Flood Insurance Coverage Assessment memo details how increasing citizen awareness of flood hazards and promoting purchase of flood insurance policies in or near the floodplain maximizes benefits of the 15% rate reduction to residents.

Staff plans to implement the following to increase citizen awareness:

1. Increase direct mailings to property owners in these flood prone areas;
2. Provide flood insurance information to residents through community and neighborhood events.
3. Increase digital messaging regarding the benefits of flood insurance, through the city website, Facebook, Nextdoor, Twitter and other digital media.
4. Provide flood insurance information to citizens through the City Connection Newsletter.

FEMA provides the City with floodplain policy data, including number of residential and commercial policies, total value of insurance coverage, and total premiums paid for those policies.

Roseburg Total Value of Insurance in Force 2023	\$43,143,100.00
Total Premium	\$183,339.00
Total Policies in Force	173

Increasing the number of properties covered by flood insurance will maximize the effect of the discount and minimize financial impacts of flooding.

ATTACHMENTS:

Attachment #1 – Flood Insurance Assessment Memo

Attachment #2 – CRS Rating Results

Flood Insurance Assessment

City of Roseburg Oregon NFIP# 410067
April 25, 2023

Step 1 – Collect Flood Insurance Information

In order to determine the level of flood insurance coverage in the City of Roseburg, the most recent Insurance Zone and Insurance Occupancy flood insurance policy data provided by FEMA was used, along with the assistance of the City's GIS department.

Step 2 – Determine Level of Flood Insurance Coverage

Our current number of buildings within the FEMA mapped Special Flood Hazard Area (SFHA) is 1,405. Based on this information, approximately 12% of the buildings located in the SFHA are covered by flood insurance. ($173/1405=0.1231$)

Flood insurance coverage of properties in the SFHA by occupancy can be found in Table 1 and flood zone in Table 2.

Table 1 – Policies by Occupancy

Table 1	Policies In Force	Premium	Insurance In Force	Average Coverage
Single Family	126	\$103,637	\$30,447,200	\$241,164
2-4 Family	33	\$23,130	\$2,490,300	\$75,463
All Other Residential	1	\$1,082	\$500,000	\$500,000
Non-Residential	13	\$55,490	\$9,705,600	\$746,584
Total	173	\$183,339	\$43,143,100	\$249,382

Table 2 – Insurance Zone

Table 2	Policies in Force	Premium	Insurance in Force	Average Coverage
A01-30 & AE Zones	139	\$148,919	\$31,947,700	\$229,839
A Zones	0	0	0	0
AO Zones	0	0	0	0
B, C & X Zones				
- Standard	29	\$25,741	\$8,215,400	\$283,289
- Preferred	5	\$8,679	\$2,980,000	\$596,000
Total	173	\$183,339	\$43,143,100	\$249,832

Step 3 – Prepare the Document

City staff began this process with the intent of learning where flood insurance policies were concentrated and what would need to be done to try and increase the awareness of the importance of protecting property with flood insurance. We began the process by asking our ISO/CRS Specialist to provide the Insurance Zone and Insurance Occupancy sheets needed to calculate the numbers generated in Table 1 and 2. City staff then proceeded to analyze the information provided on these sheets.

SPECIAL PRESENTATION A
ATTACHMENT NO. 1

Staff summarized that Roseburg's most vulnerable properties, the majority of properties in the SFHA or areas within our A zones, do not have adequate flood insurance coverage. According to our numbers, only 12% of our SFHA properties have flood insurance coverage. However, there are many properties within other flood zones that do have policies.

Staff also looked at paid claims to policy holders. With zero repetitive loss properties and 29 paid claims, staff came to the conclusion that properties within the SFHA should receive additional attention from the City.

Staff plans to take steps to increase the awareness of the flood hazard in the areas mentioned above and promote the purchase of flood insurance for property protection.

The City will try to boost the frequency and tailoring of outreach materials in an effort to better engage the community. Those projects include but are not limited to:

1. Increase direct mailings to property owners in these flood-prone areas;
2. Provide flood insurance information to residents through community and neighborhood events.
3. Increase digital messaging regarding the benefits of flood insurance through the City website, Facebook, Nextdoor, X (previously Twitter) and other digital media.
4. Provide flood insurance information to citizens through the City Connection Newsletter.

Step 4 – Submit to the Governing Body

The outcome and evaluation that occurs as a result of this Community Rating System Assessment in 2023 will be shared with the City Council at a future council meeting. Staff will make a short presentation summarizing our CRS rating and the need for more tailored outreach regarding the NFIP program, floodplain issues, and the importance of obtaining floodplain insurance in the SFHA.

Step 5 – Reassess

This flood insurance assessment will be re-assessed in 5 years before the next CRS verification/cycle visit. Updated flood insurance data will be requested from the ISO/CRS Specialist prior to the 5 year visit and used to revise this document including the process followed, summary of data, along with any conclusions and recommendations.

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472



August 14, 2023

Ms. Nicole Messenger
Roseburg City Manager
900 SE Douglas Avenue
Roseburg, Oregon 97470

Dear Ms. Messenger:

The purpose of this letter is to provide you with the results of the National Flood Insurance Program (NFIP) Community Rating System (CRS) field verification findings based on your 5-year cycle verification. The field verification report is enclosed for your records.

I am pleased to inform you that the Department of Homeland Security, Federal Emergency Management Agency (FEMA), has determined that the City of Roseburg will retain its current rating as a Class 7 in the NFIP CRS. The floodplain management activities implemented by your community qualify it for a 15 percent discount on flood insurance premiums for most NFIP policies issued or renewed on or after April 1, 2024. This savings is a tangible result of the flood mitigation activities your community implements to protect lives and reduce property damage.

The CRS rating for your community will automatically be renewed annually as long as there are no NFIP noncompliance actions, so a notification letter will not be sent every year. This annual renewal will take place as long as your community continues to implement the CRS activities you certify in your annual recertification documentation. If no additional modifications or new CRS activities are added, the next verification visit for your community will be in accordance with its established 5-year cycle. In the interim, FEMA will periodically send the *NFIP/CRS Update* newsletter and other notices to your CRS Coordinator to keep your community informed.

I commend you on your community actions and your determination to lead your community to be more disaster resistant. This commitment enhances public safety, property protection, and protects the natural functions of floodplains, and reduces flood insurance premiums.

If you have any questions or need additional information, please contact the FEMA Region X Office, CRS Coordinator John Graves at (425) 487-4737.

Sincerely,

A handwritten signature in black ink that reads "William H. Lesser".

William H. Lesser, CRS Coordinator
Federal Insurance and Mitigation Administration

Enclosure

cc: Mr. Mark Moffett, CRS Coordinator

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
October 9, 2023**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:02 p.m. on October 9, 2023 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

2. Pledge of Allegiance

Councilor Briggs Loosley led the pledge of allegiance.

3. ROLL CALL

Present: Councilors Tom Michalek, David Mohr, Ellen Porter, Ruth Smith, Patrice Sipos, and Shelley Briggs Loosley

Absent: Counselors Kylee Rummel and Andrea Zielinski

Others: City Manager Nikki Messenger, City Attorney Jim Forrester, Police Chief Gary Klopfenstein, Fire Chief Tyler Christopherson, Human Resource Director John VanWinkle, Library Director Kris Wiley, Public Works Director Dawn Easley, Finance Director Ron Harker, City Recorder Patty Hitt, and Management Assistant Grace Jelks

4. Mayor Reports

None.

5. Commission Reports/Council Ward Reports

Councilor Sipos reported on the most recent MedCom meeting.

Councilor Briggs Loosley reported on the September 25, 2023 Homeless Commission meeting.

Councilor Mohr reported on the October 3, 2023 Veterans Health and Awareness Fair by Veteran's Affairs.

6. Audience Participation

None.

7. Special Presentation

A. Chief Rob Bullock, presented MedCom and Umpqua Valley Ambulance. Discussion ensued.

Councilor comments and questions included clarification of members included on the Board, ambulance coverage after MedCom dissolves, leftover funds from FireMed memberships, increasing community awareness and access, air ambulance memberships, number of air ambulance service providers, and the process to follow for dissolution of MedCom.

Chief Bullock clarified that FireMed is serviced by Fire District 2, FireMed subscriptions are currently distributed through MedCom, leftover funds cover audits or training, undistributed funds will now go back to providers directly instead of through MedCom first, the membership and subscription process will not change, membership drives that were heavily advertised with the MedCom logo did not increase subscriptions, most air ambulance services do not have a reciprocal agreement and those that do have limited coverage, Reach is the main air ambulance provider in this area, there are many air ambulance providers due to the large size of the County, ground ambulance and Reach air ambulance are both included on the membership application, air ambulance is not regulated like ground ambulance, there are two (2) members from the City Council and two (2) members from Fire District 2, and bylaws are currently being reviewed to determine the process for dissolution at the next MedCom meeting. Timing of the dissolution is important due to forming a Fire Authority with Winston, which will require a name change in July 2024.

Messenger clarified the process of distributing funds and necessary steps for dissolution.

There was a consensus to direct staff to review the IGA with MedCom/Umpqua Ambulance for cancellation or dissolution.

8. Consent Agenda

- A. September 11, 2023 Regular Meeting Minutes.
- B. OLCC – New Outlet – IBC Investing LLC dba Reverie Record Shop at 642 SE Jackson Street.
- C. ODOT Local Bridge Program Grant Application.

Councilor Sipos moved to approve the consent agenda. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Porter, Smith, and Sipos. No Councilors voted no. The motion passed unanimously.

- D. Providing Interim Cash Flow Financing for Off Street Parking Fund.

This item was removed from the Consent Agenda for discussion.

Councilor comments and questions included clarification about why this was item was brought forth on the consent agenda, whether there is a work session scheduled to discuss downtown parking issues, approving a month's worth of funding until the work session, other funding options besides ARPA, reservations about using available ARPA funds to pay for parking rather than housing needs, and the parking issues are creating discord with business owners while costing the City money.

Harker clarified the recommendation for approving three (3) months of funding is in line with Council's previous direction, the current bill is already a month behind due to the billing cycle, using the General Fund account is the other funding option, the Off Street Parking Fund was set up as an Enterprise Fund that was meant to be self-supporting but never supported by the General Fund, most off street parking funds around the country are not self-sustaining, a taxing district was originally put in place to support the Off Street Parking Fund but it was eliminated, an additional revenue source is needed to sustain the Off Street Parking Fund, and metering will not cover the gap in the funding.

Messenger clarified the work session is tentatively scheduled for November 1st or 2nd, depending on Councilors availability. The details will be finalized by Staff and sent out to Councilors.

Councilor Sipos moved to accept Consent Agenda item 8d. The motion was seconded by Councilor Briggs Loosley. The vote was as follows: Councilors Briggs Loosley and Michalek voted yes. Councilors Mohr, Porter, Sipos, and Smith voted no. The motion failed.

Councilor comments and questions included recognition that the bill needed to be paid, consequences of not paying the bill, whether the General Fund will automatically cover the bill, costs already incurred, additional costs of terminating the contract, lack of information and confusion about the negative impact to the City if bills are not paid using ARPA or the General Fund, total cost for termination of the contract, clarification that Council's issue with paying the bill is about using ARPA funds and not cancelling the Ace Parking contract, the issue has been controversial since Council brought it up in January, support for using ARPA funds to pay the bill in thirty (30) day increments, and Council is looking for a better solution to meet the City's parking needs.

Harker clarified that not paying the bill would mean terminating the contract and incurring additional costs, the City would be in a difficult position if the bill is not paid, Ace Parking has already incurred costs for vehicle and equipment purchases, funding sources would need to be identified to pay for terminating the contract, more information is needed from Ace Parking and a review of the amortization table to determine the total cost of terminating the contract, Oregon Law allows an intra-fund loan as long as it is repaid from the Off Street Parking Fund within the year, the Off Street Parking Fund will not generate enough money to pay back an intra-fund loan, and other options include using Contingency Funds but that will take away from paying for Police and Fire or other services.

Messenger clarified that Staff does not have the authority to terminate the contract, the City still needs to have enough money to cover the basic bills (insurance, power, wages, etc.), not paying bills will show up in an audit and negatively affect the City's credit, Staff is asking to use ARPA funds to pay the bill because the Off Street Parking Fund is out of money, and the primary cost driver is the contract but not the only consideration.

Forrester clarified the City would be defaulting on the contract if the bill is not paid, the motion for a certain amount of money that was estimated to pay the bill for three (3) months, and a new motion for a certain sum would be appropriate.

Councilor Porter moved to authorize the use of \$17,500 of ARPA Funds to provide cash flow assistance for Off Street Parking. The motion was seconded by Councilor Sipos.

Councilor Sipos rescinded her second on the motion after discussion.

Councilor Smith seconded the motion.

The vote was as follows: Councilors Michalek, Porter and Smith voted yes. Councilors Briggs Loosley, Mohr, Sipos voted no. Mayor Rich voted no in order to break the tie vote. The motion failed.

Councilor comments and questions included clarification about whether the amount stated in the motion was intended to cover the bill for a month until the work session, whether a \$20,000 intra-fund loan would be a better solution than using \$17,500 of ARPA funds, why the Council was given options that would be bad for the City, and whether the City is already a month behind on paying the bill.

Harker clarified the Off Street Parking Fund is running at a deficit and would not be able to pay back an intra-fund loan, the City is a month behind on paying the bill due to the billing cycle, we do not know what the revenues and expenses are for the month yet, the request is being made due to the expectation of not having enough funds, and it is important to understand that it will take time implement the Council's solution and to see a reverse cash flow in the Off Street Parking Fund.

Messenger clarified that this issue will be brought back to the Council on November 13th, it will take time to implement a solution, and the bill still needs to be paid during the interim.

Forrester clarified that no official action can be decided or taken during the work session, an intra-fund loan has to be paid back by the Fund that was given the loan, the Off Street Parking Fund does not have enough money to pay back a loan because it is not generating enough money and operating at a deficit, and Harker presented all available options to Council so they are able to make an informed decision.

Mayor Rich noted for the record that Council made a commitment to discuss Downtown Parking issues at the work session in November and a decision on paying the bill is necessary tonight. How to fund parking in the future will be discussed at the work session.

Council comments and questions included clarification of the previous commitment made against using more ARPA Funds to pay for parking, concern about needing that money in the future for housing needs, needing a compromise tonight, whether the new amount asked for will cover the bill until the next meeting, recognizing that the full amount would be paid in a timely manner if Council voted to use ARPA funds, Council is trying to be frugal and find a way to discuss how to pay the bill when ARPA funds run out, and clarification of the total amount paid to Ace Parking every month.

Councilor Briggs Loosley commented that Council should not be putting Staff in the position of paying bills late.

Messenger asked for clarification on the reasoning behind wanting to use General Funds instead of ARPA Funds, which have not been earmarked or committed in entirety for housing needs and have less impact to the City. Staff can gather information about the net loss on the Ace Parking contract for discussion at the work session.

Harker clarified the direction Staff needs to transfer money from the General Fund to the Off Street Parking Fund when Council makes the motion and the net loss on the Ace Parking contract every month is approximately \$15,000.

Councilor Mohr moved to direct Staff to bring back an Appropriation Transfer in the amount of \$17,500 from the General Contingency Fund to the Off Street Parking Fund. The motion was seconded by Councilor Smith. The vote was as follows: Councilors Michalek, Mohr, Porter, Sipos, and Smith voted yes. Councilor Briggs Loosley voted no. The motion passed.

9. Department Items

A. 2023 Oregon Public Library Statistical Report.

This item was removed and will be rescheduled at a future date.

B. Messenger presented an overview of the Sunshine Park Annexation – Consultant Services Contract Emergency Award.

Councilor comments and questions included whether LUBA listed specific issues the County needed to address when it was remanded back, which corrections the County needed to make to the Findings, using ARPA funds for this purpose is acceptable, fencing for the entire property, setback dimensions, and the nature of concern brought up by property owners.

Forrester clarified the LUBA process and that it has become a repeated cycle.

Messenger and Easley clarified the property is not fenced in entirety, the setback is 100 - 150 feet from the property line, impact to property owners is minimal, fencing is in place by owners with animals, and owners were concerned about traffic on the trails near their backyards.

Councilor Mohr moved to accept the City Manager's report regarding the emergency award of a consultant contract for the annexation of Sunshine Park into the City Limits. The motion was seconded by Councilor Sipos and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Porter, Smith, and Sipos. No Councilors voted no. The motion passed unanimously.

C. Easley presented an overview of the Brown Park Annexation Project – Authorization to Accept Donation, Negotiate Donation Agreement and Purchase Real Property.

Councilor questions and comments included clarification of the amount needed for improvements, whether the City would be responsible for the entire cost of improvements, and any deed restrictions.

Easely clarified the amount needed for improvements is an estimate that will be paid for by a grant and the City is buying the property with the understanding that it will be used as a park.

Councilor Smith moved to authorize the City Manager to negotiate and execute a donation agreement to accept \$150,000 towards the expansion of Brown Park and authorize the City Manager to proceed with the purchase of 710 W. Francis Street for the expansion of Brown Park. The motion was seconded by Councilor Mohr and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Porter, Smith, and Sipos. No Councilors voted no. The motion passed unanimously.

10. Items from Mayor, City Council, and City Manager

Councilor Sipos asked for clarification about when the Dog Ordinance will be rescheduled.

Forrester clarified that he hopes to have the Dog Ordinance ready for the next meeting.

11. Adjourn

Mayor Rich adjourned the regular meeting at 8:35 p.m.

Grace Jelks

Grace Jelks

Management Staff Assistant

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
October 23, 2023**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on October 23, 2023 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

2. Pledge of Allegiance

Council President Zielinski led the pledge of allegiance.

3. ROLL CALL

Present: Councilors Tom Michalek, David Mohr, Ellen Porter, Kylee Rummel, Ruth Smith, Patrice Sipos, Shelley Briggs Loosley (joined at 8:25 p.m.), and Andrea Zielinski

Absent: None

Others: City Manager Nikki Messenger, City Attorney Jim Forrester, Police Chief Gary Klopfenstein, Fire Chief Tyler Christopherson, Library Director Kris Wiley, Public Works Director Dawn Easley, Finance Director Ron Harker, City Recorder Patty Hitt, Management Assistant Grace Jelks, and KVAL/KMTR Reporter Rigo Aguilera

4. Mayor Reports

A. Mayor Rich proclaimed November as Veterans and Military Families Month. Dan Loomis, Douglas County Veterans Committee Chair, accepted the proclamation and thanked the Council for their recognition.

B. Mayor Rich presented Measure 110 updates. Discussion ensued.

Councilor Mohr's comments and questions included whether the City had data on the effectiveness of Measure 110 and needing more information.

Councilor Michalek's comments and questions included support for judges putting people in jail for a year while they kick the habit.

Councilor Porter's comments and questions included clarification of support for repealing versus asking the legislature to make changes.

Councilor Rummel's comments and questions included reports from law enforcement expressing frustration about the negative impacts of Measure 110.

Councilor Sipos' comments and questions included support for making small amounts of drugs illegal again by repealing Measure 110.

Councilor Smith's comments and questions included support for repealing Measure 110.

Chief Klopfenstein clarified that the State is tracking statistical information, Measure 110 has had a draconian effect on the City, Drug Court has seen a drop in participation, and small amounts of drugs are illegal but the consequence is a violation.

Messenger clarified that drug treatment programs are being underutilized as an option to avoid jail time because criminal consequences have been reduced or eliminated.

Forrester stated that drug dogs cannot differentiate between the amount of drugs that would result in a violation versus serious criminal charges, which negatively impacts law enforcement's ability to stop drug crimes.

There was a consensus to support either repealing or changing Measure 110 by joining with League of Oregon Cities or by Council Resolution.

5. Commission Reports/Council Ward Reports

Councilor Sipos reported on the October 19, 2023 Economic Commission meeting.

Councilor Porter reported on the October 12, 2023 Public Works Commission meeting.

Council President Zielinski reported on the October 17, 2023 Library Commission meeting.

Councilor Smith reported on the October 18, 2023 Local Emergency Planning Committee meeting.

Councilor Mohr reported on his recent meeting with Douglas County Commissioner Freeman.

6. Audience Participation

Elaine Brady, 706 W. Pilger St., spoke about trash, homelessness, drugs, and unleashed dogs in City parks where she volunteers for cleanup activities.

Raeann Rutledge, 149 Buena Vista Ln., spoke about a Gold Star Family Memorial Monument.

Eric Allgaier, 2127 NE Malheur Ave., spoke about the impact of Measure 110.

Courtney Parise, 156 Sunshine Rd., spoke about systemic issues fathers are facing and Measure 110.

Corbin Parise, 156 Sunshine Rd. #210, spoke about Measure 110.

7. Special Presentation

A. Sam Carter - Regional Business Manager and Darin Davis - Area Manager, presented Pacific Power and Light. Discussion ensued.

Councilor Michalek's comments and questions included the feasibility of burying lines.

Councilor Smith's comments and questions included issues with street lights automatically turning off.

Mayor Rich's comments and questions included clarification of whether bulbs overheating would cause street lights to go out and ownership of street lights.

Councilor Mohr's comments and questions included whether there is a new strategy for assisting customers during power outages and those at-risk due to severe wildfire smoke.

Sam Carter and Darin Davis clarified that most new subdivisions or homes are burying lines, it would be very costly to switch older homes and businesses to underground lines, long-term street light outages in Ward IV will be investigated, many street light issues can be resolved by changing out the bulbs, overheating is usually a maintenance issue, most street lights in the City are owned by Pacific Power, the approval process for installation of items on power poles is being reviewed, and a new plan to minimize outage times for customers includes updating and relocating equipment or technology, this process may be the new normal to prevent fires during peak fire season, and customers are eligible for a rebate for the purchase of a backup battery.

Messenger ask for clarification of the process for installing FLOCK cameras used by law enforcement.

8. Consent Agenda

A. October 9, 2023 Regular Meeting Minutes.

Council President Zielinski moved to approve the October 9, 2023 Regular Meeting Minutes. The motion was seconded by Councilor Briggs Loosley. The vote was as follows: Councilor President Zielinski voted yes. Councilors Briggs Loosley, Michalek, Mohr, Porter, Sipos, and Smith voted no. Councilor Rummel abstained. The motion failed (1 – 6 – 1).

This item was set over to the November 13, 2023, Council meeting with direction to Staff to count Councilor Michalek's vote on the first motion for item 8d as "yes" and add Councilor Sipos to the "no" votes.

B. IGA with ODOT for All Roads Transportation.

Councilor Porter's comments and questions included a request by the Bike/Walk Roseburg group to work with Staff on this issue.

Councilor Sipos' comments and questions included clarification about remedies to slow traffic down on Pine Street.

Councilor Michalek's comments and questions included clarification about whether traffic lights are synchronized.

Easley clarified that the IGA is based on a grant that was requested to complete work on specific intersections, other options can be explored to perform work at intersections not already included in this grant, and traffic lights are synchronized using a programmable system.

Council President Zielinski moved to authorize the City Manager to negotiate and enter into an Intergovernmental Agreement with ODOT for the ARTS Project. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Porter, Rummel, Smith, Sipos, and Zielinski. No Councilors voted no. The motion passed unanimously.

9. Ordinances

A. Ordinance No. 3595 – Amending Subsection 3.06.025 of the Roseburg Municipal Code, Effective January 1, 2024, First Reading.

Messenger reported on SB1047, which raises the contract threshold under which a contracting agency may apply certain solicitation and procurement methods for public contracts.

Councilor Michalek’s comments and questions included clarification on contracts valued over \$25,000.

Messenger clarified there are implications associated with contracts valued over \$25,000 and the process will be reviewed at a later date.

Council agreed to a first reading of Ordinance No. 3595. Hitt read Ordinance No. 3595, entitled, “Amending Subsection 3.06.025 of the Roseburg Municipal Code, Effective January 1, 2024,” for the first time.

10. Resolutions

A. Resolution No. 2023-21 – Updating the Park Rules and Regulations

Easley provided an overview of the resolution. Discussion ensued.

Councilor Mohr’s comments and questions included clarification of park use by persons not involved in organized activities.

Councilor Sipos’ comments and questions included clarification of a possible missing section – 1.8.

Mayor Rich’s comments and questions included clarification for groups that are larger than anticipated.

Councilor Smith’s comments and questions included whether there are restrictions for groups opposing each other’s views.

Councilor Rummel’s comments and questions included whether groups can pass out information at other parks.

Easley clarified that the new rules identified a specific area to congregate for activities, Staff will review the Rules and Regulations document for the possible missing sections, permits are required for large groups, groups with opposing views will have to share space and follow the rules, and the rules address passing out information in parks.

Messenger stated that a section of the Park Rules and Regulations document is missing and Staff will bring this item back to Council at a later date for approval.

This item was set over to the November 13, 2023 Council meeting so that Staff can research and make corrections to Park Rules and Regulations document.

B. Resolution No. 2023-22 Appropriation Transfer for Fiscal Year 2023-24 Transferring General Fund Contingency Funds to the Off-Street Parking Fund.

Harker provided an overview of the resolution. Discussion ensued.

Mayor Rich clarified that Staff is asking for an additional amount for a total of \$20,000 due to the updated information provided about the Off-Street Parking Fund balance and expenditures, whether leftover ARPA Funds can be used for the Contingency Fund, and clarification of identifying a budget line item to pay for the deficit.

Councilor Sipos' comments and questions included clarification of the Contingency Fund balance.

Council President Zielinski comments and questions included the impact of using money from the General Fund versus ARPA Funds, whether Staff will need to bring Council another request for approval to the pay the bill next month, the total amount that will be taken out of Contingency Funds after the next bill is paid, and whether ARPA Funds can be used to pay the bill next time. It was noted for the record that she was not at the last Council meeting and would not have approved the use of Contingency Funds.

Councilor Mohr's comments and questions included whether the budget will need to be adjusted to pay for the deficit in the Off-Street Parking Fund.

Harker clarified that due to the Off-Street Parking Fund balance and expenditures, the City is asking for a total of \$20,000; the Contingency Fund is listed as part of the Fund Balance (year-to-date); use of ARPA funds is not restricted but does have an expiration date; using money from the Contingency Fund means using money held in reserves to meet future requirements to pay for City services like Public Safety and Public Works; leftover ARPA Funds will have to be returned if they are not spent; a supplemental budget will need to be adopted by Council after a public hearing to pay for the Off-Street Parking Fund deficit using Contingency Funds; and the Council has the option to authorize ARPA Funds to pay the bill next time.

Messenger clarified that Council has the option to authorize ARPA Funds to pay the bill tonight.

Councilor Sipos moved to adopt Resolution No. 2023-22 Authorizing an Appropriation Transfer in the amount of \$20,000 for Fiscal Year 2023-24. The motion was seconded by Councilor Mohr and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Rummel, Porter, Smith, and Sipos. Council President Zielinski voted no. The motion passed (7-1).

11. Department Items

- A. Easley presented the Water Treatment Plant Standby Generator Project 20WA03 Amendment No. 1 Consulting Services Contract. Discussion ensued.

Councilor Sipos' comments and questions included whether power outages will have an impact.

Easley clarified that the backup generator will keep services going in the event of a power outage.

Councilor Porter moved to authorize Amendment No. 1 to the consulting services contract for the Water Treatment Plant Standby Generator project to RH2 Engineering, Inc. for \$34,211. The motion was seconded by Council President Zielinski and approved with the following vote: Councilors Briggs Loosley, Michalek, Mohr, Porter, Rummel, Smith, Sipos, and Zielinski. No Councilors voted no. The motion passed unanimously.

12. Items from Mayor, City Council, and City Manager

Councilor Rummel commented on a downtown cleanup organized by Happy Days owner Zach Weiss.

Councilor Mohr asked to add annexations to Council's future schedule. Messenger clarified that annexations will be covered during the Goal Setting Work Session.

Councilor Porter commented on the League of Oregon Cities legislative meetings, discussions with legislators, a meeting with the main objector to last year's legislation, and obtaining updated information on the cost of camp cleanups. Messenger confirmed that Staff will provide updated information.

Councilor Smith commented on Councilor Porter's nomination for appointment on the Land Conservation and Development Commission.

Messenger commented that an Opioid Awareness Town Hall will be hosted by Adapt at the Roseburg Library on November 16th.

13. Adjourn

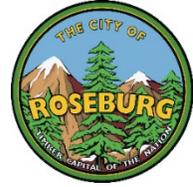
Mayor Rich adjourned the regular meeting at 9:19 p.m.

Grace Jelks

Grace Jelks

Management Staff Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



RESOLUTION NO. 2023-21 UPDATING THE PARKS RULES AND REGULATIONS

Meeting Date: November 13, 2023
Department: Public Works
www.cityofroseburg.org

Agenda Section: Consent
Staff Contact: Dawn Easley, PW Director
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

Staff recognized the need to update the Parks Rules and Regulations to remove language prohibiting the distribution of any circular, notice, leaflet, pamphlet or written or printed information of any kind. The issue for Council is whether to adopt the attached resolution updating those rules.

BACKGROUND

A. Council Action History.

The Council last updated the Parks Rules and Regulations at the May 22, 2023, meeting via Resolution No. 2023-14. Staff presented the updated Parks Rules and Regulations at the October 23, 2023 meeting. Unfortunately, section 1.8 of the updated rules had formatting and numbering issues in the document included in the Council packet. The updates to the rules was discussed during the meeting, but action was delayed until the error could be corrected.

B. Analysis.

The Park Rules and Regulations restricts the distribution of any written or printed material in the park. The U.S. Constitution protects citizens' freedom of speech and assembly. The distribution of printed or written materials is included in that protection. Staff seeks to remove this prohibition in the Park Rules and Regulations and add a designated assembly area for the purpose of soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written or printed materials inside a park.

The proposed changes include the following;

- Adding section 1.5 Soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written materials inside a park in a manner that unreasonably interferes with or impedes access to the park or an event scheduled in the park is prohibited.
- Adding section 1.6 Soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written materials in a manner that does not unreasonably interfere with

or impede access to the park or an event in the park may occur in the designated assembly area of the park.

- Adding section 1.7 Stewart Park’s designated assembly area is near the southernmost entrance of Stewart Park off Stewart Parkway, south of the parking area. The Fir Grove Section of Stewart Park designated assembly area is in the northeast corner near the entrance to the Stewart Park Drive Bridge and the parking area. The Sunshine Park designated assembly area is located above the outfield of field two near the park entrance at the first light pole. The assembly areas of any other park can be requested from the Parks and Recreation Department.

- Removing section 1.5.1 The distribution of any circular, notice, leaflet, pamphlet or written or printed information of any kind.

C. Financial/Resource Considerations.

None

D. Timing Considerations.

None

COUNCIL OPTIONS

1. Adopt the attached resolution updating the Parks Rules and Regulations; or
2. Request additional information; or
3. Take no action.

STAFF RECOMMENDATION

The Parks and Recreation Commission discussed the proposed updates to the parks rules at their October 4, 2023, meeting. The Commission recommended the Council adopt the attached resolution updating Parks Rules and Regulations. Staff concurs with the Commission’s recommendation to adopt the new Parks Rules and Regulations.

SUGGESTED MOTION

“I MOVE TO ADOPT RESOLUTION NO. 2023-21, A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2022-05 REGARDING THE CITY OF ROSEBURG PARKS RULES AND REGULATIONS.”

ATTACHMENTS:

Attachment #1 – Resolution 2023-21

Attachment #2 – Exhibit “A” Proposed City of Roseburg Parks Rules and Regulations

Attachment #3 – Map

RESOLUTION NO. 2023-21

**A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2023-14
REGARDING THE CITY OF ROSEBURG PARKS RULES AND REGULATIONS.**

WHEREAS, general rules and regulations for the City of Roseburg’s parks system were approved by the Roseburg City Council through the adoption of Resolution 2023-14 on May 22, 2023; and

WHEREAS, the current park rules and regulations prohibit the distribution of printed or written materials and do not designate an assembly area; and

WHEREAS, the City of Roseburg Parks & Recreation Commission determined that the Park Rules and Regulations should be updated to remove the prohibition of the distribution or printed or written material and create a designated assembly area; and

WHEREAS, these changes are intended to address areas of Park Rules and Regulations that restrict distribution of printed and written documents in the park; and

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

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

Section 1. Resolution No. 2023-14 as adopted on May 22, 2023, is hereby repealed.

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

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

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE 13nd DAY OF NOVEMBER, 2023.**

Patty Hitt, City Recorder

**CITY OF ROSEBURG
PARKS RULES AND REGULATIONS**

The following City of Roseburg Parks Rules and Regulations, adopted by the Roseburg City Council on November 13, 2023, via Resolution No. 2023-21, shall be observed within the public parks of the City of Roseburg, Oregon effective immediately. As used herein, the words “public park” shall mean and include all property now or hereafter owned and/or controlled by the City of Roseburg, Oregon, and operated as a park or an area of City beautification available for the use of the public. As used herein, the definition of “vehicle” shall be from Oregon Revised Statute 801.590.

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

- 1.1 No person shall build any fire within any public park except as permitted in a stove or fireplace designed and provided therefore.
- 1.2 No overnight camping will be permitted in any park or part thereof without prior approval by the Public Works Director unless allowed by Roseburg Municipal Code (RMC) 7.02.100.
- 1.3 No person will be permitted to park overnight in a park parking lot unless an exception is allowed by RMC 7.02.100.
- 1.4 No person may erect signs, markers or inscriptions of any type within a public park, except in a specifically designated area, without permission from the Public Works Director.
- 1.5 Soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written materials in a manner that unreasonably interferes with or impedes access to the park or an event scheduled in the park is prohibited.
- 1.6 Soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written materials that does not unreasonably interfere with or impede access to the park or an event in the park may occur in the designated assembly area.
- 1.7 The Stewart Park designated assembly area is located near the southernmost entrance of Stewart Park off Stewart Parkway, south of the parking area. The Fir Grove Section of Stewart Park designated assembly area is in the northeast corner near the entrance to the Stewart Park Drive Bridge and the parking area. The Sunshine Park designated assembly area is located above the outfield of field two near the park entrance at the first

light pole. The assembly areas of any other park can be requested from the Parks and Recreation Department.

- 1.8** The following activities are prohibited in all public parks unless specifically authorized by the Public Works Director:
 - 1.8.1** The solicitation of, or engagement in, the sale of any merchandise or service, the operation of any concessions or catering, within any public park without a permit from the Public Works Director.
- 1.9** Smoking or other use of tobacco products is prohibited on all public park property. "Smoking" as used herein shall include: electronic smoking devices, tobacco, marijuana, cigarettes, cigarillos, cigars, pipes, chew, snuff, smokeless tobacco and any burning or smoldering substance in any form. City-owned Stewart Park Golf Course is excluded.
- 1.10** No person shall permit any domestic animal owned by, or in the custody of the person, to run at large within any park or enter any pond, fountain or stream thereof, and all domestic animals within any public park shall be kept in control at all times on a leash not more than eight (8) feet in length (Happy Tails Dog Park excluded). Also, no person shall tease, annoy or injure any animal within any park facility including ponds, streams or fountains. No person shall ride or drive any horse or other livestock, or permit any horse or other livestock, to go upon any portion of a public park at any time except as authorized by the Public Works Director.
- 1.11** No person shall be permitted within a public park between dusk and dawn with the following exceptions:
 - 1.11.1** As permitted for special occasion upon application and approval by the Public Works Director.
 - 1.11.2** Organized events that the City has approved such as Music on the Half Shell, Movies in the Park, Legion Baseball, Little League activities at Gaddis Park, scheduled softball leagues and tournaments.
 - 1.11.3** Events sponsored by Umpqua Valley Arts Association and Umpqua Actors Community Theater, held at the Arts Center and the Betty Long Unruh Theater.
 - 1.11.4** As allowed by RMC 7.02.100.
- 1.12** No person shall swim, wade, bathe or operate a watercraft of any kind in any area of a public park except in those areas so designated.

- 1.13** No person shall operate any public address or loudspeaker system, or operate a radio or other electronic audio device, in any public park in a manner that violates RMC 7.02.140 Noise Disturbances; this does not include sounds arising from and consistent with any activity approved by City sponsorship or for which a permit has been issued by the Public Works Director.
- 1.14** Car washes and garage/yard sales are prohibited on public park property.
- 1.15** No person shall interfere with or disrupt any activity in a public park which has been authorized by City permit.
- 1.16** Except for First Responders, park maintenance, public utility and other vehicles judged necessary by the Public Works Director for the construction, maintenance and safety of City parks and utilities therein, no vehicles shall be operated, stopped, parked or left standing in a public park, other than on public roads, and parking lots specifically designated and designed for vehicle use. Any vehicle(s) in unauthorized areas, such as inside a park system, riparian zones, mitigated wetlands, multiuse paths, trails, and any other areas that are designated parking lots and public roads, may be immediately impounded by the Police Chief or their designee. The Public Works Director may impose reasonable conditions on park use when exempt vehicles are authorized within a park. Electric assist bicycles are considered bicycles and are permitted on multi-use pathways in City parks if the motor that does not exceed 750 watts and has functional pedals.
- 1.17** No person shall operate a motorized vehicle, or a bicycle, skateboard, roller-skates, roller blades, or any other type of vehicle, in any public park in a manner that endangers, or would be likely to endanger any person or damage any property. The speed limit on all multi-use paths is 15 miles per hour.
- 1.18** Persons desiring to use park property to picket or protest activities authorized by City permit shall be allowed to occupy the sidewalks and bicycle / pedestrian pathway abutting Stewart Parkway only. If the number of people using the designated area is ten (10) or more, the activity must also comply with City parade regulations.
- 1.19** The playing or practicing of golf is prohibited in any City park other than Stewart Park Golf Course, unless authorized by the Public Works Director.
- 1.20** Any activity that is not authorized by a City permit which is incompatible with or disrupts the general public use of park property is prohibited.
- 1.21** No vehicle shall remain in a parks parking lot for more than 12 hours within any 24-hour period.

2. RULES SPECIFIC TO SPECIAL EVENTS (NOT SPONSORED BY THE CITY)

In addition to the General Park Rules & Regulations, Persons issued a Parks & Recreation Special Event Permit are responsible for seeing that the following rules and/or regulations are followed, met and adhered to:

- 2.1** A special event is defined as gatherings/events that involve a large group of people (compared to the usual occupancy of the site), and
- Are advertised to the public and do not occur regularly on the site, or
 - Impact or use city streets (including curb or parking lane) sidewalks, and public right-of-way, or
 - Use of City facilities or property such as city buildings, parks, parking lots, etc.

Examples of special events include: concerts, festivals, parades, markets, carnivals, street fairs, runs/walks, bike races, church services, volunteer work group events, etc.

- 2.2** All special events in parks require a permit. Permit applications must be submitted to the Public Works Department at least two weeks prior to the date of the event. Payment of all fees/deposits is due at the time of application.
- 2.3** Permittee must submit a list of all vendors (those taking part in the solicitation of, or engagement in, the sale of any merchandise or service, or in the operation of any concessions) to be approved by the Public Works Director. All vendors who wish to sell food or products in conjunction with a special event must also enter into a separate agreement with the City per Section 1.3.2.
- 2.4** Mobile vendors/food trucks to be utilized in conjunction with special events shall comply with all rules specific to those businesses as outlined in Section 5.
- 2.5** At least one week prior to the event, Permittee shall provide the City with proof of General Liability Insurance as outlined in Section 6.
- 2.6** The sales, dispensing and/or consumption of alcoholic beverages during special events is prohibited without a special occasion liquor license obtained from the Oregon Liquor Control Commission **and** approved by the City Manager. The license shall be presented to the City *thirty* days prior to the event to allow sufficient processing time.
- 2.7** Permittee must pay a permit deposit at least two weeks prior to the date of the event to cover the cost of City services such as police, parks and public works crews if these services are required. The amount of the deposit will

be determined on an event by event basis. A final accounting for these services will be done by the City within 10 days following the event, at which time the Permittee will be reimbursed for any over payment or billed for costs in excess of the amount deposited.

- 2.8 Permittee must provide, at its own expense, all traffic control and security needed throughout the duration of the event. The minimum traffic control and security will be determined by the City on an event by event basis. Vehicles parked in/around the Legion Field area must keep out of the fire lanes and not be double parked.
- 2.9 For crowds over 1,000 Permittee must:
 - Provide additional trash containers at a general rate of one (1) trash can per every 50 people (over 1,000).
 - Utilize recycling stations.
 - Provide an adequate number of portable toilets to meet crowd demands.
- 2.10 The decibel level of any sound produced as part of or as a result of the event shall be limited to 95 decibels.
- 2.11 Permittee shall be held liable and responsible for any damage beyond normal wear and tear upon the facilities used during the event. Climbing on the band shell structure for any reason is strictly prohibited.
- 2.12 Due to limited availability of parking space, if Permittee anticipates an extra-large crowd, Permittee is encouraged to provide shuttle bus service to the park.
- 2.13 All events must conclude no later than 9:30 PM unless approved by the Public Works Director.

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

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

4. RULES SPECIFIC TO INFLATABLE STRUCTURES IN CITY PARKS.

- 4.1 Persons planning to have an inflatable must first obtain a Park Permit for the use of the park.
- 4.2 Permittee shall provide the City with proof of General Liability Insurance as outlined in Section 6.
- 4.3 Inflatables must be freestanding and weighted. Stakes are prohibited.
- 4.4 Inflatables may not be tied to trees, tables or other park amenities.
- 4.5 Inflatables must be under adult supervision at all times.
- 4.6 Between June 1st and August 31st, inflatables are limited to a maximum of 2 hours. For the remainder of the year, inflatables are limited to a maximum of 4 hours.

5. RULES SPECIFIC TO MOBILE VENDORS/FOOD TRUCKS IN CITY PARKS

- 5.1 Mobile vendors/Food trucks may be allowed in conjunction with permitted special events only. Mobile Vendors/Food Trucks must be approved by the Public Works Director. If denied, a written appeal must be filed within five (5) days after the date of the notice of the action. The written appeal filed with the City Manager must state the basis for the appeal. The decision of the City Manager shall be final.
- 5.2 Mobile vendors/food trucks must have a valid City Business Registration/License.
- 5.3 Mobile vendors/food trucks must comply with the General Liability Insurance requirements as outlined in Section 6.
- 5.4 Vendor shall park in designated area only. Obstructing or parking in a public travel lane, fire lane, bike lane, or blocking access to any driveway access, walkway, fire hydrants, parking facilities, or loading zone is prohibited.
- 5.5 Drive-up windows are prohibited.
- 5.6 All tables, chairs, trash bins, wash stations, etc. shall be removed from the site when the vendor vacates the site.
- 5.7 The vendor shall not place any signage in the park or adjacent right-of-way except which is directly affixed to the vending unit.

- 5.8 No vendor permitted under this section shall sell, consume, or distribute alcoholic beverages.

6. INSURANCE REQUIREMENTS General Liability Insurance. Permittee shall maintain a broad form general liability insurance policy with coverage of not less than \$2,000,000 combined single limit per occurrence, with aggregate of \$4,000,000, for bodily injury, personal injury, or property damage with an insurance carrier licensed to do business in the State of Oregon. Such policy shall contain a contractual liability endorsement to cover indemnification obligations under any agreement or permit subject to this rule and shall entitle the City to not less than thirty (30) days written notice of any material change, non-renewal, or cancellation.

The policy shall also contain an endorsement naming the City as an additional insured, in a form satisfactory to the City, and expressly provide that the interest of the City shall not be affected by the Permittee's breach of policy provision. Such policy must be maintained in full force and effect for the duration of this permit. Failure to do so shall be cause for immediate termination of this permit by the City. Claims made policies will not be accepted. Evidence of this coverage may be requested by the City, however, not requesting the proof does not eliminate the requirement that the coverage be in force.

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

Stewart Park Assembly Area



Fir Grove Assembly Area



Sunshine Park Assembly Area



ORDINANCE NO. 3595

**AN ORDINANCE AMENDING CHAPTER 3.06.025 – CONTRACTS
OF THE ROSEBURG MUNICIPAL CODE**

WHEREAS, the Roseburg City Council serves as the local contract review board; and

WHEREAS, Roseburg Municipal Code Chapter 3.06 outlines the City of Roseburg's procurement policies in compliance with State Statutes and Administrative Rules regarding contracts; and

WHEREAS, Senate Bill 1047 (2023) amended ORS 279B.065, ORS 279B.070, and ORS 279C.335, relating to solicitation and procurement methods for public contracts; and

WHEREAS, The City of Roseburg wishes to update certain sections of RMC Chapter 3.06.025 to reflect the updated statutory contract thresholds.

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

SECTION 1. Roseburg Municipal Code 3.06.025(A) is amended to read as follows:

A. Contracts Valued at or Below \$25,000. Contracts for goods, services, public improvements and personal services for which the estimated contract price is valued at or below \$25,000 may be awarded by the Purchasing Agent by direct selection or any other method which the Purchasing Agent deems to be in the best interest of the City. The Purchasing Agent shall make a written record documenting the manner of selection and the reason why the selection was in the best interest of the City. A contract awarded under this Subsection may be amended only in accordance with this Section.

SECTION 2. Roseburg Municipal Code 3.06.025(B) is amended to read as follows:

B. Contracts Valued Above \$25,000, up to \$100,000. Except as otherwise provided in this Chapter, all contracts for goods, services, public improvements and personal services for an amount which is valued above \$25,000, up to and including \$100,000, may be awarded by the Purchasing Agent based on informal written quotes or informal written proposals. In soliciting the informal written quotes or informal written proposals, the Purchasing Agent shall seek quotes or proposals from a sufficiently large number of potential offerors to ensure sufficient competition to meet the best interests of the City. An award based on receiving less than three informal written quotes or informal written proposals may be made only on a determination by the Purchasing Agent that potential offerors were given a reasonable opportunity to submit quotes or proposals.

SECTION 3. Roseburg Municipal Code 3.06.025(F) is amended to read as follows:

F. Contracts Awarded at Purchasing Agent's Discretion. Notwithstanding any other provision of this Chapter, the following classes of public contracts may be awarded in

any manner the Purchasing Agent deems to be in the best interest of the City, including direct selection or purchase.

1. Advertising. Contracts for the placing of notice or advertisements in any medium.
2. Animals. Contracts for the purchase of animals.
3. Contracts up to \$25,000. Contracts of any type for which the contract price does not exceed \$25,000.
4. Equipment Repair. Contracts for equipment repair or overhauling, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.
5. Gasoline, Fuel and Oil. Contracts for the purchase of gasoline, fuel and oil used for City operations.
6. Goods for Resale. Contracts for goods purchased for resale to consumers.
7. Government-Regulated Items. Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.
8. Insurance. Insurance service contracts.
9. Materials Entitled to Copyrights; Library Materials. Contracts for the acquisition of materials entitled to copyright, including, but not limited to, works of art and design, literature and music, when purchased from the author or copyright holder or when such materials are purchased for library purposes.
10. Non-Owned Personal Property. Contracts or arrangements for the sale or other disposal of used abandoned property or other personal property not owned by the City.
11. Purchase of Used Property. The purchase of used property with a value up to \$100,000 if the property is suitable for the City's needs and can be purchased for a lower cost than substantially similar new property. For this purpose, the cost of used property shall be based upon the life cycle cost of the property over the period for which the property will be used by the City. The Purchasing Agent shall record the findings that support the purchase.
12. Qualified Non-Profits Entities. Contracts for goods or services provided by qualified non-profit entities.
13. Renewals. Contracts that are being renewed in accordance with the renewal options provided in the contract terms. Notwithstanding the foregoing, the Purchasing Agent shall consider using a competitive solicitation technique if renewal of the contract

would result in an aggregate term of more than 4 years. When deciding whether competitive solicitation is appropriate, the Purchasing Agent shall balance the needs of the City for continuity of professional services with the need for competition and reasonable costs.

14. Sole Source Contracts. Contracts for goods and services which are available from a single source. The Purchasing Agent shall make a written record of the facts that support the determination that the goods or services, or improvements, are only available from a single source and that alternative goods, services or improvements would be unsatisfactory for the City's needs.

15. Sponsor Agreements. Sponsorship agreements under which the City receives a gift or donation in exchange for recognition of the donor.

16. Structures. Contracts for the disposal, demolition or removal of structures on City-owned property.

17. Temporary Extensions or Renewals. The temporary extension or renewal of an expiring and non-renewable, or recently expired contract (excluding public improvement contracts), for a single period of one year or less.

18. Temporary Use of City-Owned Property. A contract (including a license or permit) for the temporary use of City-owned property if:

a. The contract results from an unsolicited proposal to the City based on the unique attributes of the property or the unique needs of the proposer;

b. The proposed use of the property is consistent with the City's use of the property and the public interest; and

c. The City reserves the right to terminate the contract without penalty, in the event that the City determines that the contract is no longer consistent with the City's present or planned use of the property or the public interest.

19. Utilities. Contracts for the purchase of steam, power, heat, water, natural gas, electricity, heating oil, telecommunication services and other utilities.

SECTION 4. All other Sections, Subsections and Paragraphs of Chapter 3.06 of the Roseburg Municipal Code shall remain in full force and effect as currently written.

SECTION 5. Effective Date: This ordinance will take effect January 1, 2024.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 2023.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2023.

LARRY RICH, MAYOR

ATTEST:

PATTY HITT, CITY RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



RESOLUTION NO. 2023-23 A RESOLUTION SUPPORTING THE REPEAL OF BALLOT MEASURE 110

Meeting Date: November 13, 2023
Department: Administration
www.cityofroseburg.org

Agenda Section: Resolutions
Staff Contact: Nikki Messenger, CM
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

At the October 23 meeting, Council requested a resolution supporting the repeal or amendment of Measure 110. The issue for Council is whether to adopt the attached resolution.

BACKGROUND

A. Council Action History.

Council discussed the possibility of adopting a resolution or signing on to a statewide effort to address the shortfalls of Measure 110 at their October 23 meeting.

B. Analysis.

In 2020, a majority of Oregon voters passed Ballot Measure 110, the Drug Addiction Treatment and Recovery Act. The measure decriminalized and removed drug penalties for user amounts of heroin, cocaine, and methamphetamine. In the simplest terms, the intent behind the measure was treatment in lieu of punishment. In reality, the removal of consequences has led to an increase in addiction and overdoses within the state and within our community.

Many cities and counties throughout Oregon have either adopted resolutions or sent letters to the Oregon Legislature requesting that Measure 110 be repealed or amended. Popular opinion indicates the Governor is not in favor of a full repeal, but is interested in reforming the legislation to reintroduce penalties for some drug offenses. In this spirit, the League of Oregon Cities, Oregon District Attorneys Association, Oregon Association of Chiefs of Police and Oregon State Sheriffs' Association drafted the attached letter outlining eleven policy proposals recommended to amend the measure.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

The Interim Joint Committee on Addiction and Community Safety Response is currently meeting to gather information related to addiction in Oregon. It is anticipated that Measure 110 reform may be undertaken during the legislature's short session in 2024.

COUNCIL OPTIONS

The Council has the following options:

1. Adopt the attached resolution; or
2. Recommend changes to the resolution; or
3. Do nothing.

STAFF RECOMMENDATION

By eliminating consequences for drug-related offenses, Measure 110 has negatively impacted our community by removing many of the incentives that may have led addicted persons to choosing treatment over punishment. This is reflected in the number and types of drug-related calls that both the Police and Fire Departments are responding to daily. Therefore, staff recommends Council consider adopting the attached resolution.

SUGGESTED MOTION

"I move to adopt Resolution No. 2023-23 supporting the repeal of Measure 110."

ATTACHMENTS:

Attachment #1 – Resolution No. 2023-23, A Resolution Entitled, "A RESOLUTION SUPPORTING THE REPEAL OF BALLOT MEASURE 110."

Attachment #2 – Joint Letter Outlining Position of League of Oregon Cities, Oregon Association of Police Chiefs, Oregon District Attorneys Association and Oregon State Sheriffs' Association

RESOLUTION NO. 2023-23

A RESOLUTION SUPPORTING THE REPEAL OF BALLOT MEASURE 110 (2020)

WHEREAS, in November of 2020, a majority of voters in the State of Oregon passed Ballot Measure 110, the Drug Addiction Treatment and Recovery Act, with the intent of making health assessment, treatment, and recovery services for drug addiction available to all those who need and want access to those services; and

WHEREAS, Measure 110 stated that Addiction Recovery Centers would be established within each coordinated care organization service area and operational by October 1, 2021 to provide 24/7 services, seven days a week, 365 days a year, and despite millions of dollars in marijuana tax revenue being diverted from cities and counties, these facilities have not been established; and

WHEREAS, the decriminalization and removal of drug penalties related to "hard drugs," to include user amounts of heroin, cocaine and methamphetamine, have not proven effective in reducing drug use, reducing the number of overdose deaths, or substantially increasing the number of individuals seeking treatment; and

WHEREAS, the lack of consequences related to drug use has exacerbated the effects of the opioid crisis, including lack of supervision for drug-related offenses; and

WHEREAS, the opioid crisis continues to negatively manifest itself in public spaces within the City of Roseburg and Measure 110 has impacted law enforcement's ability to effectively and humanely deal with effects on our community; and

WHEREAS, the citizens of Roseburg deserve to feel safe and free to enjoy their public spaces, and the use of needles and federally illegal hard drugs in those spaces limit the perception of safety and discourage the use of said spaces.

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

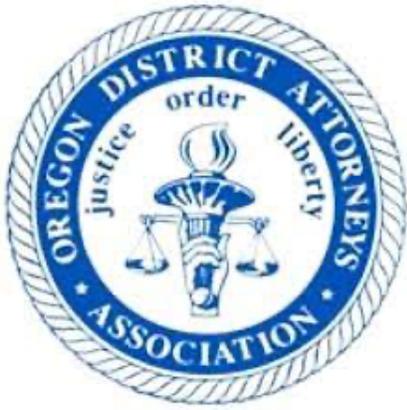
Section 1. The City Council hereby requests that the Oregon Legislature take all necessary action to repeal Measure 110.

Section 2. In the alternative, the City Council hereby requests the Oregon Legislature take all necessary action to modify Measure 110 to reintroduce accountability for drug offenses.

Section 3. 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 _____, 2023.**

Patty Hitt, City Recorder



A Comprehensive Approach to Addressing Oregon's Addiction and Community Livability Crisis

The following policy recommendations are designed to address Oregon's severe addiction crisis, the alarming rise in fentanyl overdose-related deaths, and the detrimental effects the crisis is having on community safety and quality of life across our state. While some of these solutions are specific to addressing certain provisions of Ballot Measure 110, the approach below is meant to be comprehensive.

As your partners in public safety, we believe that Ballot Measure 110 failed to recognize that drug addiction is both a public health and public safety crisis and requires solutions on both sides of the ledger. Success will require new tools and a significant allocation of resources along with an adaptable approach that recognizes the diverse needs and challenges of each Oregon community.

RESTORING PUBLIC SAFETY SOLUTIONS:

Policy Proposal #1: Reclassify Possession of a Controlled Substance (PCS) from an E-Violation to an A-Misdemeanor

We can restore Possession of a Controlled Substance (PCS) to an A-Misdemeanor and present new post-BM 110 modifications that reflect the desire for treatment intervention. This should include diversion eligibility and dismissal of a charge upon successful completion of the one-year diversion and any required treatment (DUII approach). In addition, unlike DUII diversion, drug PCS related cases should be eligible for multiple diversion entrances. The current E-violation for possession of a controlled substance is ineffective and fails to connect persons struggling with severe addiction to the treatment they need. An A-Misdemeanor with diversion will compel those

struggling with addiction to enter treatment without turning to an approach that focuses on incarceration.

Policy Proposal #2: “Boyd/Hubbell Fix” - Modify the statutory definition of controlled substance “delivery” to include the “transfer” of drugs and the “possession with intent to transfer” drugs:

This fix focuses the policy solutions on the supply side of the equation with the dealer – not user – end of the drug crisis in Oregon. By restoring 34-years of state law that allowed the State to charge dealers when there is substantial evidence of the intent to deliver, like significant quantities of drugs, lists of sales, and cash. The proposed fix simply and clearly modifies the definition of “delivery” to include the “transfer” of drugs and the “possession with intent to transfer” drugs.

Policy Proposal #3: Modify the statutory pretrial hold language from SB 48 (2021 Legislative Session) to ensure that jails and judges have the flexibility to hold drug dealers charged with Distributing a Controlled Substance (DCS) and repeat offenders.

Senate Bill 48 (2021) required the Presiding Judge of each judicial district, following guidance from the Chief Justice and her Criminal Justice Advisory Council (CJAC), to enter a standing pretrial order specifying to the sheriff (or any other supervising entity) those persons and/or offenses that are subject to “Release on Own Recognizance” (ROR), subject to conditional release, or that are not eligible for release until arraignment. A modification in this law could make it clear that a pre-trial hold for dealers is a community priority.

Policy Proposal #4: Fund county probation departments to supervise misdemeanor theft and property crime cases where defendants are dealing with an addiction/substance abuse disorder.

Overall studies indicate that between 50% and 80% of property crimes committed in a community are committed by those suffering from severe addiction who steal to support that addiction. Currently county probation departments don’t supervise misdemeanor theft or property cases which means there is no opportunity for a drug/alcohol addiction screening and no requirement for drug treatment as part of their supervision package. This makes mitigating future harm almost impossible and fails to capture a population where there is significant overlap between persons committing property crimes and those possessing controlled substances. This solution doesn’t put additional pressure on the defense bar, as these individuals are already involved in the criminal justice system – and simply ensures they are screened and connected to mandatory treatment when needed.

Policy Proposal #5: Create a new A-Misdemeanor for “Public Use of a Controlled Substance” to align with current law prohibiting public use of alcohol and marijuana

Create a Class A Misdemeanor for public use of a controlled substance. Public use includes use in public and private buildings. The offense should be identified in statute as a “designated drug related misdemeanor” for the purposes of ORS 423.478(4)(b), which will allow for state funding of both treatment and supervision costs related to violations of the prohibition. This must be a

statewide law and not simply remove local preemption which will not allow for consistent application across local jurisdictions or the access to local county jails.

Policy Proposal #6: Create a new Class A Misdemeanor for “Use of a Controlled Substance in an Enclosed Public Space that Endangers another Person.” (Escalates to Class C Felony for Repeat Offenses)

Establishing a penalty for public use of a controlled substance must be accompanied with a penalty for use in an enclosed public space that endangers another person. The language would provide that “A person commits the crime of recklessly endangering another person if the person, while in an enclosed area, knowingly ingests, inhales, ignites, combusts or consumes a controlled substance in a manner that creates an immediate risk of ingestion, inhalation, or consumption by another person. For this purposes of this section, “enclosed area” is defined as a building or public transit vehicle or facility. It is an affirmative defense to this charge if all other persons placed at risk by the defendant’s conduct knowingly consent to the exposure. This crime would be punishable as a Class A Misdemeanor, escalating to a Class C Felony for repeat violations. This crime would be considered a “designated drug-related misdemeanor” for the purposes of ORS 423.478(4)(b).

TREATMENT & COMMUNITY FOCUSED SOLUTIONS:

Policy Proposal #7: Prioritize adequate and sustainable funding for Oregon’s Specialty Courts:

Inadequate state funding of Oregon’s specialty courts is the biggest threat to their long-term effectiveness and stability. In fact, Specialty Courts in several jurisdictions (including Multnomah, Deschutes and Benton County) are at risk of discontinuing their operations.

Specialty Courts combine accountability and supervision with a treatment-oriented approach that effectively addresses addiction and reduces recidivism rates among participants. Specialty Courts are designed to tailor treatment plans and support services to address the specific needs and challenges faced by participants. The approach has an established track record of success that addresses addiction and equips participants with the tools and support necessary to reintegrate into community life as productive citizens.

Policy Proposal #8: Establish authority to utilize welfare holds of up to 72 hours for intoxicated persons who pose a danger to self or others:

In many western states, law enforcement, EMTs and other first responders are able to utilize welfare holds of up to 72 hours where a person who is acutely intoxicated to a degree where they pose a danger to themselves or others can be held in a custodial environment and given supervised medical care. After 72 hours, the person is given the option to either leave on their own or stay and receive additional services. The states that have implemented these policies have seen a high level of engagement with aftercare and wrap-around services. This also gives

officers options other than jail or the emergency room for a person suffering from a severe substance use disorder (SUD).

Policy Proposal #9: Create adequate stabilization, detoxification and treatment capacity in jurisdictions throughout Oregon by making sustainable investments in sobering center/stabilization and treatment bed capacity for adults and juveniles.

Oregon's absence of dedicated sobering centers and stabilization facilities leaves communities helpless when dealing with severely addicted individuals who require detoxification and stabilization before they can successfully enter treatment. Detoxification is often the first step in the journey to recovery, as it helps individuals safely manage withdrawal symptoms and become physically stable before they can fully engage in addiction treatment programs. The lack of this capacity is a limiting factor in efforts to create an addiction to treatment pipeline. In addition, the Legislature should explore immediate grant funding for the expansion of existing juvenile and adult substance use disorder in-patient and outpatient treatment facilities.

Policy Proposal #10: Support the establishment of Opioid Overdose Quick Response Teams:

In response to increased opioid-related deaths, Ohio has created “Naloxone Plus” teams, also called Quick Response Teams (QRTs) that respond after a reported overdose and use of Narcan. In this model, a small team reaches out to an individual who is recovering from an overdose event and offers person-centered services. In Colerain Township, north of Cincinnati, the team has a police officer, firefighter/EMT, peer recovery mentor, or treatment professional. Between 2015 and 2019, the team responded to over 400 overdose follow ups and of the individuals contacted, 80% did an assessment and engaged in treatment. The goal of QRTs is to reach an individual in the time immediately after an overdose event, within 72 hours as best practice (but ideally much sooner than that) and to offer connections when the person may be ready to change due to the overdose event. The proposal would create grant funding for Quick Response Teams (QRT’s).

Policy Proposal #11: Support aligning the siting of residential and secure residential facilities with the requirements in the Fair Housing Act:

There is a significant need in our communities for residential – and secure residential – facilities for those experiencing mental health and substance abuse challenges across our State. This has become even more urgent given the recent federal court decision and the ongoing crisis taking place in our Oregon State Hospital. This is an urban and rural problem that is impacting communities throughout Oregon. Ensuring our land-use policies for siting secure facilities comply with federal requirements will expedite the desperately needed expansion of Oregon’s behavioral health residential treatment and supported housing capacity. All such facilities must meet the safety and security requirements currently existing in statute but would otherwise be treated and similarly situated housing.

Kevin Campbell, Oregon Association of Chiefs of Police
Jason Myers, Oregon State Sheriffs’ Association
Amanda Dalton, Oregon District Attorneys Association
Scott Winkels, League of Oregon Cities

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



INTERGOVERNMENTAL AGREEMENT WITH UMPQUA COMMUNITY COLLEGE SOUTHERN OREGON MEDICAL WORKFORCE CENTER

Meeting Date: November 13, 2023
Department: Administration
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger, CM
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Staff has been working with Umpqua Community College (UCC) to consolidate efforts to expand local medical workforce training opportunities at various degree levels. The issue for Council is whether to authorize an Intergovernmental Agreement to partner with UCC to deliver the Southern Oregon Medical Workforce Center (SOMWC) project for which the City received state grant funding.

BACKGROUND

A. Council Action History.

- On February 11, 2013, the Council authorized an agreement to provide \$30,000 for the medical education facility feasibility study.
- On January 11, 2016, the Council granted up to \$15,000 from the Economic Development Fund to support the next phase of the Medical Education Facility Project.
- On March 11, 2019, the Council authorized an additional \$25,000 to support funding for an Economic Study by ECONorthwest for the Medical Education Facility in Roseburg.
- On April 17, 2019, the Council directed staff to develop a letter related to financial support for the project.
- On May 13, 2019, the Council authorized the City Manager Pro-Tem to enter into a Memorandum of Understanding with Oregonians for Rural Health outlining the City's commitment to helping fund and construct the college contingent upon securing an adequate funding package and an acceptable long-term lease.
- *Not a Council Action – July 2019 – the Legislature approved \$10 million in funding for the Southern Oregon Medical Workforce Development Center with the City of Roseburg as grantee and a \$10 million matching requirement.*
- On November 25, 2019, the Council authorized the City Manager to join the Board of the Umpqua Valley Development Corporation (UVDC), a non-profit corporation formed to deliver the project.

- On February 10, 2020, the Council authorized the City Manager to negotiate an agreement with UVDC to provide \$60,000 from the Economic Development Fund to provide funding for project management services for the project, and authorized staff to submit a Declaration of Official Intent to reimburse project costs to the Oregon Department of Administrative Services for the project.
- *Not a Council Action – On July 10, 2020, the City received notification from the State of Oregon that due to projected losses in lottery revenues, the state would not be issuing lottery bonds and that funding would not be available for projects funded via House Bill 5030.*
- On August 24, 2020, the Council received an update from Phil Scheuers from PacWest regarding the project.
- On January 24, 2022, the Council authorized the City Manager to execute a Memorandum of Understanding with UVDC outlining the City's commitment to the SOMWC project, including designation of the City as the grant recipient/fiscal agent to receive the grant funds from the state.
- June 13, 2022, the Council authorized the City Manager to accept the grant funds from the state.
- On July 11, 2022, the Council adopted Resolution No. 2022-22 authorizing the City Manager to negotiate and execute an agreement to accept a \$5 million grant from the State of Oregon for the SOMWC project.
- On November 14, 2022, Council authorized an agreement with the Umpqua Valley Development Corporation for the SOMWC for \$300,460 for fiscal year 2022-23.

B. Analysis.

Work to develop a medical college in the Roseburg area began in 2012 with leadership at CHI Mercy recognizing the severe shortage of healthcare workers, especially in rural areas. For the past several years, the City has worked with community partners, including the Umpqua Valley Development Corporation, to develop a medical college in Roseburg. In early March, HB 5202 was adopted by both the Oregon House and Senate and included \$5 million for the Southern Oregon Medical Workforce Center.

Due to a variety of factors, the work to deliver this project has progressed in fits and spurts, with funding programmed and then eliminated during COVID, and other challenges along the way. Independent of the SOMWC project, UCC has committed to deliver ten new medical workforce programs in the next five years. UCC is programmed to receive \$8 million in state grant funding for a new or expanded space to deliver these programs and will include new labs and equipment. In addition, \$2 million in congressionally directed (federal) funding has been programmed to purchase lab equipment.

By combining forces, we can enhance and expand the effort to provide a continuum of pathways between associate, bachelors and advanced degrees in the most cost efficient and expedient manner. Working together eliminates the need for separate administrative costs and other overhead that could easily deplete the grant funding.

Under an IGA, UCC would hire a dedicated staff member to take the lead in developing, coordinating, and facilitating university partnerships and work with on-campus staff to facilitate clinical placements, housing, lab space and other student support services for all programs under development. All with the original goal in mind, to provide highly skilled medical workforce to rural communities in southern Oregon.

C. Financial/Resource Considerations.

The proposed IGA spans four years and includes salary and benefits for a Dean of SOMWC to implement partnerships for program delivery, travel and general overhead and administrative support for a total of \$616,589.08. This does not include any provision of funds for any capital expenditures that may be identified in the future for contribution to the construction and/or upfitting of required lab spaces. Those contributions will be identified and approved separately.

D. Timing Considerations.

Staff is seeking approval from Council in order to move forward as quickly as practical.

COUNCIL OPTIONS

Council has the following options:

1. Authorize the City Manager to negotiate and execute an Intergovernmental Agreement with UCC to develop the Southern Oregon Medical Workforce Center.
2. Request additional information; or
3. Do nothing. With this option, the project continues to be delayed.

STAFF RECOMMENDATION

Prior to beginning negotiations with UCC, the City Manager was working with the Umpqua Valley Development Corporation on delivering the SOMWC project. One of the biggest challenges over the past year has been redefining the project. A lot of work has gone into the project, but that hasn't always translated into a lot of progress. COVID and technology have changed the landscape of higher education, and the project originally envisioned, construction of a new brick and mortar college, is not conceivable in the current economic environment, and certainly not with \$5 million.

As the project moved forward, it became clear that UCC was going to be integral to the success of the project. UVDC was going to rely heavily on UCC to provide classroom space, technology, and other student support services. Having UVDC operate separately from UCC potentially created a second set of overhead costs. The City of Roseburg is ultimately responsible for how the grant funds are spent.

Given the change in available technology and the ability of UCC to partner with academic institutions to deliver a pathway to higher level degree programs in Roseburg, combining efforts appears to have a much higher chance of success and to be a more responsible, efficient use of the funding. Therefore, staff recommends the Council authorize the City Manager to negotiate and execute an IGA with UCC to develop the SOMWC.

SUGGESTED MOTION

“I move to authorize the City Manager to negotiate and execute an Intergovernmental Agreement with Umpqua Community College for \$616,590 to develop the Southern Oregon Medical Workforce Center.”

ATTACHMENTS:

Attachment #1 – UCC Proposal

Attachment #2 – UCC Healthcare Expansion Plan (Independent of SOMWC)



The Southern Oregon Medical Workforce Center at Umpqua Community College – Exhibit 1

Umpqua Community College (UCC) is the provider of post-secondary education in Douglas County. The college has a highly regarded nursing program, an award-winning EMS and Paramedicine program and strong transfer partnerships with universities for a pre-med educational track toward Bachelor's, Masters and Doctoral level studies.

In the fall of 2022 UCC announced the development of 10 new Allied Health programs that will be implemented over the next 5 years. The college already has three of these programs approved and opened for enrollment in the fall of 2023. The list of these 10 programs came from extensive listening sessions with industry experts and local health care providers. The need is great for trained professionals in the health care industry and UCC is addressing those needs with immediate implementation of programs and therefore opportunities for students to engage with this career track and employers to enjoy a strong workforce pipeline.

The stated goal of the Southern Oregon Medical Workforce Center (SOMWC) is that “The center would provide training for high-demand health care providers, offer affordable and accessible post-secondary medical education, serve as a pipeline of skilled allied and mental health providers, and ensure ongoing access to local quality health care.” UCC and SOMWC are aligned and have converged this year even more strongly as Idaho State University has become a potential partner. ISU’s model is to work with existing rural colleges to host programs remotely. There is much to be leveraged from the work that the SOMWC has done by blending the work into one community-wide effort using the expertise, infrastructure and existing deep partnerships that UCC enjoys. UCC is both willing and prepared to assume and align the goals of both entities to support the needs of Douglas County and greater Southern Oregon. Utilizing existing funding, a continuum of pathways between associate, bachelors and advanced degrees would be created in the most cost efficient and expedient manner.

Since the time of the inception of the SOMWC, education has changed significantly. Post 2020, geographic location of programming has gradually become less important, and the pandemic accelerated that trend. Advances in technology and innovations in educational delivery have opened doors for students and educators to live, learn and earn almost anywhere. UCC has capitalized on this trend to continue to transform lives and enrich communities in Douglas County and beyond. The need for a stand-alone building has passed and the utilization of existing infrastructure at UCC along with planned lab space expansions is also the right pathway to the best use of public monies and existing expertise. A SOMWC hosted and driven by UCC is the logical, ethical and most expedient way to proceed and one that has wide community and stakeholder support.

Programming

The SOMWC has identified the following potential programs as a guide to meet its objectives:



UCC will use this framework to begin to build programming and will adjust it along the way as needs and understanding change.

With the goal of strengthening the local health care workforce pipeline, UCC will utilize the following learning modalities to bring these programs to the community in whichever way makes the most sense for partner universities, students, and clinical placement availability:

Face-to-face	Courses taught in person on the UCC campus by qualified faculty utilizing state of the art lab facilities and including clinical and simulation opportunities within Douglas County.
Hybrid - Synchronous	Courses taught in real time partially online, via video link to a UCC classroom and require a face-to-face component at UCC on a regular schedule.
Hybrid - Asynchronous	Courses are taught asynchronously online and require a face-to-face component at UCC on a regular schedule.
Intensive hybrid	Courses are taught online and require a face-to-face component at UCC for a 4-6 day intensive at regular intervals throughout the year.
Clinical residency model	Students complete their program requirements at a partnering institution and come to live and work in Roseburg to complete their clinical placement requirements. UCC will facilitate housing and clinical placement arrangements.

Modalities will be selected to match the needs of the individual program and reflect the most efficient and effective way to bring the program to a local audience.

Infrastructure: facilities, pipelines, expertise, accountability

UCC already has advanced infrastructure to facilitate the success of the goals of the SOMWC.

Facilities: A state of the art Health Sciences building at UCC has existing high tech science laboratories, a simulation lab and technology enhanced classrooms. The college plans to build additional allied health labs with the construction of a building on campus that will break ground in 2025. With additional investment from the SOMWC, these labs could include the spaces needed for the successful delivery of the programs above.

Pipelines: UCC sends many students on to university programs each year and many of these students would be excited to stay in the community and continue on to these SOMWC high wage, high-demand, programs rather than leaving the community. The seamless existing pipeline of students will be essential to the success of the medical college programs and partnering institutions.

Expertise: UCC has 13 full time and 21+ part time professional faculty in the health sciences teaching Nursing (RN and LPN), Medical Assisting, Phlebotomy, Healthcare Administration (Office, etc.), Emergency Medicine (EMS), Fire Science, Paramedicine, and Nursing Assistant programs. UCC currently partners with Linn-Benton community college to offer the Occupational Therapy Assistant program and with Lane Community College to offer the Physical Therapy Assistant program. UCC also partners to offer a bachelor's degree in education (George Fox), a Bachelor's in Psychology/Human Services (Bushnell), and a Master's in Mental Health Counseling (Bushnell). Supporting this work is a Dean of Health Sciences, a Director of Nursing and Allied Healthcare, as well as a Coordinator of Allied Healthcare programs.

UCC has an academic infrastructure that is adept at forming transfer and articulation agreements and already has deep connections with universities throughout the state and beyond. In addition, an existing research library, student support services, tutoring, housing, financial aid and student life departments support student success and help students complete their studies.

Accountability: Housed under the UCC Academic Services division, this work would have a high level of accountability for outcomes and oversight of staff. UCC is regionally accredited and was recently recognized for its strong work in academic programming and outcome achievement. As such the college is strongly placed to achieve the goals of the Southern Oregon Medical Workforce Center (SOMWC) in developing locally based programming options to grow the medical workforce in the region.

The college will leverage its existing community advisory committee for nursing and Allied Health programs to help inform the work and direction and key health care provider leadership will be included in updates.

Once the position referenced below is hired, the college will deliver a 4-year plan within the first quarter and report yearly to Roseburg City Council and additional identified stakeholders on key performance indicators for this project.

Budget

SOMWC's investment in UCC will include personnel and facilities:

Function	Description	Detail	Amount
Construction of lab facilities	UCC will utilize these funds to help build new lab space to be used for SOWMC programs and UCC Allied Health pathways. UCC will develop plans in the coming year based on program needs and request monies in the future based on those needs	TBD – Construction is due to start in Spring 2025	TBD
Dean of SOMWC at UCC Implementation and partnerships	4 yrs x salary and benefits	Reporting to the Vice President of Academic Services at UCC, the Dean of SOMWC will develop, coordinate, and facilitate University partnerships and work with on campus staff to facilitate clinicals, housing, lab space and other student support services for all programs.	\$548,415.58 (see table 1)
Travel	6 x instate trips x 3 staff 2 x out of state trips x 3 staff	In state and out of state travel to partner universities to plan programming and facilitate relationships for Dean and allied health faculty and staff support.	\$12,120
General and administrative	To support technology infrastructure needs, personnel support, marketing, space needs etc.	10% of contract	\$56,053.50
TOTAL			\$616,589.08

Table 1

	Dean of SOMWC			
	Salary	Benefits	Fringe	Total
Year 1	\$92,595.00	\$17,460.00	\$20,370.90	\$130,425.90
Year 2	\$96,298.80	\$17,485.00	\$20,982.03	\$134,765.83
Year 3	\$100,150.75	\$17,510.00	\$21,611.49	\$139,272.24
Year 4	\$104,156.78	\$17,535.00	\$22,259.83	\$143,951.61
			Total	\$548,415.58



UCC Healthcare Program Expansion Plan

PROGRAM	START DATE	Detail	Average wage
Community Health Worker	January 2023	<i>Level of credential:</i> certificate <i>Format:</i> online <i>Time to completion:</i> 1 term <i>Number of students:</i> unlimited	\$18.75/hr
Medical Assistant	July 2023	<i>Level of credential:</i> certificate <i>Format:</i> on campus with clinical <i>Time to completion:</i> 3 terms <i>Number of students:</i> 20	\$20.05/hr
Basic Health Care Certificate	September 2023	<i>Level of credential:</i> certificate (CNA, CPR, AED, med term, Co-op) <i>Format:</i> in area high schools and in the Friday Career Academy program <i>Time to completion:</i> 1 term <i>Number of students:</i> unlimited	\$18.00/hr
Phlebotomy	September 2023	<i>Level of credential:</i> certificate <i>Format:</i> hybrid learning + clinical <i>Time to completion:</i> 2 terms <i>Number of students:</i> 24	\$19.95/hr
RN Nursing (alternative format)	July 2024	<i>Level of credential:</i> associate degree <i>Format:</i> weekend and evening pathway <i>Time to completion:</i> 3 years <i>Number of students:</i> 24	\$72,000/year
Surgical Technician	July 2024	<i>Level of credential:</i> associate degree <i>Format:</i> hybrid + clinical <i>Time to completion:</i> 2 years <i>Number of students:</i> 24	\$60,780/year
Licensed Practical Nurse	July 2025	<i>Level of credential:</i> certificate <i>Format:</i> Hybrid with clinical <i>Time to completion:</i> 1 year <i>Number of students:</i> 24	\$ 29.31/hr
Respiratory Care	July 2025	<i>Level of credential:</i> certificate <i>Format:</i> Hybrid with clinical <i>Time to completion:</i> 2 years <i>Number of students:</i> 30	\$ 72,000/yr
Radiology Technician	July 2025	<i>Level of credential:</i> associate degree <i>Format:</i> Hybrid with clinical <i>Time to completion:</i> 2 years <i>Number of students:</i> 24	\$30.20/hr
Physical Therapy Assistant	July 2025	<i>Level of credential:</i> associate degree <i>Format:</i> On campus with clinical <i>Time to completion:</i> 2 years <i>Number of students:</i> 20	\$30.00/hr

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



AIRPORT STANDBY POWER BID AWARD RECOMMENDATION – 22PW06

Meeting Date: November 13, 2023

Department: Public Works

www.cityofroseburg.org

Agenda Section: Department Items

Staff Contact: Dawn Easley, PW Director

Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

Construction bids were received for the Airport Standby Power Generator project. The issue for the City Council is whether to award the construction contract.

BACKGROUND

A. Council Action History.

On September 13, 2021, the City Council authorized staff to apply for an Oregon Department of Aviation (ODA) Critical Oregon Airport Relief (COAR) program grant for the installation of a standby power generator to power airfield lighting and fuel dispensing in the event of a power outage.

B. Analysis.

In August 2022, the City received a grant from the Oregon Department of Aviation in the amount of \$121,500 for the installation of a standby power generator at the Roseburg Regional Airport. The Roseburg Regional Airport competed well for this grant because the Oregon Resilience Plan lists Roseburg Regional Airport as a “Tier 1” airport, meaning it is an “essential airport that will allow access to major population centers and areas considered vital for both rescue operations and economic restoration.” In other words, the airport is considered essential in responding during a natural disaster, especially during a major seismic event that may eliminate other forms of transportation. In order to provide service, backup power will be an essential component.

In September 2023, Mead & Hunt and City staff met with the FAA to discuss using \$149,322.00 of Bipartisan Infrastructure Law (BIL) funding to cover additional costs of the project over the ODA grant amount.

The construction bid documents were advertised for bid on September 19, 2023, and bids were opened on October 26, 2023.

Two bids were received and are summarized below:

No.	Bidder	Schedule A	Schedule B	Total Bid
1	Sims Electric	\$111,120.83	\$71,379.56	\$182,500.39
2	Kunert Electric	\$135,240.00	\$109,312.00	\$244,552.00
	<i>Engineer's Estimate</i>	<i>\$141,175.00</i>	<i>\$97,298.00</i>	<i>\$ 238,473.00</i>

C. Financial/Resource Considerations.

The adopted FY 23-24 Airport Fund budget includes \$262,767 for this project. Total project costs are estimated below.

Construction	\$ 182,500.39
Design/CM Services	\$ 38,328.00*
Contingency (10%)	<u>\$ 22,082.00</u>
Total Estimated Cost	\$ 242,910.39

* \$23,876 of this total was spent in previous fiscal year

D. Timing Considerations.

If awarded, the Notice to Proceed (NTP) for the mobilization phase would be issued in December. Notice to Proceed for the construction phase will be issued upon procurement and delivery of the generator. The contractor is allowed 20 working days to complete to construction phase of the project.

COUNCIL OPTIONS

The City Council has the following options:

1. Award the contract to the lowest responsible bidder, Sims Electric, Inc., for \$182,500.39; or
2. Request additional information; or
3. Reject all bids.

STAFF RECOMMENDATION

The Airport Commission discussed this agreement at their October 26 meeting, and the Commission recommended awarding the project to the lowest responsible bidder, Sims Electric, for \$182,500.39. The lowest bidder submitted all required documentation and is considered both responsive and responsible. Funds have been budgeted and are available for this project. Therefore, staff recommends awarding the Airport Standby Generator Project.

SUGGESTED MOTION

"I move to award the Airport Standby Power Generator Project to the lowest responsible bidder, Sims Electric, Inc., for \$182,500.39.

ATTACHMENTS:

Engineer's Recommendation



October 18, 2023

Nikki Messenger
City Manager
City of Roseburg
900 SE Douglas
Roseburg, OR 97470

Project: Roseburg Regional Airport – Standby Power Generator
Subject: Bid Recommendation

Dear Nikki:

Mead & Hunt has completed our review of the contractors' bid proposals for the subject project. A total of two proposals were received. Below is a summary of our review and recommendation.

On October 17, 2023, bid proposals by Sims Electric, Inc. and Kunert Electric, LLC were submitted to the City Recorder. There were four mathematical errors noted in the proposal submitted by the apparent low bidder, Sims Electric, Inc. These errors were found in the extended price column under Items A-3, B-1, B-3 & B-4. Section 30-01 of the General Contract Provisions states the bids "will be compared on the basis of the summation of the products obtained by multiplying the estimated quantities shown in the proposal by the unit bid prices." Using this methodology, the corrected extended price for Items A-3, B-1, B-3, & B-4 is summarized in the table below.

Item No.	Description	Estimated Quantity	Unit Price	Extended Price (As Submitted)	Extended Price (Corrected)
A-3	Remove 6-foot Chain Link Fence	43	\$55.81	\$2,400.00	\$2,399.83
B-1	Concrete Encased, Electrical Conduit, 1-Way 3-inch C, 18-inch Minimum Cover	386	\$67.18	\$25,931.00	\$25,931.48
B-3	4-#250KCMIL, 1-#2 Ground Installed Duct Bank or Conduit	402	\$39.80	\$16,000.00	\$15,999.40
B-4	No. 6 AWG, Solid, Bare Copper Counterpoise Wire	402	\$1.24	\$498.00	\$498.48

When utilizing the corrected extended prices shown in the table above, the total for Bid Schedule A & Bid Schedule B of the apparent low bidder is **\$111,120.83** & **\$71,379.56**, respectively. The table below summarizes the corrected bid results.

Bidder	Schedule A	Schedule B	Total
Sims Electric, Inc. PO Box 1245 Roseburg, OR 97470 541-673-5521	\$111,120.83	\$71,379.56	\$182,500.39
Kunert Electric, LLC PO Box 1729 Roseburg, OR 97470 541-672-3333	\$135,240.00	\$109,312.00	\$244,552.00
Engineer's Opinion of Probable Construction Cost	\$141,175.00	\$97,298.00	\$238,473.00

The bid proposals were further examined for responsiveness by evaluating conformance to all significant terms and conditions contained in the Invitation to Bid. Both bidders submitted their proposals on-time and are licensed with the Oregon Construction Contractors' Board. In addition, both bidders provided the First-Tier Subcontractor Disclosure Form and the Drug Testing Program Certification Form at the time of bid. Bidders were required to submit forms, executed in full, as identified on the Bidder's checklist. The table below summarizes the forms required to be submitted at the time of bid.

Bidder	Bid Form	Addenda (1)	Bid Bond (10%)	First-Tier Sub. Disclosure	Drug Testing Program	Public Works Pre-Bid Notice	Pay Equity Compliance	Buy American Certification	Certification Regarding Domestic Preferences	EEO Statement	Tax Delinquency and Felony Convictions	Bidder's List	DBE Utilization Statement	DBE Contract Goal Met	If Goal Not Met, Good Faith Efforts Provided	DBE Letter of Intent
Sims Electric, Inc.	X	X	X	X	X	X	X	X	X	X	X	X	X		X	N/A
Kunert Electric, LLC	X	X	X	X	X	X	X	X	X	X	X	X	X		X	N/A

In evaluating a responsible bidder, the apparent low bidder has successfully performed previous contract work at the Roseburg Regional Airport. In our opinion, this demonstrates the bidder's experience on work of the nature involved, a record of dependability in carrying out of contracts, and ability to perform the Contract in a satisfactory manner.

Nikki Messenger
October 18, 2023
Page 3

As required by the Airport Improvement Program Handbook (Order 5100.38D), a price analysis was performed which analyzes the total price to evaluate that it is fair and reasonable. Adequate competition exists since there were two or more bidders by sealed bids. The low bid for Bid Schedules A & B was found to be approximately 23% below the Engineer's Opinion of Probable Construction Cost with the second bid being within 2.5% of the Engineer. It is our opinion this analysis provides evidence of cost reasonableness and that the apparent low bid is fair and reasonable.

After examining both proposals, it is our opinion that Sims Electric, Inc. is the lowest responsive and responsible bidder. Therefore, we recommend the project be awarded to Sims Electric, Inc. for Bid Schedules A & B in the amount of \$182,500.39. Per Section 30-03 of the General Provisions, the Owner reserves the right to cancel the award without liability to the bidder, except return of proposal guaranty, at any time before a contract has been fully executed by all parties.

If you have any questions or require additional information, please contact me at 503-548-1494 or ryan.bergstrom@meadhunt.com.

Sincerely,

MEAD & HUNT, Inc.



Ryan Bergstrom, PE
Project Manager

Attachments: Bid Tabulation
Bid Proposal (Sims Electric, Inc.)

cc: Ryan Herinckx, City of Roseburg
Kandi Street, City of Roseburg

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PURCHASE OF TWO STANDARD PICKUPS

Meeting Date: November 13, 2023

Department: Administration

www.cityofroseburg.org

Agenda Section: Consent Agenda

Staff Contact: Nikki Messenger

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City Manager, acting as the Purchasing Agent, executed purchase orders to procure two 2024 Chevrolet Silverado pickups for the Parks Maintenance Division under emergency circumstances. The issue for the Council is whether to accept this report outlining the purchase.

BACKGROUND

A. Council Action History.

On June 12, 2023, the Council adopted Resolution No 2023-16 for adoption of the 2023-2024 Budget.

B. Analysis.

The Parks Department planned to purchase two new pickups as part of the regular equipment replacement program. The Parks Department's equipment replacement rotation varies based on usage and maintenance costs. The two pickups being replaced are a 2007 Ford F-150 with 84,928 miles and a 2013 Ford F-150 with 124,887 miles. The pickups are used to transport personnel and equipment to maintain City Parks.

Staff utilized the Oregon Buys state pricing system and compared capabilities and pricing of various comparable models. Staff recommends purchasing two 2024 Chevrolet Silverado 2500HD 4WD Double Cab Gas Engine pickups. Dick Hannah Chevrolet is the state price agreement vendor.

The last week of October staff learned that if we do not confirm this purchase by November 6, 2023, with a signed purchase order, the two trucks that were quoted will not be held and we would have to go into the queue for vehicles currently being manufactured. This would likely result in a price increase. To prevent this the City Manager signed the purchase order and proceeded with the purchase under emergency circumstances.

Roseburg Municipal Code (RMC) 3.06.025 outlines the Purchasing Agent authority levels. Typically, purchases over \$100,000 go to the Council for approval. RMC Section

3.06.025(E) allows the Purchasing Agent (City Manager) to waive Council approval in emergency circumstances requiring prompt action.

C. Financial/Resource Considerations.

Council adopted the FY 2023-2024 Budget and the Equipment Replacement Fund includes \$125,000 for purchase of Parks Maintenance vehicles. The pickups can be purchased with State Price Agreement number 10700-00012917. The 2024 Chevrolet Silverado 2500HD 4WD Double Cab Gas Engine pickups with Service Body are listed for \$61,008.56 each. The total cost for both pickups is \$122,017.12.

D. Timing Considerations.

The purchase orders were sent to Dick Hannah Chevrolet on November 2, 2023.

COUNCIL OPTIONS

The Council has the following options:

1. Accept the City Manager's report of the use of an emergency purchase to secure the purchase of two 2024 Chevrolet Silverado pickups;
2. Request additional information; or
3. Direct staff to rescind the purchase.

STAFF RECOMMENDATION

The Parks Commission discussed this procurement at their November 1 meeting. The Commission recommended proceeding with the purchase of the two pickup trucks. Staff recommends the Council accept the City Manager's report.

SUGGESTED MOTION

"I move to accept the City Manager's report regarding the emergency purchase of two 2024 Chevrolet Silverado pickups."

ATTACHMENTS:

None



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PROVIDING INTERIM CASH FLOW FINANCING FOR OFF STREET PARKING FUND

Meeting Date: November 13, 2023

Department: Finance

www.cityofroseburg.org

Agenda Section: Consent Agenda

Staff Contact: Ron Harker, Finance Director

Contact Telephone Number: 541-492-6710

ISSUE STATEMENT AND SUMMARY

Staff is requesting authorization to utilize ARPA funds to provide the financial support that is required. Keeping in line with previous Council action, it is proposed that an additional \$50,000 of ARPA funds be authorized at this time.

BACKGROUND

A. Council Action History.

On March 22, 2021, the Council received and accepted the Downtown Parking Assessment and Plan after a presentation from Rick Williams Consulting.

On December 13, 2021, the Council awarded the contract for parking enforcement services to ACE Parking.

On January 24, 2022, the Council authorized a supplemental budget to the Off-Street Parking Fund establishing appropriation authority to manage the parking enforcement contract for fiscal year 2021-2022.

On August 22, 2022, the Council authorized the use of ARPA funds to pay for janitorial and security services at the parking structure.

Council authorized changes to meters, parking spaces, time limits and permit sales at meetings on August 22, 2022, September 26, 2022, and November 11, 2022.

Council authorized use of ARPA funds to directly cover the cash flow needs of the Off Street Parking Fund up to \$50,000 on four separate occasions, May 9, 2022, September 26, 2022, January 23, 2023, and June 12, 2023.

On October 23, 2023, the Council authorized an appropriation transfer of \$20,000 from the General Fund Contingency to the Off Street Parking Fund.

On November 1, 2023, the Council held a work study session to discuss options for funding the downtown parking program.

B. Analysis.

The City provides downtown parking enforcement services through a contract with ACE Parking & Mobility Solutions. Currently, the parking enforcement program does not generate sufficient revenues to cover expenses and is not sustainable in its current form. Staff has been working on long term solutions to funding the parking program to make it sustainable. In the interim, parking enforcement expenses have and continue to accrue, resulting in a deficit that needs to be funded. The City's projected cash balance in the Off-Street Parking Fund is less than \$1,000 as of the date of Council's next meeting. It is projected that the City will not have sufficient resources to cover the expenses that are incurred for October's parking enforcement services and other related expenses. Consequently, additional funding is required to support the Off Street Parking Fund.

In alignment with previous Council action, staff requests the authorization of \$50,000 from ARPA funds to provide the financial support needed to provide the required cash flow in the Off Street Parking Fund. It is projected that \$50,000 would provide needed cash flow for approximately three to four months of operations. Staff continues to work on funding solutions and is scheduled to bring back further recommendations in the near future.

C. Financial/Resource Considerations.

The use of ARPA funds to provide needed cash flow financing will not significantly impact the ARPA fund as the proposed \$50,000 only represents 1.6% of expenditures. However, \$50,000 would be unavailable for other projects that could be facilitated through ARPA funds.

D. Timing Considerations.

Due to the depletion of fund reserves and the need to maintain a positive cash balance in the fund it is essential to provide staff with direction.

COUNCIL OPTIONS

- 1) Authorize \$50,000 from ARPA funds to be used to provide cash flow assistance for the Off Street Parking Fund; or
- 2) Provide staff with alternative directions to fund the cash flow needs of the Off Street Parking Fund.

STAFF RECOMMENDATION

Staff recommends that Council authorize \$50,000 from ARPA funds to provide cash flow assistance for the Off Street Parking Fund.

SUGGESTED MOTION

"I move to authorize the use of \$50,000 of ARPA funds to provide cash flow assistance for the Off Street Parking Fund."

ATTACHMENTS:

None.



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

CITY MANAGER CONTRACT UPDATE

Meeting Date: November 13, 2023
Department: City Manager
www.cityofroseburg.org

Agenda Section: Mayor Reports
Staff Contact: John VanWinkle
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City Manager is under contract for services with the City. Council reviews the City Manager's performance and compensation level on an annual basis, unless otherwise decided. Additionally, the City of Roseburg charter was amended by voters during the May 16, 2023, election, allowing for a waiver of residency requirements for the City Manager. The issue for Council is whether to adjust the City Manager's salary and residency requirement.

BACKGROUND

A. Council Action History

Council's annual evaluation process with the City Manager concluded at the October 30, 2023, meeting in executive session. At the conclusion of each annual performance evaluation, City Council has the opportunity to adjust the City Manager's salary.

Voters approved amendments to the City of Roseburg charter during the May 16, 2023, election. Under charter section 4.1, **City Manager: Appointment and qualifications**, language was added, reading: *The Council shall have discretion to waive the city manager residency requirement, on an individual basis, when they deem appropriate.*

B. Analysis.

For comparison purposes, all three City bargaining units have received or have been offered a 5% cost of living increase effective July 1, 2023.

C. Financial and/or Resource Considerations.

The City Manager's current salary is \$14,115 per month. A 5% adjustment would increase the City Manager's salary to \$14,821 per month, effective September 1, 2023.

D. Timing Issues.

In order to make timely adjustments to the City Manager's salary, this is the appropriate time to adopt any changes.

COUNCIL OPTIONS

Council may choose to:

1. Adjust compensation and waive residency requirement for the City Manager; or
2. Make no changes to compensation and residency requirement for the City Manager; or
3. Request additional information before making a determination regarding the City Manager's compensation and residency status.

STAFF RECOMMENDATION

As this is a direct contractual arrangement between Council and the City Manager, Staff makes no recommendation.

SUGGESTED MOTION

"I MOVE TO INCREASE THE CITY MANAGER'S MONTHLY SALARY BY 5% TO \$14,821 EFFECTIVE RETROACTIVE TO SEPTEMBER 1, 2023, AND TO WAIVE THE CITY MANAGER RESIDENCY REQUIREMENT."

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CITY MANAGER ACTIVITY REPORT

Meeting Date: November 13, 2023

Department: Administration

www.cityofroseburg.org

Agenda Section: Informational

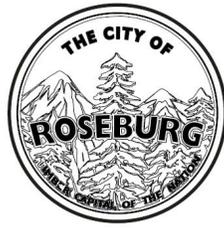
Staff Contact: Nikki Messenger, City Manager

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

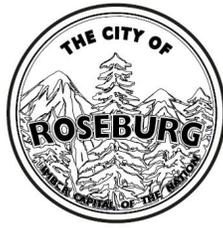
At each meeting, the City Manager provides the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's 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 November 13, 2023 meeting, the following items are included:

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



Agenda
Department Head Meeting
Public Safety Center Umpqua Room
October 24, 2023 - 10:00 a.m.

1. October 23, 2023 City Council Meeting Synopsis
2. November 11, 2023 City Council Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
 - A. Community Events Application – UVTC Monster Mashup Costume Party on 10/16/2023
 - B. Grant Checklist – Douglas County Library Foundation Grant
5. Discussion Items
 - A. Boots on Cars



Agenda
Department Head Meeting
Public Safety Center Umpqua Room
November 6, 2023 - 10:00 a.m.

1. IT Updates and Questions – Christine, Systech
2. November 1, 2023 City Council Work Session Synopsis
3. November 13, 2023 City Council Agenda
4. Review Tentative Future Council Meeting Agendas
5. Documents, Events, or Grants to review and/or sign
 - A. Community Event – Tree Lighting Ceremony
6. Discussion Items
 - A. Boots on Cars
 - B. State of the City
7. Employee Service Pins
 - A. Alexa Bedolla – Finance Department – 10 years
 - B. Judi Kiepert – Finance Department – 10 years

TENTATIVE FUTURE COUNCIL AGENDA



Unscheduled

- 2023-2025 Council Goals (Nov 9th)
- Urban Growth Boundary Swap
- Accounting Awards
- UTRAN presentation
- VA Director presentation
- Umpqua Economic Development Presentation – Brian Prawitz

December 11, 2023

Consent Agenda

- A. November 1, 2023 Work Session Minutes
- B. November 9, 2023 Work Session Minutes
- C. November 13, 2023 Meeting Minutes

Ordinances

- A. Ordinance 3596 – Amending Animal Control Ordinance, First Reading
- B. Ordinance 3597 – Granting a Telecommunications Franchise Agreement with Qwest Corporation

Department Items

- A. 2023 Library Five-Year Review
- B. Municipal Judge Contract
- C. Audience Participation Guidelines

Informational

- A. City Manager Activity Report

January 8, 2024

Mayor Reports

- A. State of the City Address
 - B. Commission Chair Appointments
 - C. Commission Appointments
- Commission Reports/Council Ward Reports

- A. Election of Council President

Consent Agenda

- A. December 11, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report

January 22, 2024

Consent Agenda

- A. January 8, 2024 Meeting Minutes

Informational

- A. City Manager Activity Report
- B. Municipal Court Quarterly Report

February 12, 2024

Consent Agenda

- A. January 22, 2024 Meeting Minutes

Special Presentation

- A. Annual Comprehensive Financial Report (ACFR)
- B. Quarterly Report – Quarter Ended December 31, 2023

- C. 2023 – 2024 Budget Calendar
Informational
 - A. City Manager Activity Report
-

February 26, 2024

- Consent Agenda
 - A. February 12, 2024 Meeting Minutes
Informational
 - A. City Manager Activity Report
-

March 11, 2024

- Consent Agenda
 - A. February 26, 2024 Meeting Minutes
Informational
 - A. City Manager Activity Report
 - *ROSEBURG URBAN RENEWAL AGENCY BOARD MEETING TO IMMEDIATELY FOLLOW*
-

March 25, 2024

- Consent Agenda
 - A. March 11, 2024 Meeting Minutes
Informational
 - A. City Manager Activity Report
-

April 8, 2024

- Mayor Reports
 - A. Recognition of City Volunteers and Volunteer Recognition Month Proclamation
 - B. Oregon Arbor Month Proclamation
 - C. National Library Week Proclamation
 - Consent Agenda
 - A. March 25, 2024 Meeting Minutes
Informational
 - A. City Manager Activity Report
-

April 22, 2024

- Mayor Reports
 - A. Historic Preservation Month Proclamation
 - Consent Agenda
 - A. April 8, 2024 Meeting Minutes
Informational
 - A. City Manager Activity Report
 - B. Quarterly Financial Report
 - C. Municipal Court Quarterly Report
-

May 13, 2024

- Mayor Reports
- A. EMS Week Proclamation
- B. National Public Works Proclamation
- C. 2023 Roseburg Optimist Club Officer of the Year
- Consent Agenda
- A. April 22, 2024 Meeting Minutes

B. Inmate Housing Intergovernmental Agreement

City Manager Updates
October 6, 2023

- The Planning Commission met on Monday night and elected a new chair after the former chair resigned due to moving.
- On Monday, Stu Cowie and I met with Commissioner Kress and Joshua Shaklee, DC Planning Director, to update them on our progress related to the Urban Growth Boundary swap application and discuss next steps.
- The Parks Commission met on Wednesday and forwarded two recommendations to the Council for consideration. The first is scheduled for Monday night's meeting and relates to authorization to accept a donation that will allow the City to purchase additional property to expand Brown Park. The second will be scheduled for the October 23 Council meeting and relates to an update of the Parks Rules.

- On Wednesday, Officers and Police staff spent time interacting with community members at My Coffee, for National Coffee with a Cop Day. The mission of National Coffee with a Cop Day is to break down barriers between Police Officers and the residents they serve by removing agendas and giving residents a chance to ask questions, voice concerns and get to know the Officers in their neighborhood. On Saturday, the Police Chief will be assisting the Boys and Girls Club with parking logistics at their major annual fundraiser.



- Police Officers and Community Development employees participated in Walk and Roll to School Day on Wednesday morning at Fullerton IV and Fir Grove Elementary. Children were dropped off at predetermined locations and then walked or biked with adults to their school. This event was put on by Douglas ESD, and is designed to help celebrate students and remind them how fun and exciting walking and biking to a place can be. This was a good opportunity for city staff to interact with children in our community.



- On Wednesday, I met with Michael Rondeau, Alicia McAuley, and John McCafferty with the Cow Creek Tribe to discuss their upcoming projects and opportunities we may have to work together on shared priorities. I am pleased that we are meeting more regularly and believe that the increased communication will lead to good things.
- On Thursday, Roseburg hosted the City Managers/Administrators from throughout the County for lunch and discussion. The group started meeting last year and has been meeting sporadically. Brian Prawitz from the Partnership was invited by the Sutherlin City Manager and was able to share news regarding that organization. Various topics were discussed and a consensus was reached to send a joint letter commenting on proposed framework in development related to HB 3414B and the Governor's Housing Production Advisory Council. I have drafted the letter and forwarded to all of the managers/administrators for signature. In addition, Roseburg will submit comments specific to our concerns related to the impacts of this legislation.
- On Friday morning, Rachel Pokrandt (UCC) and I met with the UVDC Board to discuss the Med Ed project. There has been a significant amount of misinformation floating around the community regarding the status and future of the project. Rachel was able to clarify UCC's involvement with the project and she and I were able to answer a number of questions directly, which I believe helped clear the air. Rachel and I will meet with Idaho State University's representative in the near future. I intend to request Council authorization to execute an agreement with UCC in the near future.
- Friday afternoon, Shaun Pritchard and I talked with Kyle Bailey on Inside Douglas County to give an update on the Gary Leif Navigation Center. You can listen to that interview here: <https://kqennewsradio.com/2023/10/06/inside-douglas-county-10-6-23/>
- I will be out of the office Thursday (and possibly Friday) next week to attend a portion of the LOC Annual Conference.
- Blocktoberfest is happening downtown on Saturday. The event should be even bigger than last year with the addition of the Hesh Moto Show and the Umpqua Brew Fest. Thank you to NeighborWorks Umpqua for putting together this great community event and showcasing our downtown! More information can be found here: <https://roseburgblocktoberfest.com/>
- Meetings next week:
 - City Council – Monday, 10/9 @ 7 pm, City Hall Council Chambers
 - Public Works Commission – Thursday, 10/12 @ 3:30 pm, Council Chambers

City Manager Updates

October 20, 2023

As you know, I have been in and out of the office a lot lately. Last week I spent Thursday and Friday at the LOC conference in Eugene. Some sessions were better than others, but there were several 'nuggets' learned that I hope to expand on and peer connections made. This week, Dawn Easley chaired the Oregon APWA's fall conference at 7 Feathers. This is an organization I was heavily involved with prior to taking my current position, and I still attend conferences when I can to earn the professional development hours needed to keep my professional engineering license active. Dawn and the conference committee did an outstanding job and brought more than 400 professionals to our area. With that, here are a few quick updates.

- Last week, I learned that Peace at Home is experiencing some financial difficulties primarily related to delays in state funding that was expected. This could lead to significant impacts to the services they provide, which are critical to our community. I have been in touch with two of the Commissioners, and Commissioner Boice is actively working on a longer term solution. In the meantime, the City provided one month's worth of operational funding (\$47,367) utilizing funding from the Opioid Settlement funds. This will help them stabilize and make financial decisions moving forward.
- Staff had a virtual meeting with FAA representatives on Tuesday to go over the airport's 5-Year Capital Improvement Program. This is an annual meeting to discuss project eligibility, funding options, etc. Unfortunately, this meeting was quite unusual in that the FAA NW Mountain Region has overcommitted funding in the current and future years and informed staff that the project programmed for the current federal fiscal year, the Taxiway Extension Project, will not be funded. This project has been in the approved CIP for five years and the FAA funded the design phase in FY 22. It would not normally even be part of the discussion, since the meeting was supposed to be the FY 25-29 projects. FAA staff also informed that other projects included on the CIP request would likely not be funded due to the FAA's lack of available funding. Staff is currently working with the consultant looking for ways to utilize the City's non-primary entitlement and BIL funds to make a new proposal to move the project forward. Staff is hoping to have something for the Airport Commission to consider at their meeting on October 26.
- The Library Commission met on Tuesday and received updates from Director Wiley. The Economic Development Commission met on Thursday and heard updates on the Partnership and decided to change their regular meeting date to the fourth Thursday of the months they meet (January, April, July, and October). The Public Works Commission met last Thursday and made recommendations that are scheduled to be presented to Council on Monday night related to an IGA with ODOT for a grant and an amendment to a consulting agreement.
- Meetings next week:
 - City Council – Monday – 10/23 @ 7pm - City Hall Council Chambers
 - Airport Commission – Thursday – 10/26 @ 3:30 pm - Council Chambers
- As a reminder, the Council has two work study sessions the following week. The first Council goal setting session is at 4 pm on Monday, October 30. The current Council Goals are attached. The work study session on downtown parking is scheduled for 4 pm on Wednesday, November 1. In preparation for that meeting, we have attached a copy of the Downtown Parking and Assessment Plan completed in 2021 and adopted by Council.