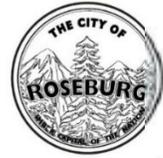


ROSEBURG CITY COUNCIL AGENDA – SEPTEMBER 11, 2023
City Council Chambers, City Hall
900 SE Douglas Avenue, Roseburg, Oregon 97470



9-7-2023

Public Online Access:

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

Facebook Live at www.Facebook.com/CityofRoseburg

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

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
4. **Mayor Reports**
 - A. Recovery Month Proclamation – Gene McVae
5. **Commission Reports/Council Ward Reports**
6. **Audience Participation** – In Person or via Zoom/See Information on the Reverse
7. **Special Presentation**
 - A. Umpqua Community College Downtown Projects – Rachel Pokrandt, President
8. **Consent Agenda**
 - A. August 14, 2023 Regular Meeting Minutes
 - B. August 28, 2023 Regular Meeting Minutes
 - C. OLCC – New Outlet – D & J Rentals, LLC dba Lilly’s Mexican Cuisine at 2980 NW Stewart Pkwy
9. **Ordinances**
 - A. Ordinance No. 3593: W Finlay Avenue Right-of-Way Vacation, Second Reading
 - B. Ordinance No. 3594: Granting a Telecommunications Franchise to Garmin Services, Inc., Effective October 11, 2023, Second Reading
10. **Department Items**
 - A. Request for Additional Position in Finance Department
 - B. Construction Project Lifecycle
 - C. Contract Ratification – IAFF Local 1110
11. **Items from Mayor, City Council and City Manager**
12. **Adjourn**

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:

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>

PROCLAMATION

CITY OF ROSEBURG, OREGON

Douglas County Recovery Road 5K Day

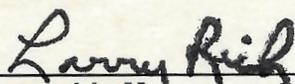
- WHEREAS:** The month of September is recognized as Recovery Month to celebrate the achievements of individuals who have reclaimed their lives in long-term recovery and to honor those who work to make recovery possible; and
- WHEREAS:** Recovery is a journey through which individuals improve their health and wellness, live self-directed lives, and strive to achieve their full potential; and
- WHEREAS:** The combined efforts of community members and organizations can help raise awareness and understanding of substance use and mental health disorders, breaking down barriers and making it possible for more people to seek the help they need; and
- WHEREAS:** Adapt, Thrive Umpqua, the Umpqua Valley BIPOC Community, and various Douglas County community partners have come together to invite all to a Recovery focused "Recovery Road 5k Event" on Saturday, September 30th, 2023; and
- WHEREAS:** This free event serves as a beacon of hope and recognition for those who are in recovery and for those who support the journey towards it, with speeches from those in recovery, performances from local and regional talents, and presentation of accolades for contributions to local recovery; and
- WHEREAS:** Every stride taken at the Douglas County Recovery Road 5k reverberates the profound impact of recovery in our community, reminding us that every individual's journey matters;

NOW, THEREFORE, I, Larry Rich, Mayor of the City of Roseburg, do hereby proclaim September 30th, 2023 to be

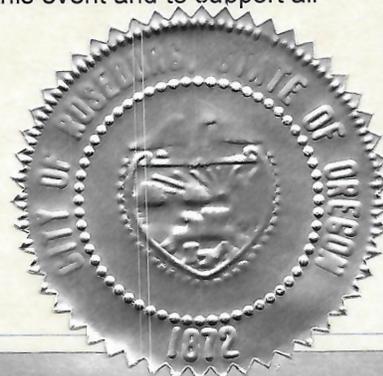
Douglas County Recovery Road 5k Day

and I call upon all our citizens to recognize the significance of this event and to support all those on their journey of recovery.

DATED this 11th day of September 2023.



 Honorable Mayor Larry Rich



**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
August 14, 2023**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:01 p.m. on August 14, 2023 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

2. Pledge of Allegiance

Councilor Mohr led the pledge of allegiance.

3. ROLL CALL

Present: Mayor Rich, Councilors Tom Michalek, David Mohr, Kylee Rummel, Andrea Zielinski, Ellen Porter, Ruth Smith, and Patrice Sipos

Absent: Shelley Briggs Loosley

Others: City Manager Nikki Messenger, City Attorney Webb Kittinger, Police Chief Gary Klopfenstein, Fire Chief Tyler Christopherson, Community Development Director Stuart Cowie, 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

A. Planning Commissioner Appointment

The Council held candidate interviews for two (2) Planning Commissioner vacancies, during the Special Meeting. Council expressed appreciation to all the candidates who applied and interviewed for the vacant Planning Commission positions.

Councilor Zielinski moved to appoint Jarrett Nielsen and Matthew Keller to fill the two (2) Planning Commission vacancies. The motion was seconded by Councilor Sipos and approved with the following vote: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith and Sipos voted yes. No Councilors voted no.

B. Mayor Rich appointed Councilor Sipos to the Economic Development Commission.

C. Mayor Rich appointed Councilor Smith to the Parks & Rec Commission.

5. Commission Reports/Council Ward Reports

None.

6. Audience Participation

None.

7. Consent Agenda

- A. July 24, 2023 Regular Meeting Minutes.
- B. July 24, 2023 Special Meeting Minutes.
- C. OLCC New Outlet – WinCo Foods, LLC at 2757 NW Stewart Pkwy.

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

8. Public Hearing

- A. Resolution No. 2023-19: A Resolution Exempting the Purchase of a Trailer-Mounted Vacuum Excavator from the Competitive Bid Process.

At 7:14 p.m., Mayor Rich opened the public hearing regarding A Resolution Exempting the Purchase of a Trailer-Mounted Vacuum Excavator from the Competitive Bid Process. Easley provided an overview of the resolution.

Councilor comments and questions included clarification of the Sourcewell agreement and company size, where Ditch Witch is manufactured, functions and capabilities of the machine, whether the City already has a Ditch Witch, reasoning behind the new purchase, and where the material that is dug up gets distributed.

Messenger clarified that Ditch Witch is a machine that uses high-pressured water to dig into the ground and suck up material, which is used for digging around utility lines without damaging any lines. The Ditch Witch is manufactured in Oklahoma.

Easley clarified that Sourcewell is a national company with a cooperative purchasing agreement, which means they secure contracts after the competitive bid and vetting process. Agencies can use this to make purchases at competitive prices. The machine is a hydro-excavator and is more precise. It will replace the City's older, 2013 model, which will be auctioned off. Some of the dug up material is used to fill in the hole and some is collected into the holding tank.

There was no public comment.

As no one else wished to speak, Mayor Rich closed the public hearing at 7:20 p.m.

Councilor Porter moved to adopt Resolution No. 2023-19, authorizing the use of an interstate cooperative purchasing agreement and exemption from competitive bidding to award the purchase of a Ditch Witch HX50A vacuum excavator from Ditch Witch West Portland through the Sourcewell cooperative purchasing agreement for \$120,547.70. The motion was seconded by Councilor Zielinski

and approved with the following vote: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith, and Sipos voted yes. No Councilors voted no. Mayor Rich declared Resolution No. 2023-19 as adopted.

9. Ordinances

- A. Ordinance No. 3591 – Granting Renewal of a Telecommunications Franchise to McLeod USA Telecommunications Services, LLC, Effective January 1, 2024, First Reading.

Hitt reported the telecommunications franchise agreement with McLeod USA Telecommunications Services, LLC.

Council agreed to a first reading of Ordinance No. 3591. Hitt read Ordinance No. 3591, entitled, “Granting Renewal of a Telecommunications Franchise to McLeod USA Telecommunications Services, LLC, Effective January 1, 2024,” for the first time.

- B. Ordinance No. 3592 – Amending 1.04.005, 2.02.100, 2.02.110, 2.08.020, 2.08.040, 3.10.010, and 4.04.060 of the Roseburg Municipal Code, First Reading and Second Reading.

Hitt reported the Amendments of the Roseburg Municipal Code.

Council agreed to a first reading of Ordinance No. 3592. Hitt read Ordinance No. 3592, entitled, “Amending 1.04.005, 2.02.100, 2.02.110, 2.08.020, 2.08.040, 3.10.010, and 4.04.060 of the Roseburg Municipal Code,” for the first time.

Councilor Zielinski moved to suspend the rules and proceed with the second reading of Ordinance No. 3592, An Ordinance Amending Sections 1.04.005, 2.02.100, 2.02.110, 2.08.020, 3.10.010, and 4.04.060 of the Roseburg Municipal Code and Declaring an Emergency. The motion was seconded by Councilor Porter and approved with the following vote: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith, and Sipos voted yes. No Councilors voted no.

Hitt read Ordinance No. 3592, entitled, “Amending 1.04.005, 2.02.100, 2.02.110, 2.08.020, 2.08.040, 3.10.010, and 4.04.060 of the Roseburg Municipal Code,” for the second time.

Councilor Zielinski moved to adopt Ordinance No. 3592, Amending Subsections 1.04.005, 2.02.100, 2.02.110, 2.08.020, 3.10.010, and 4.04.060 of the Roseburg Municipal Code. The motion was seconded by Councilor Sipos. Roll call vote was taken: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith, and Sipos voted yes. No Councilors voted no.

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

Councilor Sipos suggested scheduling work sessions to discuss downtown parking issues, safety at the downtown parking structure, increasing fees for water, and setting the City’s goals.

Councilor Porter expressed interest in scheduling work sessions to be able to publicly discuss issues in more depth. The Council's role is to establish policy and Staff is responsible for implementation.

Councilor Rummel suggested quarterly work sessions to discuss issues heard and seen in the community, in a less formal setting in order to brainstorm ideas.

Mayor Rich confirmed with Messenger and Hitt that a Doodle poll will be sent out to all Councilors regarding available dates for scheduling work sessions in October. Mayor stated Staff is responsible for daily operations and when things go wrong, we all hear about it. We need to find a balance to solve issues. Staff put a lot of time and work into a plan to solve downtown parking issues but the Council voted it down. Council needs to make a decision when Staff brings items before us. Goal setting will be helpful to address these issues. Councilors that have concerns and complaints should direct them to the Mayor or Council President.

Councilor Smith stated Council members represent residents and constituents and would like bring their voices to the table and make sure they are heard. Bringing a grocery store to Ward 4, which is considered a food desert, is a goal the Council should consider.

Councilor Mohr stated he feels that the role as Councilor seems reactive to things brought to them by Staff, rather being more forward-thinking, such as asking what Roseburg wants to look like in the next 50 years and building plans towards those goals.

Council President Zielinski clarified the role of the City Manager is to run the daily operations. Council has goal setting sessions to identify tasks to ask the City to focus on and in a manner that is beneficial to all.

Councilor Michalek showed Councilor Sipos a recent example of a Public Works flyer that outlined everything the City has worked on and accomplished.

There was a consensus to schedule work sessions in October.

11. Adjourn

Mayor Rich adjourned the regular meeting at 7:59 p.m.

Grace Jelks

Grace Jelks

Management Staff Assistant

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
August 28, 2023**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on August 28, 2023 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

2. Pledge of Allegiance

Councilor Sipos led the pledge of allegiance.

3. ROLL CALL

Present: Mayor Rich, Councilors Tom Michalek, David Mohr, Kylee Rummel, Andrea Zielinski, Ellen Porter, Ruth Smith, Patrice Sipos, and Shelley Briggs Loosley

Absent: None

Others: City Manager Nikki Messenger, City Attorney Jim Forrester, Police Captain Jeremy Sanders, Fire Chief Tyler Christopherson, Community Development Director Stuart Cowie, 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

Council President Zielinski gave an update on Library Commission meeting held on Tuesday, August 22, 2023. A "Friends of the Library" book sale will take place on August 31, 2023 through September 2, 2023.

Councilor Smith discussed food insecurity in Wards 1, 3, and 4, due to a food desert. The collaboration group will be doing a survey to gather interest in bringing in a grocery store to the area.

6. Audience Participation

None.

7. Consent Agenda

A. August 14, 2023 Special Meeting Minutes.

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

- B. August 14, 2023 Regular Meeting Minutes. There was a consensus to set this item over to September 11, 2023. The City Recorder's office will make the recommended changes to the Councilors comments under Section 12 – Items from Mayor, City Council, and City Manager, to more accurately reflect issues brought up by each Councilor pertaining to concerns from constituents and Wards.

8. Public Hearing

- A. Ordinance No. 3593: VAC-23-001 W Finlay Avenue Right-of-Way Vacation.

At 7:09 p.m., Mayor Rich opened the public hearing regarding An Ordinance Vacating a Portion of West Finlay Avenue Right-of-Way in the City of Roseburg. Cowie provided an overview of the ordinance. Discussion ensued.

Councilor comments and questions included feedback from adjacent landowner's, plans for residential properties, impact of street closure on Finlay, utility repair cost, whether the street will continue to be asphalt, installation of netting as a buffer, and whether the current utilities are in good shape or should be replaced.

Councilor Porter met with landowners and they were happy with the concessions by the school to mitigate noise and other concerns.

Messenger clarified utility repairs should not add extra cost, emergency access and access during school hours would be negotiated.

Cowie clarified the survey of adjacent landowners and future plans for rental properties are not part of the right-of-way vacation. Concerns about noise were mitigated by adding vegetation. The affected area in the right-of-way vacation is surrounded by school-owned property. The designated entry/exit for one landowner's garage is not in the right-of-way vacation and continuing to use the preferred exit on Finlay would require them to obtain an easement. The recommended Public Utility Easement (PUE) would make it accessible for repairs and would not increase or alter the cost. Displacement of residents from school-owned property is not anticipated.

Cheryl Northam, Roseburg School District, clarified that surrounding properties were bought as they came up for sale with the intent to build the softball field, school-owned residences are used for the transitional program and security office, and a collapsible net will installed during the season.

Alex Palm, IE Engineering, clarified that one landowner has a garage with a backdoor that opens to City-owned property, but the main door is accessible on Laurelwood. There have already been some improvements to existing public utilities, which is sufficient at this time.

There was no public comment.

As no one else wished to speak, Mayor Rich closed the public hearing at 7:37 p.m.

Councilor Mohr expressed concern that this project will take away affordable housing and lack of landowner representation.

Mayor Rich clarified that this project has been planned by the school district for a long time to address student needs and plans for expansion.

Councilor Zielinski moved to approve File No. VAC-23-001 as proposed, subject to a condition that the entire public way be held as a Public Utility Easement (PUE), and proceed with the first reading of Ordinance 3593 to vacate a portion of West Finlay Avenue. The motion was seconded by Councilor Porter and approved with the following vote: Councilors Michalek, Rummel, Zielinski, Porter, Smith, Sipos, and Briggs Loosley. Councilor Mohr voted no. The motion passed 7-1.

Council agreed to a first reading of Ordinance No. 3593. Hitt read Ordinance No. 3593, entitled, "An Ordinance Vacating a Portion of West Finlay Avenue Right-of-Way in the City of Roseburg," for the first time.

9. Resolutions

A. Resolution No. 2023-20 – Amend Fee Schedule to Add Library Fee

Wiley provided an overview of the resolution. Discussion ensued.

Councilor comments and questions included clarification of the rental process, the reasoning behind using a key lock instead of an electronic locking system, whether there are plans to implement an electronic locking system, collections process for the fee, and clarification of the high cost to re-key locks.

Wiley clarified the fee would only be assessed if the key is lost, the building is not set up for an electronic locking system as it was not included in the budget for the remodel, there are no plans to implement a new locking system, patrons that lose a key and do not pay the fee will not be allowed to rent the room again, and the key opens four (4) outer doors.

Councilor Zielinski moved to adopt Resolution No. 2023-20, amending the Fee Schedule to add a \$150 fee per incident for re-keying locks associated with renting the Ford Room. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith, Sipos, and Briggs Loosley. No Councilors voted no. The motion passed unanimously.

10. Ordinances

A. Ordinance No. 3591 – Granting Renewal of a Telecommunications Franchise to McLeod USA Telecommunications Services, LLC, Effective January 1, 2024, Second Reading.

Hitt read Ordinance No. 3591, entitled, “An Ordinance Granting Renewal of a Telecommunications Franchise to McLeod USA Telecommunications Services, LLC, Effective January 1, 2024,” for the second time.

Councilor Zielinski moved to approve Ordinance No. 3591 – Granting Renewal of a Telecommunications Franchise to McLeod USA Telecommunications Services, LLC, Effective January 1, 2024. The motion was seconded by Councilor Briggs Loosley. Roll call vote was taken: Councilors Briggs Loosley, Michalek, Mohr, Porter, Rummel, Sipos, Smith, and Zielinski voted yes. No Councilors voted no. The motion passed unanimously.

B. Ordinance No. 3594 – Granting Renewal of a Telecommunications Franchise to Garmin Services, Inc., Effective October 1, 2023, First Reading.

Hitt reported the telecommunications franchise agreement with Garmin Services, Inc.

Councilor comments and questions included whether the systems overlap, provide the same service, and the reasoning behind the large number of providers.

Hitt and Messenger clarified there are about twenty (20) providers that provide many services, which do not overlap. Each telecommunications company providing service to a cellphone in the area registers with the City.

Council agreed to a first reading of Ordinance No. 3594. Hitt read Ordinance No. 3594, entitled, “Granting Renewal of a Telecommunications Franchise to Garmin Services, Inc., Effective October 1, 2023,” for the first time.

11. Department Items

A. Roseburg Disposal Rate Increase.

Hitt presented an overview of the Roseburg Disposal Rate Increase.

Councilor questions and comments included whether the agreement is dependent upon an agreement with the County, drivers of increased cost, additional recycling capabilities, appreciation for retaining on-demand service, and monthly service billing options.

Dori John, Roseburg Disposal Company, stated that the County has already approved their agreement, which is reviewed annually for rate increase recommendations. Inflation has been a big driver of increased cost, more recycling capabilities are planned in the future, on-demand service will continue, and monthly service billing is not planned but monthly payments are still accepted.

Councilor Zielinski moved to approve Roseburg Disposal Company’s Request to Implement the Rate Increases as Described, Effective November 1, 2023. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Michalek, Mohr, Rummel, Zielinski, Porter, Smith, Sipos, and Briggs Loosley voted yes. No Councilors voted no. The motion passed unanimously.

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

Messenger confirmed Council's interest in touring the Navigation Center and will have Staff send out more information once a date has been set. A presentation centered on the life cycle of a Public Works project and audience participation guidelines will be scheduled during an upcoming Council meeting. The Mission has space available for anyone needing to be indoors. Sam Carter with Pacific Power and Light will be contacted about making a presentation before the Council.

Councilor Mohr asked about possible solutions for unhoused individuals during extreme weather conditions, such as the current poor air quality/wildfire event. Power outages have become a regular occurrence and we need to get more information from the power company.

Councilor Smith clarified services offered at the Senior Center, which is not possible for this event due age-related health concerns of the volunteers. J and J Market held their annual community customer appreciation event, which provided food and free school supplies on Stephens Street.

Councilors agreed that poor air quality is very concerning and would like to see more organizations offer assistance, such as sheltering indoors and masks. As extreme wildfire season has become a regular event, consideration should be given to an emergency preparedness plan. The Council expressed interest in inviting Pacific Power and Light to discuss recent power outages and possible solutions.

Councilor Sipos expressed interest in updating the Dog Ordinance due to recent incidents and complaints in the community.

Council President Zielinski discussed enrolling in automatic communications and updates with Douglas County 911 ([DCSO.com/alerts](https://www.dcsoco.com/alerts)) during emergencies.

13. Adjourn

Mayor Rich adjourned the regular meeting at 8:29 p.m.

14. Executive Session – ORS 192.660(2)(d)

The Council held an executive session immediately following the regular meeting.

Grace Jelks

Grace Jelks

Management Staff Assistant



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OLCC NEW OUTLET D & J RENTALS, LLC DBA LILLY'S MEXICAN CUISINE 2980 NW STEWART PKWY

Meeting Date: September 11, 2023

Agenda Section: Consent

Department: Administration

Staff Contact: Grace Jelks, Management Assistant

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

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

BACKGROUND

OLCC has received an application from D & J Rentals, LLC dba Lilly's Mexican Cuisine, as a new outlet granted for "Commercial" sales.

A. Council Action History.

Chapter 9.12 requires Council to make a recommendation to OLCC on the approval or denial of all liquor license applications submitted by any establishment located inside City limits.

B. Analysis.

The Police Department conducted a background investigation on the applicant and found no reason to deny the application.

C. Financial/Resource Considerations.

The applicant has paid the appropriate fee for City review of the application.

D. Timing Considerations.

The applicant is requesting endorsement from the Council for immediate submittal to OLCC.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

“I MOVE TO RECOMMEND APPROVAL OF THE OLCC NEW OUTLET APPLICATION FOR D & J RENTALS, LLC, DBA LILLY’S MEXICAN CUISINE, IN ROSEBURG, OREGON.”

ATTACHMENTS:

Attachment #1 – Subject Application

Cc: License Applicant with copy of agenda
Jonathan Crowl, OLCC Representative

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

New Outlet | Change of Ownership | Greater Privilege | Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

After providing your recommendation, return this application to the applicant WITH the recommendation marked below

City/County name:

(Please specify city or county)

Date application received:

Optional: Date Stamp Received Below

RECEIVED

AUG 23 2023

CITY OF ROSEBURG
City Administration Office

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

Lilly's Mexican Cuisine

Trade Name



OREGON LIQUOR & CANNABIS COMMISSION
LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
 - If the premises street address is within a city’s limits, the local government is the city.
 - If the premises street address is not within a city’s limits, the local government is the county.
3. You can submit the application if:
 1. You have WRITTEN documentation showing the date the local government received the application or;
 2. The local government has provided you their recommendation.
4. **Email the application that contains the local government recommendation or proof of submission to:**
OLCC.LiquorLicenseApplication@Oregon.Gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - Please see the general definitions of the license request options below:

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to replace a Limited On-Premises sales license with a Full On-Premises sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review [OAR 845-006-0301](#) for the definitions of “applicant” and “licensee” and [OAR 845-005-0311](#) to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per [OAR 845-005-0311\[6\]](#)) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the [applicant information box](#) on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one individual who is authorized to sign for the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- Complete the below [Authorized Representative](#) area on page 2 as the applicant/licensee and/or
- Provide a Power of Attorney document showing the permissions allowable on the behalf of the applicant/licensee with this submission

Please note that applicants/licensees are responsible for all information provided on this form, even if an authorized representative or individual with authority signs on behalf of the applicant.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

DEJ RENTALS, LLC

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

BUSINESS INFORMATION

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

Lilly's Mexican Cuisine

Premises street address (The physical location of the business and where the liquor license will be posted):

2980 NW Stewart Parkway

City:

Roseburg

Zip Code:

97471

County:

Douglas

Business phone number:

541-6370826

CELL: 307-371-6525

Business email:

lilly@industrialwc.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]):

PO Box 506

City:

Winston

State:

OR

Zip Code:

97496

Does the business address currently have an OLCC liquor license? Yes No

Does the business address currently have an OLCC marijuana license? Yes No

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

- Make changes regarding this license/application on my behalf.
- Sign application forms regarding this license/application on my behalf.
- Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Lilia Vazquez

Phone number:

307-371-6525

Email:

lilly@industrialwc.com

Mailing address:

PO Box 506

City:

Winston

State:

or

Zip Code:

97496

Please note: liquor license applications are public records.

LIQUOR LICENSE APPLICATION

Page 3 of 4

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name:

Lilia Vazquez

Phone number:

307-371-6525

Email:

lilly@industrialwc.com

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

Lilly's Mexican Cuisine

OLCC Liquor License Application (Rev. 6.1.23)

LIQUOR LICENSE APPLICATION

Page 4 of 4

Lilly's Mexican Cuisine

• Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

<u>Lilia Vazquez</u>	<u><i>Lilia Vazquez</i></u>	<u>7/11/23</u>	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)

ORDINANCE NO. 3593
AN ORDINANCE VACATING A PORTION OF WEST FINLAY AVENUE
RIGHT-OF-WAY IN THE CITY OF ROSEBURG

WHEREAS, pursuant to Roseburg Municipal Code Chapter 4.06, upon receipt of a report from the Community Development Department, the City Recorder initiated proceedings to vacate a portion of West Finlay Avenue right-of-way behind Finlay Field in the City of Roseburg, more particularly described in Section 1 of this ordinance and shown on the map attached hereto as Exhibit "A" of this ordinance; and

WHEREAS, the City Recorder published a notice of a public hearing on the proposed vacation to be held before the Roseburg City Council on August 28, 2023, in The News Review, a newspaper of general circulation in the City of Roseburg, Oregon, on August 6, 2023, and August 13, 2023, posted said notice at or near each end of the vacation area and mailed the same to all affected property owners, not less than 14 days prior to the date of the hearing, all of which more fully appear in the proof of publication, posting and mailing on file in the City Recorder's Office; and

WHEREAS, such public hearing was duly held before the Roseburg City Council on the above-mentioned date, and all persons desiring to be heard on said matter were heard;

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

SECTION 1. A portion of West Finlay Avenue right-of-way located in the Jeremiah Huntley Donation Land Claim No. 56, Township 27 South, Range 6 West, Willamette Meridian and being more particularly described as follows:

Beginning at a point referred as the "most northerly Northeast Corner, High School Tract" from which a 2 inch iron pipe at the Southwest corner of Lot 5, Block J, "Amended Plat of Blocks G, H, I and J, Laurelwood Addition to Roseburg", Oregon, as platted and filed as Volume 5, Page 57 in the official records of Douglas County, Oregon bears North 88°36'58" East 5.00 feet and South 02°8'31" East 10.30 feet; thence North 00°30'02" West 25.00 feet; thence South 88°36'58" West 402.27 feet; thence South 00°23'18" East 25.00 feet; thence North 88°36'58" East 402.31 feet; to the point of beginning.

Said property containing 0.23 acres more or less.

SECTION 2. A public and private utility easement shall be granted and reserved over the entire property in the above Section 1, and being vacated by this ordinance, for the purpose of allowing continued existence and future maintenance of, and the right of ingress and egress to, any public or private utility which currently has, or may in the future have, facilities located within the area being vacated, until such time said facilities are relocated. There shall be no modifications to or construction on the property being vacated which would in any way interfere or conflict with any public and/or private utility currently located within the vacated area, unless plans for said modification or construction are developed in a manner which is considered compatible with said utilities.

SECTION 3. The title to the property being vacated by this ordinance shall attach to the lands bordering on such equal portions in accordance with ORS 271.140.

SECTION 4. Pursuant to ORS 271.150, the City Recorder is hereby directed to file a certified copy of this ordinance and the map attached hereto as Exhibit "A" with the Douglas County Clerk, Douglas County Assessor and Douglas County Surveyor.

SECTION 5. This ordinance shall take effect 30 days after its adoption by the Council and approval by the Mayor.

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

ORDINANCE NO. 3594

**AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO
GARMIN SERVICES, INC. EFFECTIVE OCTOBER 1, 2023**

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City,” hereby grants Garmin Services, Inc., hereinafter called “Franchisee,” the non-exclusive right to use and occupy all public ways within the Franchise Territory, solely for the purposes described herein, for a period of two years, three months, beginning October 1, 2023, and ending December 31, 2025, following Franchisee’s acceptance of the Franchise as provided in Section 11 of this Ordinance.

SECTION 2. Incorporation of Roseburg Municipal Code. This Franchise is granted pursuant to Chapter 9.25 of the Roseburg Municipal Code (“RMC”), entitled “Telecommunications Providers,” and shall be interpreted to include all provisions of Chapter 9.25, as it now exists and as it may be amended during the term of the Franchise, and all other provisions of the Roseburg Municipal Code and City regulations with which Chapter 9.25 requires compliance, as if set forth in writing herein. A copy of Chapter 9.25, as it exists and is in effect on the effective date of this Franchise, is attached to this Franchise as Exhibit “A.” It shall be the responsibility of the Franchisee to keep itself informed of any amendments to applicable provisions of the Roseburg Municipal Code and all related regulations.

SECTION 3. Amendment and Renewal. The Franchise granted by this Ordinance may be amended in accordance with RMC 9.25.120 and may be renewed in accordance with RMC 9.25.100.

SECTION 4. Franchise Territory. The “Franchise Territory” is all territory within the boundaries of the City of Roseburg, as currently existing or as the boundaries may be adjusted during the term of this Franchise.

SECTION 5. Services to be Provided. Franchisee shall provide telecommunications services as authorized by law to residents, businesses and other entities within the City of Roseburg.

SECTION 6. Franchise Fees. Franchise fees shall be based on Franchisee’s annual use of the City’s public ways, as provided below:

A. Fee Base. For the privileges granted by this Franchise, Franchisee shall pay five percent (5%) of its gross revenue derived from services provided to customers within the City limits of Roseburg.

B. Payment. All payments due hereunder shall be paid to the City of Roseburg by check or money order delivered to the address of the City for notices as set forth herein.

C. Due Date. Franchise fees shall be paid to the City on a quarterly basis, based on the revenues derived from the quarter just passed, not more than 30 days following the end of each quarter.

D. Late Fee. If Franchisee fails to pay the Franchise fee when due, Franchisee shall be charged a penalty of ten percent (10%), and the legal rate of interest established by state statute on the unpaid balance.

SECTION 7. Notices and Authorized Representatives.

A. Except for emergency notification of Franchisee, all notices or other communications between the parties shall be deemed delivered when made by certified United States mail or confirmed express courier delivery to the following persons and locations:

If to City:

City of Roseburg
ATTN: Patty Hitt, City Recorder
900 SE Douglas
Roseburg, OR 97470
E-mail: phitt@cityofroseburg.org
Phone: 541-492-6866

If to Franchisee:

Garmin Services, Inc.

1200 E 151st Street
Olathe, KS 66062
E-mail: tax.dept@garmin.com
Phone: 913-397-8200

Either party may change the identity of its authorized representative(s) or its address or phone number for notice purposes by delivering written notice of the change to the other party.

B. In case of an emergency that causes or requires interruption of service, City shall give Franchisee emergency notification by hand delivery or telephone, as appropriate to the nature of the emergency, to the following:

Contact Person's Name: Sarah Kramlich

Mailing Address: 2 Delorme Drive, Yarmouth, ME 04096

Telephone: 207-846-7104

SECTION 8. Location, Relocation and/or Removal of Facilities. RMC Chapter 4.02, along with RMC Sections 9.25.290 – 9.25.320, sets forth the conditions for the construction, installation, location, relocation and removal of Franchisee's facilities. There are no exceptions or additions to these regulations unless Franchisee is exempted by statute.

SECTION 9. Representation and Warranty of Franchisee. By executing this document, Franchisee represents and warrants that it is familiar with all provisions of this Franchise, including those contained in this Ordinance, and that it accepts and agrees to be bound by all terms, conditions and provisions set forth herein.

SECTION 10. Franchise Effective Date. Franchisee submitted an application requesting a new telecommunications franchise and paid the application processing fee on August 18, 2023. The Roseburg City Council approved the request for a new franchise agreement at its meeting on September 11, 2023; and hereby authorizes this Franchise effective October 1, 2023, and expiring on December 31, 2025, provided Franchisee satisfies the acceptance requirements of Section 11 of this Ordinance.

SECTION 11. Acceptance of Franchise. Upon receipt of this Ordinance, Franchisee shall sign in the space below to indicate its unconditional acceptance of the terms and conditions upon which City has offered the Franchise described herein, and immediately return such acceptance to the City. If Franchisee fails to accept the Franchise and return acceptance to City within 30 days of the adoption of this Ordinance, this Ordinance and the Franchise granted herein shall become void and have no force or effect.

ADOPTED BY THE CITY COUNCIL ON THIS 11th DAY OF SEPTEMBER, 2023.

APPROVED BY THE MAYOR ON THIS 11TH DAY OF SEPTEMBER, 2023.

MAYOR

Larry Rich

ATTEST:

Patty Hitt, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE’S ACCEPTANCE OF ORDINANCE NO.3594. This Ordinance is hereby accepted by Garmin Services, Inc. on this ____ day of _____, 20__.

By: _____
(Signature)

Name: _____
(Printed)

Title: _____

Date: _____

State of _____)

) ss.

County of _____)

This acceptance was signed before me on _____, 20__ by,
_____ as _____ of Garmin Services, Inc.

Notary Public for _____
Name: _____
My commission expires on: _____



Acceptance received by City Recorder on _____, 20__.

Patty Hitt, City Recorder

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



REQUEST FOR ADDITIONAL POSITION IN FINANCE DEPARTMENT

Meeting Date: September 11, 2023
Department: Administration/Finance
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger/Ron Harker
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

In the fiscal year 2021-22 budget, the Finance Department reduced staffing by one Full Time Equivalent (FTE). Due to a number of factors, staff is seeking Council's approval to add one FTE back to the Finance Department during the current fiscal year. The issue for Council is whether to authorize the addition of one FTE to the Finance Department, which may require a future budget adjustment.

BACKGROUND

A. Council Action History.
None.

B. Analysis.

The Finance Department provides financial services to all departments within the City. Responsibilities include financial analysis and reporting, budget development and management, annual financial reporting, utility (water and storm drainage) billing, assessment billing, treasury and debt management, grant administration, payroll, accounts payable, accounts receivable, and operation of the main switchboard.

Prior to FY 2021-22, the Finance Department consisted of 7.3 FTE's including the director, two accounting positions, 3.3 account clerk positions and one payroll/benefits technician. During the FY 21-22 budget preparation, staff recommended reducing the number of FTE's by one and eliminating the payroll/benefits position. These duties were combined with the duties of one of the accountants. At that time, staffing levels were fairly consistent, payroll functions were streamlined in such a way that payroll by itself may not have been a full time position.

Since that time, a number of things have changed, making payroll significantly more challenging and time consuming. Throughout the organization, there has been a significant increase in staffing changes. Whether due to retirements or other turnover, this can lead to a domino effect of temporary assignments, promotions and an almost constant hiring practices. In addition, the state has added payroll taxes for things like Paid Leave Oregon and a statewide transit tax. Paid Leave Oregon started September

3, which adds another calculation for any employee utilizing this benefit. In addition to the increasing complexity of payroll itself, one of the unintended consequences with eliminating a position in a small staff is the diminished capacity to provide coverage when other positions are out on sick leave or vacation.

In order to better balance department workloads, staff is proposing to add one FTE back to the Finance Department at a higher level than the former payroll technician position. The intent would be to have the new position perform the payroll/benefits duties and additional accounting duties including things such as cash drawer balancing, deposit preparation, accounts receivables and recurring transactions.

C. Financial/Resource Considerations.

Staff is requesting to add 1.0 FTE to the Finance Department in range 4 of the non-represented employee pay scale. The annual total cost including benefits is estimated at \$114,000. This may require a budget adjustment later in the fiscal year, depending upon the timing of actually hiring this position and the new Homeless Coordinator position that is budgeted.

D. Timing Considerations.

The current staffing level is proving challenging for the department. Staff seeks direction from Council as soon as practical.

COUNCIL OPTIONS

The Council has the following options:

- 1) Authorize the addition of a Payroll/Accounts Receivable Specialist position for the current fiscal year to be included in the Non-Represented compensation table at range 4; or
- 2) Request additional information; or
- 3) Not authorize the additional FTE.

STAFF RECOMMENDATION

Staff recommends the Council authorize the addition of one FTE in the Finance Department in the current fiscal year.

SUGGESTED MOTION

I move to approve the addition of one FTE in the Finance Department in the current fiscal year.

ATTACHMENTS:

None

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CONSTRUCTION PROJECT LIFECYCLE

Meeting Date: September 11, 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

Council previously requested a short introduction to the various elements that comprise bringing a construction project to fruition. No Council action is required.

BACKGROUND

A. Council Action History.

All of the information presented tonight has been codified by ordinance in the Roseburg Municipal Code at some point.

B. Analysis.

The state laws that govern public contracting when it comes to construction, surveying, engineering, or architecture can be found in Oregon Revised Statutes Chapter 279. The City Council serves as the "Local Contracting Board" and can adopt policies regarding public contracting. ORS 279, combined with the Oregon Attorney General's Model Contracting Rules, are the basis for the City policies outlined in the Roseburg Municipal Code Chapter 3.06.

Utilizing the attached flow charts, staff will make a brief presentation on the basic "lifecycle" for construction projects as outlined below –

1. **Preliminary Project selection** - Projects are generally selected based on the following criteria:
 - a) Included in adopted Master Plan
 - b) Maintenance issues
 - c) Ability to combine projects – utility and other improvements
 - d) Grant opportunities
 - e) Council or public request/input

2. **Five Year Capital Improvement Plan (CIP)** – Proposed projects are included in the draft Five Year Capital Improvement Plan which is presented to Commissions and Council for adoption bi-annually.

3. **Annual Budget** – Once a project has been listed in the Five Year CIP, it is included in the annual budget the first year that money may be allocated and spent on the project.
4. **Engineering Design** - Once a project is budgeted, staff will select an engineer utilizing one of the following methods –
 - a) Direct Appointment – under \$100k
 - b) Request for Proposal – under \$100k
 - c) Request for Qualifications – over \$100k
 - d) Exemption or Special Solicitation – Over \$100k in special circumstances
5. **Construction Bidding** – Depending on the estimated cost of the construction, staff will bid the project one of the following ways. Bids are awarded to the lowest responsible bidder.
 - a) Direct selection – under \$10K
 - b) Informal bids – written – under \$100k
 - c) Formal bids – over \$100k
6. **Construction Management** - When the project is ready for construction, staff will decide if it intends to perform construction management duties in-house or via a consultant. If consultant selection is required, the process outlined in selecting a design engineer may be followed. If the process for selecting the design engineer included the possibility of construction management services, staff may negotiate directly with the design engineer to perform the services required.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

None.

COUNCIL OPTIONS

No action is required.

STAFF RECOMMENDATION

This is informational only and does not include a staff recommendation.

SUGGESTED MOTION

No action is required.

ATTACHMENTS:

Project Delivery Flow Charts

Project Delivery

Step 1 - Projects are preliminarily proposed based on one or more of the following:

- Adopted Master Plan(s)
- Maintenance issues
- Ability to combine projects, i.e. utility and other improvements
- Grant opportunities
- Council or public request/input

Step 2 - Project included in Five Year CIP

- Commission and Council approval

Step 3 - Project included in annual budget

- Commission and Council approval

Step 4 - Engineering Design

- See sheet 2

Step 5 - Construction Bidding

- See sheet 3

Step 6 - Construction Management

- In house or consultant

ENGINEERING DESIGN

UNDER
\$100,000

OVER
\$100,000

Direct Selection

- Used when staff is confident that a particular consultant has the skill set and availability to perform the work quickly.
- Much faster than issuing an RFP.
- Allows for use of local consultants when appropriate.
- City Manager authority
- Process takes 2-4 weeks.

Request for Proposals (RFP)

- Proposals are ranked on criteria outlined in the RFP.
- Cost can be one of the criteria.
- Not a low bid process.
- Can be advertised statewide or sent directly to three or more consultants.
- City Manager authority.
- Process takes 1-3 months.

Request for Qualifications (RFQ)

- Qualifications based on selection.
- Statements of Qualification are ranked based on criteria outlined in the RFQ.
- Cost cannot be considered in the initial ranking, but can be used in further evaluation.
- Once the consultants are ranked, staff can only negotiate with the highest ranked proposer.
- If negotiations are not successful with the highest ranked proposer, staff can cancel the negotiation and begin negotiating with the second ranked proposer, or ask Council to cancel the solicitation.
- Process takes 4-6 months.

Exemption or Special Solicitation

- Used in special circumstances where one or more of the following are true:
 - Exemption will result in cost savings, better quality or performance or other public benefit.
 - Exemption is unlikely to encourage favoritism or diminish competition for public contract.
 - Promotes public interest.
 - Requires a public hearing which is advertised local and statewide.
 - Process length varies, but generally is much faster than an RFQ.



Construction Project Lifecycle

City of Roseburg Public Works Department

Project Delivery Steps

- ▶ Step 1 - Project selection
 - ▶ Adopted Master Plan(s)
 - ▶ Maintenance Issues
 - ▶ Combination projects - utilities & other improvements
 - ▶ Grant opportunities
 - ▶ Council or public request/input
- ▶ Step 2 - Project Included in Five Year Capital Improvement Plan
 - ▶ Commissions recommendations/Council approval

Project delivery steps

- ▶ Step 3 - Project included in annual budget
 - ▶ Commission & Council approval
- ▶ Step 4 - Engineering Design
- ▶ Step 5 - Construction Bidding
- ▶ Step 6 - Construction Management

Engineering design (step 4)

- ▶ Process depends on the estimated cost of the design contract
 - ▶ Under \$100,000 - can use direct selection or can do a Request for Proposals (RFP)
 - ▶ Over \$100,000 - state law requires a qualifications based selection - Request for Qualifications (RFQ)
 - ▶ Anything over \$100,000 comes to Council for approval. Anything under \$100,000 is within the City Manager's authority.
 - ▶ Exception if Council adopts an exemption or provides for a special solicitation.

Engineering design (step 4)

- ▶ Direct Selection
 - ▶ Used when staff is confident that a particular consultant has the skill set and availability to perform the work.
 - ▶ Faster process than an RFP.
 - ▶ Allows for use of local consultants
 - ▶ Process takes 2 - 4 weeks to negotiate a scope and gain approval to proceed

Engineering design (step 4)

- ▶ Request for Proposals (RFP)
 - ▶ Can be advertised or sent directly to three or more consultants
 - ▶ Proposals are ranked by criteria listed in RFP
 - ▶ Cost CAN be one of the criteria
 - ▶ Process takes 1 - 3 months

Engineering design (step 4)

- ▶ Request for Qualifications (RFQ)
 - ▶ Statements of qualifications are ranked based on criteria outlined in the RFQ
 - ▶ Cost CANNOT be part of the initial ranking, but can be considered as a second step
 - ▶ Once ranked, staff can only negotiate with the highest ranked proposer
 - ▶ If negotiations fail, staff can cancel negotiation with highest ranked and move to second highest or ask Council to cancel solicitation
 - ▶ Process takes 4 - 6 months

Engineering design (step 4)

- ▶ Exemption or Special Solicitation
 - ▶ Used in special circumstances
 - ▶ Cost savings, better quality, performance or other public benefit
 - ▶ Unlikely to encourage favoritism or diminish competition in public contracting
 - ▶ Promotes the public interest
 - ▶ Alternate solicitation method is proposed (special solicitation)
 - ▶ Requires a public hearing advertised locally and statewide
 - ▶ Process length varies, but generally much faster than an RFQ

Construction bidding (Step 5)

- ▶ BASED ON LOW BID - assuming all bidding conditions are met
- ▶ Under \$10,000 - direct appointment - City Manger's authority
- ▶ Under \$100,000 - Three or more written quotes - City Manager's authority

Construction bidding (Step 5)

- ▶ Over \$100,000
 - ▶ Formal bidding - statewide advertising
 - ▶ Prevailing Wage Rates apply
 - ▶ Stricter bidding requirements
 - ▶ Bonding requirements
 - ▶ Drug Testing requirements
 - ▶ First Tier Subcontractors submittal
 - ▶ Requires City Council award

Construction management (step 6)

- ▶ In house versus by consultant
- ▶ If by consultant - may use same process as selecting a design engineer.
 - ▶ Example of where exemption may be used - if we decided to use the same engineer as the design engineer (but cost is over \$100k) may use an exemption to avoid a lengthy selection process.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CONTRACT RATIFICATION – IAFF LOCAL 1110

Meeting Date: September 11, 2023

Agenda Section: Department Items

Department: City Manager

Staff Contact: John VanWinkle/Tyler Christopherson

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Negotiations between the City and the International Association of Firefighters (IAFF) Local 1110 opened on November 17, 2022, in advance of the June 30, 2023, contract expiration date. A number of subsequent bargaining sessions occurred, including one mediation session. On August 31, 2023, the parties were able to tentatively agree to the terms of a successor collective bargaining agreement.

BACKGROUND

A. Council Action History.

The City Council grants authorization to the City bargaining team for matters of compensation. The bargaining agreements between the City and employee representatives are enforceable contracts and in the scope of the Council's financial authorization due to their cost. After the completion of comparability studies and initial analysis, the issue was brought to Council in executive session on January 23, 2023. At that meeting, Council outlined the authority for bargaining parameters for the City team. An additional update was given in Executive Session prior to mediation.

B. Analysis.

An operational change from 24/48 to 48/96 work shifts will be implemented effective January 1, 2024. The work schedule change includes provisions for order-back overtime, probationary employee overtime, shift operational expectations and opportunities for Lieutenants to act in capacity as Battalion Chiefs.

Maximum vacation accrual was adjusted from 600 to 672 hours, and a provision was added to allow employees retired under PERS to work back for the City at management's discretion.

Wage increases of 5% have been included for each year of the three-year agreement.

The tentative three-year agreement reached by the parties is expected to be ratified by union membership at their next meeting and is within the financial parameters set by Council on January 23, 2023.

C. Financial/Resource Considerations.

The tentative agreement is for a three-year contract beginning retroactive to July 1, 2023. The compensation package includes:

2023-2024

- 5% wage increase across the board, effective July 1, 2023

2024-2025

- 5% wage increase across the board, effective July 1, 2024

2024-2025

- 5% wage increase across the board, effective July 1, 2025

The three-year agreement has been incorporated into the six-year financial forecast and has been found to be sustainable.

D. Timing Considerations.

Tentative agreements have been made, and the bargaining unit is expected to ratify the agreement at its next meeting. Council review and action is now appropriate.

COUNCIL OPTIONS

Council has the following options:

1. Approve the tentative agreement with the IAFF; or
2. Request specific changes in the tentative agreement with the IAFF; or
3. Not approve the tentative agreement with the IAFF.

STAFF RECOMMENDATION

Staff respectfully recommends Council approval of the tentative agreement as presented.

SUGGESTED MOTION

“I move to approve the tentative three-year collective bargaining agreement between the City of Roseburg and the International Association of Firefighters Local 1110.”

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CITY MANAGER ACTIVITY REPORT

Meeting Date: September 11, 2023

Department: Administration

www.cityofroseburg.org

Agenda Section: Informational

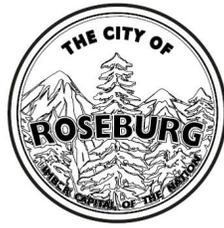
Staff Contact: Nikki Messenger, City Manager

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

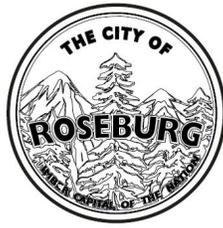
At each meeting, the City Manager provides the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's 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 September 11, 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
August 29, 2023 - 10:00 a.m.

1. August 28, 2023, City Council Synopsis
2. September 11, 2023 City Council Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
 - A. Community Event – Douglas County Veterans Day Parade
 - B. Community Event – Life Chain 2023
5. Discussion Items



Agenda
Department Head Meeting
Public Safety Center Umpqua Room
September 5, 2023 - 10:00 a.m.

1. September 11, 2023 City Council Agenda
2. Review Tentative Future Council Meeting Agendas
3. Documents, Events, or Grants to review and/or sign
 - a. Community Event – The Wine Destination (monthly event)
 - b. Grant – Anime Your Way Workshops
4. Discussion Items
 - a. Downtown Parking
 - i. Time Limit
 - ii. Sign Placement
 - iii. Oversized Parking
 - b. Financial Analysis
5. Employee Service Pins
 - a. Ryan Travis – Fire Department – 25 years
 - b. Travis Martin – Fire Department – 5 years
 - c. John Hunt – PW Water – 20 years

TENTATIVE FUTURE COUNCIL AGENDA



Unscheduled

- 2023-2025 Council Goals (October ?)
- Labor Negotiations – IAFF/IBEW
- Urban Growth Boundary Swap
- Umpqua Actors Community Theater (UACT) – Improvement Project
- Dog Ordinance Update
- Pacific Power and Light Presentation

September 25, 2023

Mayor Reports

- A. League of Oregon Cities – Voting Delegate

Special Presentation

- A. Medcom and Umpqua Valley Ambulance Presentation

Consent Agenda

- A. September 11, 2023 Meeting Minutes

Resolutions

- A. Authorizing a Grant Applications to Expand Brown Park

Department Items

- A. 2023 Oregon Public Library Statistical Report
- B. Audience Participation Guidelines
- C. IGA with Umpqua Community College
- D. CRS Flood Insurance Assessment

Informational

- A. City Manager Activity Report

October 9, 2023

Consent Agenda

- A. September 25, 2023 Meeting Minutes

Ordinance

- A. Contract Amounts

Informational

- A. City Manager Activity Report

October 23, 2023

Mayor Reports

- A. Veterans Day Proclamation

Consent Agenda

- A. October 9, 2023 Meeting Minutes

Resolutions

- A. Updating the Park Rules and Regulations

Informational

- A. City Manager Activity Report

November 13, 2023

Consent Agenda

- A. October 23, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report

December 11, 2023

Consent Agenda

- A. November 13, 2023 Meeting Minutes
- 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

City Manager Updates
August 25, 2023

- The Library Commission met last week, received updates, and forwarded a recommendation to Council to include a new fee in the fee schedule to cover the cost of re-keying certain locks if a key is lost.
- The Airport Commission met last week and recommended approval of an updated 5-year Capital Improvement Plan that was required for submission to the FAA.
- Stuart, Dawn and I met virtually with representatives from ACE Parking last week to start digging into available data and recommendations for the downtown parking program. Staff requested additional information this week related to the types and numbers of citations issued in the last six months.
- On Monday, staff met with the attorney representing the city in our appeal to LUBA concerning mountain bike trails at Sunshine Park. As a reminder, the City received a grant to install trails at Sunshine Park, which has been part of the plan for this park since its inception. Not all of the park is located in the city limits, so the City was required to obtain a conditional use permit from Douglas County. The DC Planning Commission approved the CUP. The DC Commissioners overturned that decision and we have appealed that to LUBA. The expectation is that LUBA will remand it to the County in a hearing scheduled for next week. Staff has also received a draft scope of work and fee for a consultant to begin the process of annexing the remainder of Sunshine Park into the city limits, which is somewhat complicated since it is not all within the Urban Growth Boundary. More to come.
- On Tuesday, I attended the Partnership board meeting as a guest. It appears they are developing a solid plan to reinvigorate the organization with their new executive director, Brian Prawitz.
- On Tuesday, Stu Cowie and I met with our new Regional Solutions Coordinator from Business Oregon. We were able to cover a number of topics including the UGB swap, Med Ed, the navigation center project, and other relevant happenings that we may work together on in the future.
- On Wednesday, Dawn Easley and I both 'attended' a webinar on transportation funding hosted by ODOT, the LOC, and AOC. Transportation funding continues to be a challenge for agencies statewide and remains a priority.
- On Wednesday evening, Representatives Christine Goodwin, Virgle Osborne, Court Boice and Senator David Brock Smith hosted a town hall in the City Council Chambers. The event was well attended and they were appreciative of the ability to use the chambers. Thank you to Grace for helping with logistics!
- Yesterday, Brian Prawitz and I met virtually with representatives from Pacific Northwest Development Group about the potential for hosting a Southern Oregon

Economic Development Summit in 2024. They have recently hosted a similar event in Eastern Oregon and are looking for partners to host one in Southern Oregon. We are excited about the prospect and I was happy to introduce them to Brian and get the ball rolling.

- Yesterday, I gave an on camera interview with our new local reporter for KVAL regarding the time/place/manner regulations. They have opened a new 'studio' in the One Champion Plaza. It will be great to have a locally stationed TV reporter again. Thank you to Suzanne for setting up the interview.
- Yesterday, Patty and I met virtually with the City Manager of Cottage Grove to learn more about their homeless shelter and urban campgrounds. Richard was very generous with his time as it felt like I had a million questions for him.
- The Gary Leif Navigation Center is expected to receive its Certificate of Occupancy next week. This will allow UCAN to begin the process of furnishing the congregate shelter and preparing it for clients, beginning (hopefully) in September. Kudos to Ryan Herinckx in Public Works Engineering for all of his hard work on managing this complicated project!
- Thank you to Val and Tracy in the Parks & Rec Division for hosting an employee golf scramble last night. Several teams braved the heat to enjoy a round of golf with friends, family and co-workers and enjoy a meal afterwards. We managed to get done before the lightening started.
- The StoryWalk is currently out at Stewart Park. The next Friends of the Roseburg Library Book Sale is coming up Thursday 8/31 through Saturday 9/2. Check the website for more details.
- Check out all the latest here with our latest press releases:
<https://www.cityofroseburg.org/news>
- Meetings next week: City Council – 7 pm @ City Hall Council Chambers

City offices will be closed Monday, September 4, for the Labor Day holiday.

City Manager Updates
September 1, 2023

- The youth summer reading program has wrapped up at the Roseburg Public Library, with an astounding 2000+ book reviews turned in by local kids. This was an increase of about 600 over last year's program. Kudos for your amazing work Youth Librarian Aurora Ropp!
- Given the smoky conditions and Council's discussion Monday night, staff has inventoried our supply of N95 masks and delivered 200+ masks to the navigation center for distribution to the unhoused population. We have an adequate number of masks and are expecting another large delivery from OHA, so additional masks will be delivered if needed.
- I have reached out to Sam Carter at Pacific Power about providing a presentation to the Council regarding recent power outage issues. He is coordinating with others to find a date that will work.
- Tuesday a LUBA appeal hearing was held regarding the County's denial of the City's conditional use permit for trails at Sunshine Park. LUBA has until September 22 to issue their written decision. In the meantime, staff is looking at options for annexation and for reconfiguring the project to fit within the City Limits as possible solutions.
- The mediation with the Fire union was successful and a tentative agreement has been reached. The approval of the contract has been scheduled for the September 11 Council meeting. Thank you to our negotiating team!
- It appears the weather has helped with the Tye Ridge fire complex. Evacuation levels have been lowered today. Additional information on evacuations can be found by scrolling to the links at the bottom of this page:
<https://www.dcsso.com/EVACUATIONS>
- Meetings next week: There are not commission or Council meetings scheduled next week. Council does have the opportunity to tour the Gary Leif Navigation Center on Thursday, September 7 at 4 pm.

***City offices will be closed Monday, September 4 in observance of Labor Day.
Have a safe and happy holiday!***