



2-10-2022

## ROSEBURG CITY COUNCIL AGENDA – FEBRUARY 14, 2022

### Electronic Meeting

#### Public Access:

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

Facebook Live at [www.Facebook.com/CityofRoseburg](http://www.Facebook.com/CityofRoseburg)

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

### 6:00 p.m. Work Study

- A. Charter Update Discussion

### 7:00 p.m. Regular Meeting

1. **Call to Order – Mayor Larry Rich**
2. **Pledge of Allegiance**
3. **Roll Call**

Shelley Briggs Loosley	Beverly Cole	Bob Cotterell	Alison Eggers
Sheri Moothart	Brian Prawitz	Patrice Sipos	Andrea Zielinski
4. **Mayor Reports**
5. **Commission Reports/Council Ward Reports**
6. **Special Presentation**
  - A. Annual Comprehensive Financial Report (ACFR) – Auditor Jeff Cooley
  - B. Quarterly Report – Quarter Ended December 31, 2021
  - C. 2022-2023 Budget Calendar
7. **Audience Participation – In Person via Zoom/See Information on the Reverse**
8. **Consent Agenda**
  - A. Special Meeting Minutes of January 24, 2022
  - B. Meeting Minutes of January 24, 2022
  - C. Meeting Minutes of January 31, 2022 Work Study
  - D. OLCC Change of Ownership – Abraham Inc. dba Brix 527 located at 519-527 SE Jackson Street
9. **Public Hearing**
  - A. Ordinance No. 3566 – Amending Certain Sections of Title 12 of the Roseburg Municipal Code to Allow Mini-Retail Businesses as Permitted Uses in the Public Reserve (PR) Zone, File No. LUDR-22-001, First Reading
10. **Resolutions**
  - A. Resolution No. 2022-02 – Amending Requirements within the Vehicle Camping Program
11. **Ordinances**
  - A. Ordinance No. 3565 – Amending RMC Section 7.02.140, Noise Disturbances, Second Reading
  - B. Ordinance No. 3567 – Amending RMC Section 7.04.005 “Definitions” and 7.04.170 “Inoperable, Wrecked, Dismantled or Abandoned Vehicles,” First Reading
  - C. Ordinance No. 3568 – Granting a Telecommunications Franchise to Weave Communications Inc., First and Second Reading
12. **Items from Mayor, City Council and City Manager**

### 13. Adjourn

### 14. 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:*

**To provide comment during virtual meetings, contact the City Recorder by phone (541-492-6866) or email ([info@cityofroseburg.org](mailto:info@cityofroseburg.org)) by 4:00 p.m. the day of the meeting. Provide your name, address, phone number and which item on the agenda you wish to speak. You will then be provided with a link and phone number to the Council meeting. 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**, you will be asked to enter your email and name. After entering your email and name, 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 address for the record, including whether or not they are a resident of the City of Roseburg. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.**

#### **TIME LIMITATIONS**

With the exception of public hearings, each speaker will be allotted a total of 6 minutes. At the 4-minute mark, a warning bell will sound at which point the Mayor will remind the speaker there are only 2 minutes left. All testimony given shall be new and 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**

If you join the meeting via Zoom, please select the “raise hand” button when the Mayor calls for speakers. You will be moved out of the “waiting room” to speak. After you have provided your comments, you will be moved back into the “waiting room”.

If you join the meeting on the phone number you provided to the City Recorder, you will be brought into the meeting to speak when the Mayor calls for speakers, then moved back to the “waiting room”.

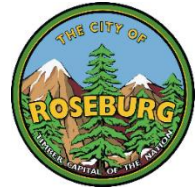
If a matter presented to Council is of a complex nature, the Mayor or a majority of Council may:

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

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## CHARTER UPDATE

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Meeting Date: February 14, 2022

Agenda Section: Work Study

Department: Administration

Staff Contact: Amy L. Sowa, ACM/City Recorder

[www.cityofroseburg.org](http://www.cityofroseburg.org)

Contact Telephone Number: 541-492-6866

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### ISSUE STATEMENT AND SUMMARY

Council will be asked to consider beginning the process of updating the City Charter to go out to electors for approval.

### BACKGROUND

#### A. Council Action History.

June 25, 2012: Staff provided a report to Council regarding revisions to the Charter and proposing a timeline to place it on the ballot in May of 2013. No further action was taken and no changes were made to the Charter.

#### B. Analysis.

The Charter as currently written went into effect January 1, 1983. In 1994, following approval by the electors of the City of Roseburg, Section 6.8 was added stating the "State of Oregon ethics laws shall govern the conduct of all city officers, employees, appointees and agents." No other revisions have been made since that time.

Over the years, Council has brought up amending several sections in the Charter for more clarity and effectiveness. Amendments considered and researched in 2012 included:

- Adding language that the term for persons appointed to Council to fill a vacancy would be for the remainder of the full term. The Charter is currently silent on that and therefore follows ORS 236.325(6).
- Updating the language regarding City Manager residency.
- Updating the language regarding the Municipal Court having the jurisdiction and authority of a justice of the peace.

Additional considerations that have been discussed more recently include:

- Authority for the Council to remove the Council President from that position.
- Updating pronouns throughout the Charter.

If the Council chooses to move forward with amendments to the Charter, and if Charter amendments are approved by the electors of the City of Roseburg, staff will conduct an audit of the Roseburg Municipal Code to update references to Charter sections that may be affected by the amendments.

If Council chooses to move forward, staff suggests forming a committee made up of staff, two Councilors, two members of the public and the City Attorney to assist in reviewing the Charter and recommended amendments. The committee should meet at least 3-4 times over an approximate 6-month time period.

**C. Financial/Resource Considerations.**

If Council chooses to move forward with amending the Charter and placing it on the November 8, 2022, ballot, there would be no cost to the city.

If it is delayed to the May 16, 2023, ballot, there will be a special district election, so the City would share the cost of the election. According to the Douglas County Elections Office, the City's share would be between \$1500 and \$2000, plus the cost for any informational materials provided by the City. The current budget includes \$2000 for elections.

**D. Timing Considerations.**

Staff estimates review of the Charter and review of proposed amendments by the Council will take approximately six or seven months to complete. To meet the September 8, 2022, deadline to submit a measure for the November 8, 2022, election, Council would need to take action during a regular Council meeting no later than August 8, 2022.

To meet the March 16, 2023, deadline to submit a measure for the May 16, 2023, election, Council would need to take action during a regular Council meeting no later than February 20, 2023.

These dates allow time for the 7-day ballot title challenge period and review.

To meet the deadline for the November 8, 2022, election, work would need to begin immediately.

**COUNCIL OPTIONS**

Direct staff to move forward with the process and timeline of amending the Charter, or do nothing.

**STAFF RECOMMENDATION**

If Council would like to pursue amending the Charter, they should direct staff to move forward with the process and preferred timeline to amend the Charter.

**SUGGESTED MOTION**

***No motion, just direction to staff on whether or not to move forward with the process and timeline to amend the Charter.***

**ATTACHMENTS:**

Attachment #1 – Roseburg City Charter

## ROSEBURG CITY CHARTER

### INTRODUCTORY PROVISIONS

#### 98.1.1 - Title.

This revision shall be referred to as the Roseburg City Charter of 1982.

#### 98.1.2 - Corporate Name and Capacity.

The inhabitants of the City of Roseburg have been and are hereby constituted a municipal corporation by the name of the City of Roseburg and by that name have perpetual succession and may sue and be sued in all courts of justice.

#### 98.1.3 - Boundaries.

The City includes all territory encompassed by its boundaries as they exist when this revision of the Charter is adopted or as they are subsequently modified in accordance with state law. The repository of City records shall include at least two copies of this Charter each containing an accurate, up-to-date description of the boundaries. The copies and description shall be available for public inspection during regular office hours.

### 98.2 - POWERS

#### 98.2.1 - Vesting, Grant and Construction of Powers.

- (1) Except as this Charter provides to the contrary, all power of the City is vested in the Council, the representative legislative body of the City.
- (2) The City has all powers that the constitution or laws of the United States or of this state expressly or impliedly grant or allow cities, as fully as if this Charter specifically stated each of those powers.
- (3) In this Charter no mention of a particular power may be construed to be exclusive or to restrict the scope of the powers that the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City has all powers necessary or convenient for the conduct of its affairs, including all powers that cities may assume under state laws or the provisions of the state constitution regarding municipal home rule.

### 98.3 - CITY COUNCIL AND MAYOR

#### 98.3.1 - Council: Membership.

Eight councilors constitute the Council of the City.

#### 98.3.2 - Council: Election.

The councilors shall be elected two from each ward classified into positions: one position designated as Position 1 and the other as Position 2 for each ward. Each councilor shall be elected for four years and shall hold office until a qualified successor is elected or appointed. Councilors in Position 1 shall be elected in 1982 and every fourth year thereafter and councilors in Position 2 shall be elected in 1984 and every fourth year thereafter, to take office as provided in this Charter.

**98.3.3 - Mayor: Election.**

A mayor shall be elected each even-numbered year for two years and hold office until a qualified successor is elected or appointed.

**98.3.4 - Council: Meetings.**

The Council shall prescribe times and places for its meetings. It shall meet regularly at least once each month. At a meeting it may adjourn to the next succeeding regular meeting or to some specified time prior thereto. The mayor or a majority of the councilors may call special meetings of the Council in a manner prescribed by ordinance.

**98.3.5 - Council: Quorum.**

A majority of the councilors constitute a quorum for the transaction of Council business, except that a lesser number may meet and compel the attendance of absent members. A quorum may also compel the attendance of absent members.

**98.3.6 - Council: Journal.**

The Council shall keep a journal of its proceedings. Except where exempted by state law, the Council's deliberations and proceedings shall be public and its records available for inspection during business hours.

**98.3.7 - Mayor: Functions.**

The mayor shall preside at Council meetings but may not vote on matters before the Council, except in case of a tie, when he or shall cast the deciding vote. The mayor shall, at least once each year, state to the Council the condition of the City and recommend such measures as he or she may deem expedient and proper.

**98.3.8. - Council: President.**

At the first meeting of the Council each year or as soon thereafter as practical, the Council shall choose one of its members to preside over the Council and perform the duties of mayor in the absence of the mayor from the City or in case of the mayor's inability to act as such. In functioning as mayor while the mayor is absent from the City for thirty days or physically unable to function as mayor for thirty days, the president of the Council has the legal powers, and is subject to the legal limitations of the mayor.

**98.3.10 - Council and Mayor: Immunity.**

No councilor or mayor may be held liable or questioned in any other place, for words uttered in any meeting of the Council, its subcommittees, commissions and boards.

**98.4 - CITY MANAGER**

**98.4.1 - City Manager: Appointment and Qualifications.**

The Council shall appoint a city manager for an indefinite term who shall hold office during the pleasure of the Council and may be removed at any time with or without cause by two-thirds vote of the entire Council. The city manager shall be chosen without regard to political considerations and solely on the basis of executive and administrative qualifications. The city manager need not be a resident of the city or state at the time of appointment, but promptly

thereafter shall become and remain a resident of the city while in office. No councilor nor mayor may be appointed as city manager until one year after the expiration of his or her service in the office of councilor or mayor.

**98.4.2 - City Manager: Vacancy.**

If the office of city manager becomes vacant or if the city manager is absent from the City or disabled, the Council may designate a city manager pro tem. The city manager pro tem shall perform the duties of city manager but may appoint or dismiss a department head only with the approval of the Council. The term of office of the city manager pro tem ends when the city manager returns to the City or takes office.

**98.4.3 - City Manager: Powers and Duties.**

The city manager shall be the chief executive officer and head of the administrative branch of the City government and shall be responsible to the Council for the proper performance of his or her duties. The city manager shall:

- (a) Supervise and control all administrative and business affairs of the City;
- (b) Enforce all ordinances;
- (c) See that the provisions of all franchises, contracts, leases, permits and privileges granted by the City are fully observed and enforced;
- (d) Except for municipal court judges, generally supervise and control all employees of the City including, but not limited to, employing, disciplining and discharging employees at pleasure, assigning duties and accounting for performances;
- (e) Organize, disband or organize departments;
- (f) Prepare the annual budget;
- (g) Make all purchases;
- (h) Execute all contracts;
- (i) At his or her discretion, appoint advisory boards to assist the city manager;
- (j) Prepare and furnish reports requested by the Council;
- (k) Devote full time to the office of city manager; and
- (l) Perform other duties as the Council directs.

**98.4.4 - City Manager: Council Meetings.**

The city manager and such other officers of the City as the Council designates may sit with the Council but may not vote on questions before the Council. The city manager may take part in all Council discussions.

**98.4.5 - City Manager: Interference in Administration.**

No councilor or mayor may influence or attempt to influence the city manager in personnel decisions or in the purchase of supplies, nor may any councilor or mayor exact any promise relative to any personnel decision by the city manager. Violation of this section forfeits the office of the violator. The mayor and any councilor may, however, in open Council meeting discuss with or suggest to the city manager anything pertaining to City affairs.

**98.4.6 - City Manager: Exclusive Powers.**

The powers herein granted to the city manager are exclusive.

**98.5 - MUNICIPAL COURT AND JUDGE**

**98.5.1 - Municipal Court: Creation and Jurisdiction.**

The Council may continue the court known as the municipal court and prescribe the time and place the court shall transact judicial business. The jurisdiction and proceedings of the municipal court are governed by the general laws of the state for justices of the peace and justice courts except as City ordinance prescribes to the contrary. The municipal court has original and jurisdiction over all offenses defined and made punishable, and over all actions to recover or enforce forfeitures or penalties defined or authorized, by the ordinances of the City.

**98.5.2 - Municipal Court: Powers.**

- (1) The municipal court has the jurisdiction and authority of a justice of the peace in and for Douglas County, in both civil and criminal matters, and when exercising that jurisdiction and authority is subject to the general laws of the state prescribing the duties of a justice of the peace and the mode of performing them.
- (2) The municipal judge may:
  - (a) Render judgements and may impose sanctions for the enforcement thereof on persons and property within its jurisdiction;
  - (b) Cause the arrest of any person accused of an offense against the City;
  - (c) Commit to jail pending trial any person accused of an offense against the City;
  - (d) Issue and compel obedience to subpoenas;
  - (e) Compel witnesses to appear and testify or jurors to serve in the trial of any cause before the municipal court;
  - (f) Punish witnesses and others for contempt of court;
  - (g) Issue any process necessary to carry into effect the judgment of the municipal court; and
  - (h) Perform other judicial or quasi-judicial functions as the Council prescribes by general ordinance.

**98.5.3 - Municipal Judge: Appointment.**

The Council may appoint a municipal judge and such pro tem judges as it deems necessary to serve for indefinite terms to hold office at the pleasure of the Council and may remove any of them any time, with or without cause, by two-thirds vote of the entire Council.

**98.5.4 - Municipal Judge: Vacancy.**

If the office of municipal judge becomes vacant or if the municipal judge is absent from the City or disabled, the City Council may appoint an acting municipal judge. The acting municipal judge shall perform the duties of municipal judge. The term of acting municipal judge shall end when the municipal judge returns to the City or takes office.



## **98.6 - MUNICIPAL OFFICERS AND EMPLOYEES.**

### **98.6.1 - Qualifications.**

No person may hold an elective City office unless a legal elector under the laws and constitution of the state, a resident of the City for one year immediately before being elected or appointed to the office, a resident of the City or ward he or she seeks to represent when nominated, elected or appointed and assuming the office and receiving the highest number of the votes cast for candidates for the office at the election at which the office is to be filed.

### **98.6.2 - Certificate of Election.**

Immediately after the votes at a municipal election for filling an elective office have been canvassed, the City officer in charge of administering elections shall issue a certificate of election to each person declared by the canvassers to have been elected at the election. The certificate shall be prima facie evidence of the facts therein stated, but the Council shall be the judge of the election and qualifications of the mayor and councilors, and in case of a contest between two or more persons claiming an elective city office shall determine the contest.

### **98.6.3 - Terms.**

The term of city elective offices shall commence on the first day in January following the officer's election.

### **98.6.4 - Oath of Office.**

Each elective officer, the city manager and municipal judge before entering upon the duties of office shall take an oath or affirmation to support the constitution and laws of the United States and of the State of Oregon and to faithfully perform the duties of his or her office.

### **98.6.5 - Offices: Vacancies.**

- (1) An office becomes vacant upon its incumbent's death, adjudication of incompetence, conviction of a felony, removal from the City, resignation or ceasing to be a qualified elector of the City. An elective City office becomes vacant whenever its incumbent is absent from the City for thirty consecutive days without the consent of the Council or whenever the elected City officer has been absent from meetings of the Council for sixty days without the Council's consent or whenever a councilor removes his or her residence from the ward from which he or she is elected or appointed.
- (2) The Council shall judge when an office becomes vacant.

### **98.6.6 - Compensation.**

Councilors and the mayor shall receive no pay for their services but may be reimbursed for actual expenses they incur when performing their duties. The compensation of other officers shall be prescribed by the Council.

### **98.6.7 - Liability for Unauthorized Expenditures.**

- (1) A city officer who participates in, advises, consents to, or allows City money to be diverted to any purpose other than the one for which it is raised is guilty of malfeasance and removable from office as provided by law.
- (2) If any City money is diverted from the purpose for which it is raised, if any money is unlawfully used or if any void evidence of debt is paid, any qualified elector or taxpayer of the City may bring a civil action in the name of the City against any officer voting for, approving of, or in

any way directing the diversion, unlawful use, or void payment, to recover that amount, with interest, for the benefit of the City.

**98.6.8 - State Ethics Laws.**

State of Oregon ethics laws shall govern the conduct of all city officers, employees, appointees and agents. (Res. 94-6, approved 4/11/94)

**98.7 - ELECTIONS.**

**98.7.1 - Elections.**

City elections, insofar as not governed by this Charter or City ordinance shall be conducted as prescribed by state law governing popular elections.

**98.7.2 - Wards.**

The Council shall divide the City into wards and redefine the boundaries thereof as necessary to accord persons in the City the equal protection of the laws.

**98.7.3 - Voter's Qualifications.**

No person may vote at a city election who is not a qualified voter of the state. No person may vote in a ward other than that in which he or she resides.

**98.7.4 - Notice.**

The officer in charge of city elections shall give ten days' public notice of each city election. The notice shall state the officers to be elected and the measures to be submitted at the election. The notice shall also state the places for the election.

**98.7.5 - Nomination.**

The Council shall provide by ordinance the mode for nominating elective officers.

**98.8 - ORDINANCES.**

**98.8.1 - Ordaining Clause.**

The ordaining clause of an ordinance shall read: "The City of Roseburg ordains as follows:".

**98.8.2 - Adoption.**

- (1) Except as subsection (2) and (3) of this section provide to the contrary, before being put upon its final passage, every ordinance of the Council shall be read fully and distinctly in open Council meeting on two different days.
- (2) Except as subsection (3) provides to the contrary, an ordinance may be enacted at a single meeting of the Council by three-fourths vote of the entire Council upon being read first in full and then by title.
- (3) Any of the readings may be by title only if no Council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for public inspection in the office of the mayor or city manager no later than one week before the first reading of the ordinance and if notice of their availability is posted at City Hall or published once in a newspaper of general circulation in the city.

- (4) An ordinance adopted after being read by title only has no legal effect if it differs substantially from its terms as they stand when so read, unless each section incorporating such a difference, as finally amended prior to being adopted by the Council, is fully and distinctly read in open Council meeting.

**98.8.3 - Attestation and Approval.**

Upon the adoption of an ordinance a true duplicate original thereof shall be submitted to the mayor. If the mayor approves the ordinance, the mayor shall date and sign the ordinance.

**98.8.4 - Veto.**

If not approving an ordinance so submitted, the mayor shall, within ten days after receiving it, return it to the city manager, with the reasons for not approving it. If not so returned, the ordinance shall have legal effect as if so approved.

**98.8.5 - Overriding of Veto.**

At the first meeting of the Council after the mayor returns an ordinance not so approved, the city manager shall present the ordinance to the Council with the objections of the mayor, the ordinance shall then be put upon adoption again, and if three-fourths of the entire Council vote in favor of the ordinance, it takes effect in accordance with Section 8.6 of this Charter.

**98.8.6 - Times of Effect.**

An ordinance takes effect thirty days after its adoption by the Council and approval by the mayor or passage over the mayor's veto, unless it is necessary to have immediate effect for the preservation of the peace, health and safety of the city, states in a separate section the reasons why it is so necessary, and is approved by the affirmative vote of three-fourths of the entire Council. In that event it takes effect immediately upon its adoption by the Council and approval by the mayor or passage over his or her veto or at whatever subsequent time the ordinance specifies.

**98.9 - PUBLIC IMPROVEMENTS**

**98.9.1 - Procedure.**

- (1) Except as provided in this section, the procedure for making, altering, vacating or abandoning a public improvement shall be governed by the applicable general laws of the state.
- (2) If a remonstrance against a street or alley improvement or repair is filed by the owners of two-thirds or more of the front footage of the property abutting the street or alley, the proposed improvement or repair may not be made and may not be initiated again for six months, except on the petition of the owners of one-half or more of the front footage of the real property abutting the proposed street or alley.

**98.9.2 - Assessments.**

The procedure for levying, collecting and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be governed by general ordinance.

**98.9.3 - Liens.**

The docket of city liens is a public writing, and the original or a certified copy of any matter authorized to be entered in the docket shall have the force and effect of a judgment. From the time of the Council's authorization of an improvement on account of which an assessment is entered in the docket, the sum so entered is a lien against the property. The lien has priority over all other items and encumbrances upon the property and may be enforced in the manner authorized by the Council.

**98.10 - MISCELLANEOUS PROVISIONS.**

**98.10.1 - Revenue Bonds.**

The Council may issue revenue bonds without voter approval only for commercial or industrial development or a municipal utility.

**98.10.2 - City Manager Tax Levy.**

The Council shall in each year levy a tax not to exceed two and one-half mills upon the assessed valuation of all taxable property in the City. The tax shall be in addition to and in excess of constitutional limitations on taxation by the City and shall be used to assist in defraying the cost of the office of city manager.

**98.10.3 - Indebtedness: Limits.**

- (1) Indebtedness of the City may not exceed the limits on city indebtedness under state law.
- (2) Approval by the voters of City indebtedness need not be in the form of a Charter amendment.

**98.10.4 - Terms, Proceeds and Retirement of Bonds.**

Bonds issued by the City as evidence of indebtedness shall include such terms, the manner in which the proceeds from sale of the bonds shall be kept, invested, disbursed and accounted for and the manner in which the indebtedness shall be retired as the Council prescribes. The prescription may not be changed for a particular bond after it is issued.

**98.10.5 - Presumption of Validity of City Action.**

In every proceeding in any court concerning the exercise or enforcement by the City or any of its officers or agencies of any power by this act given to the City or any of its officers or agencies, all acts by the City or any of its officers or agencies shall be presumed to be valid and no error or omission in any such act invalidates it, unless the person attacking it alleges and proves that he or she has been misled by the error or omission to his or her damage. The court shall disregard every error or omission which does not affect a substantial right of the person. Any action by this Charter committed to the discretion of the Council, when taken, shall be final and shall not be reviewed or called into question elsewhere.

**98.10.6 - Existing Ordinances Continued.**

All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.

**98.10.7 - Repeal**

- (1) All Charter provisions of the City enacted prior to the time that this Charter is approved by the voters are hereby repealed except the sanitary sewer rates and charges established in

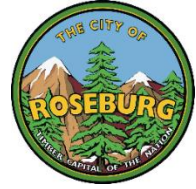
subsection 67 of Section 33 of the 1907 Charter as amended, and except bond issuing power that have not been exhausted.

- (2) No repeal of a feature of the 1907 Charter or any amendment or addition thereto that has repealed an earlier such feature revives the earlier.
- (3) No repeal of a feature of the 1907 Charter or an amendment or addition thereto affects the validity of an outstanding bond issued by the City or impairs the obligation of the City under the bond or the rights of the holders of the bond.

**98.10.8 - Effective Date of Revision.**

This revised Charter takes effect on January 1, 1983.

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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## ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

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**Meeting Date: February 14, 2022**

**Department: Finance**

[www.cityofroseburg.org](http://www.cityofroseburg.org)

**Agenda Section: Special Presentations**

**Staff Contact: Ron Harker**

**Contact Telephone Number: 541-492-6710**

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### ISSUE STATEMENT AND SUMMARY

Auditor Jeff Cooley will present an overview of the Annual Comprehensive Financial Report for fiscal year ending June 30, 2021. The full report is available at this link:

<http://www.cityofroseburg.org/departments/finance/annual-reports>

Attached is a copy of the auditor letter in regard to the City audit as well as the Urban Renewal Agency audit.

### ATTACHMENTS

Attachment #1 – Neuner Davidson & Co. City Audit Letter

Attachment #2 – Neuner Davidson & Co. Urban Renewal Agency Audit Letter



## NEUNER DAVIDSON & CO

Cooley, Rapp, Friel & Lee, LLC

Certified Public Accountants

December 10, 2021

The Honorable Mayor and Council Members  
City of Roseburg  
900 SE Douglas Ave  
Roseburg, OR 97470

Dear Mayor and Council Members:

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Roseburg, Oregon for the year ended June 30, 2021, and have issued our report thereon dated December 10, 2021.

Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated June 15, 2021. Professional standards also require that we communicate to you the following information related to our audit.

### Significant Audit Findings

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Roseburg are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during fiscal year 2020-2021. We noted no transactions entered into by the City during the fiscal year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of the depreciation expense is based on the straight-line method over the estimated useful life. We evaluated the key factors and assumptions used to develop the depreciation expenses in determining that it is reasonable in relation to the financial statements taken as a whole.

The City relies on a third-party actuarial report for the net pension liability recorded in the statement of net position. The reports are reviewed for the assumptions used to determine the liability and that it is reasonable in relation to the financial statements taken as a whole.

### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

City of Roseburg  
December 10, 2021  
Page 2

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

*Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated December 10, 2021.

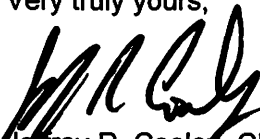
*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

This information is intended solely for the use of the council members and management of City of Roseburg and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,



Jeffrey R. Cooley, CPA





# NEUNER DAVIDSON & CO

Cooley, Rapp, Friel & Lee, LLC

Certified Public Accountants

December 10, 2021

The Honorable Mayor and Council Members  
City of Roseburg Urban Renewal Agency  
900 SE Douglas Ave  
Roseburg, OR 97470

Dear Mayor and Council Members:

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Roseburg Urban Renewal Agency for the year ended June 30, 2021, and have issued our report thereon dated December 10, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated June 15, 2021. Professional standards also require that we communicate to you the following information related to our audit.

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City of Roseburg Urban Renewal Agency  
December 10, 2021  
Page 2

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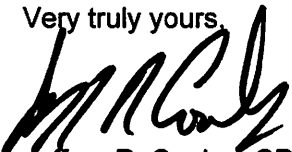
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*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Agency's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the council members and management of City of Roseburg Urban Renewal Agency and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

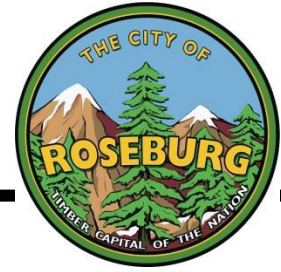


Jeffrey R. Cooley, CPA

# City of Roseburg, Oregon

## Quarterly Financial Report

2nd Quarter, Fiscal-Year 2021-2022



December 2021

The *Quarterly Financial Report* summarizes the City of Roseburg's financial position for the General Fund, major operating funds, proprietary funds, and Urban Renewal funds through the 2nd quarter of fiscal year 2021-2022.

All funds are presented on a budgetary basis. Although this is a quarterly financial report, the focus is on year-to-date activity.

Budgeted Fund Balance is comprised of Contingency, Reserves, and Ending Fund Balance.

*Report Note:* When reading these quarterly financial reports, it is important to keep in mind the cyclical activity in revenues and expenditures. Examples would include property taxes, grants, capital projects, and charges for services. This report is unaudited and precedes final year-end accruals.

This financial report includes the quarter ending December 2020 for comparison purposes.

### OVERVIEW:

- \$16 million General Fund balance.
- 4.9% Douglas County seasonally adjusted unemployment rate.
- 0.45% state investment pool interest rate.
- 7.1% Year-over-Year CPI-U West Region for December, 2021.
- Award Water Treatment Standby Generator to Kronsberg Electric Inc. in the amount of \$2,356,444.
- Authorize agreement with Aviva Health up to \$140,000 to employ an HTAG Coordinator.
- Award Parking Enforcement Services to ACE Parking for three year period.
- Authorize task order to Century West Engineering for design service for the 2022 Pavement Management Overlay Project not to exceed \$123,629.
- Approved ODOT Flexible Services Maintenance Agreement for Traffic Signal Power Supply Upgrade not to exceed \$150,000.
- Extend Declaration of Emergency to June 30, 2022.

**GENERAL FUND**

General Fund	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 26,443,125	\$ 19,307,985	73%	\$ 18,701,457
Expenditures	28,233,938	13,272,588	47%	12,700,862
Balance-July 1	8,716,469	9,988,809	115%	8,467,378
Balance YTD	\$ 6,925,656	\$ 16,024,206		\$ 14,467,973

**GENERAL FUND REVENUE**

General Fund Revenue	Budget	YTD Actual	%	Prior Year Actual
Property Taxes	\$ 17,232,000	\$ 14,782,659	86%	\$ 14,594,330
Other Taxes	450,000	257,309	57%	101,832
Licenses, Permits, Fees	3,140,320	1,246,492	40%	1,218,906
Charges for Services	4,209,184	2,107,198	50%	2,002,409
Intergovernmental	1,102,621	632,494	57%	694,334
Interest	90,000	22,196	25%	34,482
Miscellaneous	219,000	259,637	119%	55,164
<b>Total Revenues</b>	<b>\$ 26,443,125</b>	<b>\$ 19,307,985</b>	<b>73%</b>	<b>\$ 18,701,457</b>

**Property Taxes** — The majority of property tax revenue is collected in November and December. At the end of December 86% of the 17.2 million budgeted has been collected.

Property taxes are based upon assessed values (AV). With passage of Measure 50 in 1996 assessed values are limited to 3% annual increases unless the Real Market Value is less.

**Other Taxes** – Includes all other City imposed taxes. Currently, only the City’s 3% marijuana tax is reported here.

**Licenses, Permits, and Fees**—Includes utility franchise fees, planning fees, park fees, and various other fees. At the end of the quarter, 40% of the \$3 million budgeted annual revenue from licenses, permits and fees has been collected.

**Charges for Services**—Besides interdepartmental charges, charges for services includes: fines, service area fees, fire suppression and prevention fees, administrative and lien search fees. Year to date court fines total \$214,388, service area fees total \$162,315 and interdepartmental charges total \$1,689,019.

**Intergovernmental Revenues** are primarily state collected taxes allocated to cities on a per capita basis and include revenue sharing, tobacco, marijuana and liquor, 57% of the \$1,102,621 budgeted for intergovernmental revenue has been collected during the current fiscal year.

**Interest Revenue**—Interest revenue of \$22,196 is \$12,286 less than the same period a year ago. The average portfolio rate is .45%.

**GENERAL FUND EXPENDITURES**

The following tables detail expenditures by department and major categories. Current year General Fund expenditures of \$13,272,588 represent 47% of budgeted annual expenditures.

Year to date expenditures are \$571,726 more than the same period a year ago. The General Fund ending fund balance is \$16,024,206.

By Organizational Unit	Budget	YTD Actual	%	Prior Year Actual
City Manager	\$ 1,262,405	\$ 549,416	44%	\$ 557,062
Finance & Mgmt	1,588,615	761,366	48%	744,824
Community Develop.	920,277	424,758	46%	367,995
Library	534,502	256,406	48%	223,618
Public Works	3,939,869	1,527,369	39%	1,429,325
Parks & Recreation	1,966,949	849,190	43%	903,916
Municipal Court	545,122	262,891	48%	247,642
Police	8,389,148	3,796,121	45%	3,614,080
Fire	7,896,051	3,841,294	49%	3,656,198
Capital & Other	1,191,000	1,003,777	84%	956,202
<b>Total</b>	<b>\$ 28,233,938</b>	<b>\$ 13,272,588</b>	<b>47%</b>	<b>12,700,862</b>

By Major Category	Budget	YTD Actual	%	Prior Year Actual
Personnel Services	\$ 22,395,669	\$ 10,482,803	47%	\$ 10,002,189
Materials & Service	4,647,269	1,786,008	38%	1,742,471
Capital & Other	1,191,000	1,003,777	84%	956,202
<b>Total</b>	<b>\$ 28,233,938</b>	<b>\$ 13,272,588</b>	<b>47%</b>	<b>\$ 12,700,862</b>

The Facilities Replacement Fund ending fund balance at December, 2021 is \$320,199.

## MAJOR GOVERNMENTAL FUNDS

### SPECIAL REVENUE FUNDS

#### URBAN RENEWAL GENERAL FUND

Urban Renewal - General	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 420,650	\$ 450,175	107%	\$ 347,853
Expenditures:				
Operations	-	-	0%	-
Transfers	400,000	400,000	100%	200,000
Balance-July 1	320,520	318,370	99%	119,884
Balance YTD	\$ 341,170	\$ 368,545		\$ 267,737

The Urban Renewal-General Fund accounts for the Agency's property tax revenues. Expenditures are primarily for qualified capital improvement projects.

### CAPITAL PROJECTS FUNDS

#### EQUIPMENT REPLACEMENT FUND

Equipment	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 825,000	\$ 830,421	101%	\$ 789,836
Expenditures:				
Operations	35,000	-	0%	36,984
Capital	273,500	70,126	26%	819,171
Balance-July 1	989,369	983,474	99%	1,643,638
Balance YTD	\$ 1,505,869	\$ 1,743,769		\$ 1,577,319

The Equipment Replacement Fund provides resources for major vehicle and equipment purchases. An annual funding level is established based upon equipment needs over a five-year period. Resources are transferred from the General Fund to minimize budget fluctuations in tax supported funds.

Year to date purchases include \$37,489 for police motorcycle, and \$32,637 for police unmarked vehicle.

#### FACILITIES REPLACEMENT FUND

Facilities	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 102,500	\$ 100,616	98%	\$ 146,629
Expenditures:				
Operations	35,829	9,219	26%	8,314
Capital	40,000	15,067	38%	1,812
Balance-July 1	246,605	243,869	99%	235,157
Balance YTD	\$ 273,276	\$ 320,199		\$ 371,660

#### TRANSPORTATION FUND

Transportation	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 2,768,884	\$ 1,794,542	65%	\$ 1,056,255
Expenditures:				
Operations	1,392,393	685,280	49%	672,181
Capital	1,480,000	618,295	42%	1,022,872
Transfers	10,000	10,000	100%	10,000
Balance-July 1	2,166,039	2,301,732	106%	2,454,911
Balance YTD	\$ 2,052,530	\$ 2,782,699		\$ 1,806,113

Transportation Fund revenues are from state gas taxes, transportation SDC's, federal STP funds and franchise fees. Beginning in 2011, 15% of utility franchise fees are directed to the Transportation Fund for the City's pavement management program. \$516,144 is budgeted in the current year for franchise fee revenue.

Capital Expenditures of \$481,287 is attributed to the Pavement Management for Overlays, \$136,120 for the Stewart Parkway Rehabilitation, and \$888 for the Stewart Parkway End Panel Repair.

#### URBAN RENEWAL CAPITAL FUND

Urban Renewal - Capital	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 401,200	\$ 400,852	100%	\$ 200,644
Expenditures:				
Operation	182,616	111,447	61%	61,892
Capital	100,000	-	0%	-
Balance-July 1	315,466	366,347	116%	154,806
Balance YTD	\$ 434,050	\$ 655,752		\$ 293,558

The Urban Renewal Capital Fund accounts for the agency's major construction and improvements.

### ENTERPRISE FUNDS

#### STORM DRAINAGE FUND

Storm Drain	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 2,458,815	\$ 1,257,366	51%	\$ 1,208,209
Expenditures:				
Operations	951,039	446,948	47%	421,006
Capital	1,480,000	3,499	0%	16,491
Balance-July 1	4,497,441	4,777,985	106%	3,922,692
Balance YTD	\$ 4,525,217	\$ 5,584,904		\$ 4,693,404

The Storm Drain Fund accounts for the revenues and operations of the storm drainage system. Year to date user charges of \$1,166,602 are the principal source of revenues.

Year to date Storm Drain Fund capital expenditures include \$1,245 for the Brooklyn Ave Storm Rehabilitation project, \$155 for the Harrison Harvard Street Storm Drain Improvement, and \$2,099 for the 2022 Storm TMDL Improvement.

**WATER SERVICE FUND**

Water	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 7,481,500	\$ 4,225,885	56%	\$ 4,142,477
Expenditures:				
Operations	4,801,677	2,350,067	49%	2,189,314
Capital	7,142,500	2,581,912	36%	133,906
Balance-July 1	12,038,812	12,312,047	102%	10,284,504
Balance YTD	\$ 7,576,135	\$11,605,953		\$ 12,103,761

The Water Fund accounts for the City’s domestic drinking water utility. Activities are totally supported by charges for services.

Year to date Water Fund revenues of \$4,225,885 is primarily from charges for services. Revenues are \$83,408 more than the prior year with collections totaling 56% of budget at mid-year. The increase in revenue collections is primarily due to the termination of COVID-19 polices which allowed for suspended payments without penalty.

The ending fund balance at December 31st is \$11,605,953.

**OFF STREET PARKING FUND**

Off Street Parking	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 55,256	\$ 23,031	42%	\$ 19,957
Expenditures:				
Operations	56,479	16,064	28%	16,346
Balance-July 1	38,165	45,238	119%	39,273
Balance YTD	\$ 36,942	\$ 52,205		\$ 42,884

Previously, Off Street Parking revenues came from parking fines, meters, and parking rental fees in City owned lots, however, beginning July 1, 2016 services

are being rendered under contract. Parking enforcement was suspended by the contractor in April and the contract was terminated by mutual consent effective March 31, 2020.

The ending fund balance at December 31st is \$52,205.

**AIRPORT FUND**

Airport	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 558,500	\$ 215,224	39%	\$ 211,718
Expenditures:				
Operations	242,785	104,329	43%	107,237
Capital	150,000	-	0%	25,936
Debt Service	112,055	12,081	11%	12,972
Balance-July 1	730,399	758,987	104%	739,095
Balance YTD	\$ 784,059	\$ 857,801		\$ 804,668

Current year Airport revenues include user charges of \$203,528.

**INTERNAL SERVICE FUND**

**WORKERS’ COMPENSATION FUND**

The worker’s compensation fund was established in 1987 to provide financing for the City’s self-insured worker’s compensation program. Internal charges to other departments provide resources to administer claims management.

Worker's Comp.	Budget	YTD Actual	%	Prior Year Actual
Revenues	\$ 208,000	\$ 110,213	53%	\$ 133,017
Expenditures:				
Operations	421,288	166,021	39%	162,680
Balance-July 1	951,645	968,069	102%	909,140
Balance YTD	\$ 738,357	\$ 912,261		\$ 879,477

An employee safety committee oversees safety and wellness programs for employees. The goal is to promote wellness and reduce work related accidents and injuries.

An actuarial review is completed every two years to ensure the program maintains reasonable reserves and funding levels.

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## ECONOMIC OUTLOOK

The December 2021 *Oregon Economic and Revenue Forecast* issued by the Office of Economic Analysis (OEA) states that “The economic recovery from the pandemic continues to be robust. Booming wage gains are now offsetting the federal aid. Household incomes and consumer spending remain strong, supporting an overall bright outlook. The economy is set to reach full employment a year from now, or three times faster than in the aftermath of the Great Recession.”

“The fundamental economic challenge remains the supply side of the economy trying to keep pace with demand. Labor runs through everything, from production to logistics to sales. Firms are looking to hire as quickly as possible, while labor supply has been slower to recover. Labor shortages are likely to ease some in the coming months as more workers search for a job in earnest. Even so, the labor market will remain tight for structural reasons like more retirements and less immigration.”

“In a supply-constrained economy real economic growth is challenging. Firms invest in new technologies to raise productivity, but this takes time. Persistent inflation is a risk. The Federal Reserve, and many forecasters, expect inflation to cool some as the impacts of reopening the economy fade and supply chain struggles ease. While not the baseline outlook, the ultimate risk is that the economy runs too hot and the Fed will raise interest rates sharply, creating a boom/bust dynamic in the years ahead instead of engineering a soft landing.”

### *Supply trying to keep pace with Demand*

“Consumer demand remains robust. Between rising incomes, accumulated savings, lower levels of debt, and record housing and stock markets, consumers have no shortage of firepower. The economic challenges remain on the supply side of the economy. As firms struggle to find enough workers to produce products, increase capacity, and get the goods to market, it means the economy cannot grow as quickly as demand alone would suggest. These dynamics result in slower growth and higher prices. The overall outlook remains bright, but supply constraints mean the recovery may take a little longer than anticipated.”

“Labor is the biggest supply constraint today. The reason is labor runs through everything. If firms cannot find enough workers, then they cannot produce as many products [or services] . . . Today, businesses are advertising a record number of job openings. Here in Oregon there are 106,000 such openings according to the latest Oregon Employment Department job vacancy survey, and 78% of them are difficult to fill. Unlike past cycles where job opportunities were few and far between, today labor is strong. There are more job openings than job seekers.”

“Expectations are that workers will return to the labor market in greater numbers in the months ahead, easing the labor constraints somewhat. That said, [The Office of Economic Analysis] continues to believe that what matters most for labor supply is . . . total household incomes and their budget needs.”

“At the U.S. level, households have \$2.5 trillion in excess savings since the start of the pandemic. 42 percent of this can be tied to less consumer spending in 2020 as households did not go out to eat, have elective surgeries performed, or go on vacations to the same degree as in years past. Consumer spending has reverted to trend in 2021 and is no longer a contributing factor to rising household savings.”

“58 percent of the excess household savings is due to higher incomes during the pandemic. Income gains are entirely thanks to various federal programs enacted, as incomes excluding this aid declined during the shutdowns and recession. Recovery rebates, unemployment insurance, paycheck protection program grants, the enhanced child tax credit, and other programs more than offset the direct financial losses of the pandemic.”

“As households spend down some of this excess savings, the need to work to pay the bills and put food on the table will increase. Additionally, as job opportunities become more plentiful and higher paying, workers will be enticed to return to work in greater numbers. . . . The ultimate question is when will this happen? Initially, [The Office of Economic Analysis] expected this to really begin in earnest late this year. There is some indication it may take a bit longer, and be more of a steady stream rather than a sudden rush. Labor supply risks are to the downside.”

### *Labor income is booming*

“Today in Oregon, employment is 4 percent below pre-pandemic levels, and 6 percent below trend. . . . total wages and salaries earned in the economy are 8 percent above pre-pandemic levels. Wages are fully reverted to trend, and will soon surpass pre-pandemic expectations. Employees are working more hours and at higher pay. Average wages in Oregon are 15 percent higher today than before the pandemic. This matters for a few reasons.”

“First, businesses’ labor costs have never been higher. They are paying more total labor costs, despite having fewer employees. To the extent productivity gains are similarly strong, this is of no concern. To the extent a higher wage bill needs to be passed along to consumers, this can be a key part of broader inflation.”

## Labor Income is Booming



“Second, strong wage gains among current workers can slow the return of some individuals thinking of coming back into the labor market. This is particularly the case for families, or more broadly for households with multiple adults. Between the excess household savings, and strong income gains for the current earner, a second adult does not need to return to work as quickly to pay the bills, especially if there is any other concern related to the pandemic, childcare, or the like.”

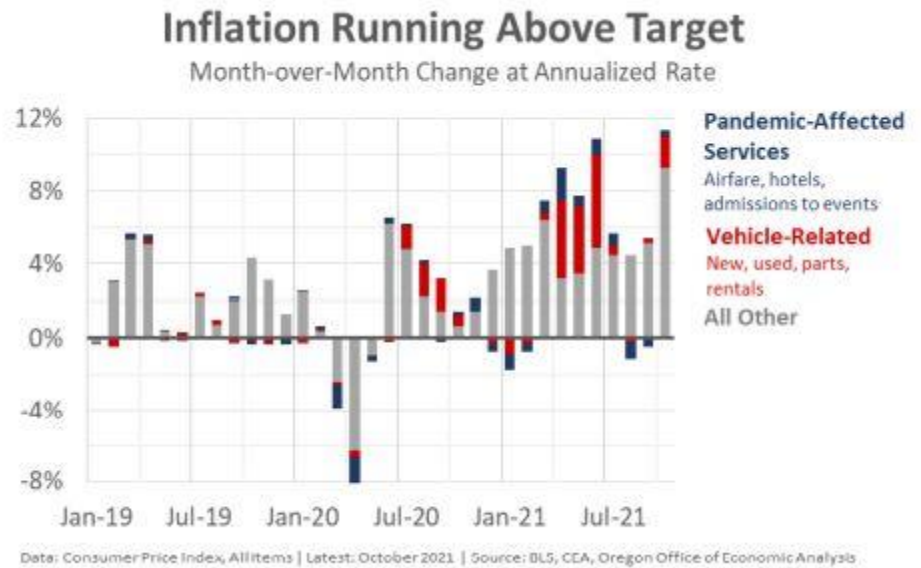
“Overall the economic and labor outlook remain bright. The current economic recovery is much faster than experienced in recent business cycles. However, supply constraints remain. . . . Oregon is now expected to fully



regain all of its pandemic-related lost jobs by next fall, or one quarter slower than in the previous forecast. The economy is still expected to reach full employment by early 2023.

### *Persistent inflation is a risk*

“An economy where demand is very strong and supply is constrained is a classic recipe for rising prices. Inflation is running hot, and showing no real signs of letting up in the near term. Initially, much of the inflation could be directly tied to reopening sectors of the economy, and shortages in the automobile industry. However, inflationary pressures seem to be widening beyond those temporary issues. Persistent inflation is a moderate risk to overall outlook.”



“The Federal Reserve will look through temporary bouts of inflation, particularly as they work to meet their dual mandate of maximum employment and price stability. The Fed is actively communicating that they will run the economy hot to ensure maximum employment, even as it may result in higher inflation than experienced in recent cycles. This is especially true in the underlying belief is longer-run inflation remains well anchored. Recently Chairman Powell acknowledged he expected inflation will remain hot well into next year and that by the second or third quarter the transitory, or temporary pressure may begin to ease.”

“In the meantime, inflation is impacting the real economy in a few ways. First, higher prices are eating into household budgets. Normally, a faster increase in the cost of living impacts lower-income households to a greater degree as they live paycheck to paycheck. Rising prices, therefore impact every dollar earned.”

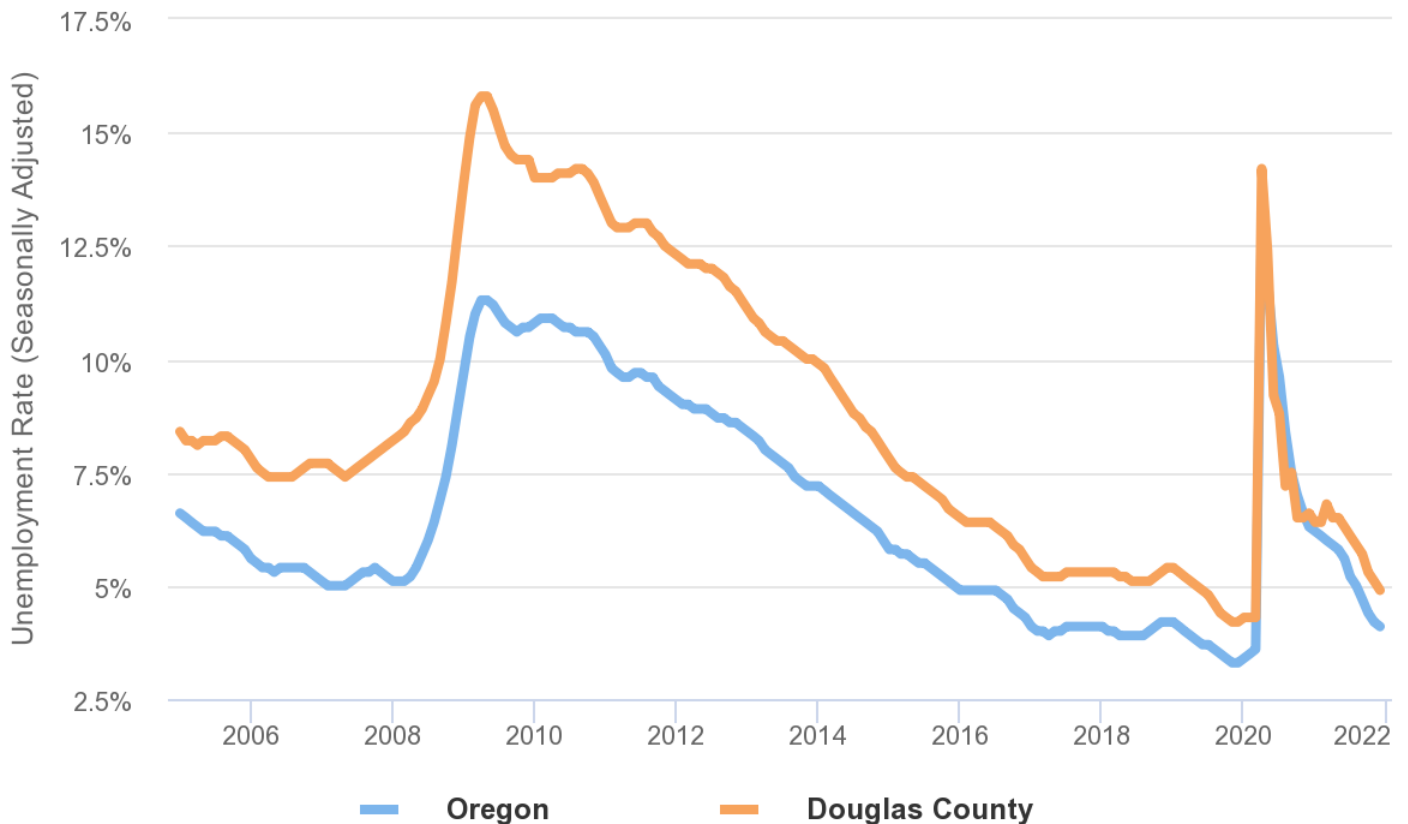
“Second, higher prices are also eating into the strong wage gains workers are experiencing. While the average wage in Oregon is up 15 percent since the start of the pandemic, the real, or inflation-adjusted average wage is up 8 percent.”

“Third, as costs rise, firms face the decision to pass these costs forward onto consumers, contributing to overall inflation, or to reduce the margins or other costs to help keep final prices lower. These adjustments take time, and are based in part on businesses’ beliefs about the ability of consumers to absorb higher prices. Today, given incomes and demand, firms are passing along cost increases and profit margins have actually increased to be at or near record highs.”

“Ultimately what matters is where inflation settles. Should inflation slow back to the 2-3 percent range then there is likely no real risk. . . .However, inflation that remains higher for longer would ultimately see the Fed step in



## Unemployment Rate



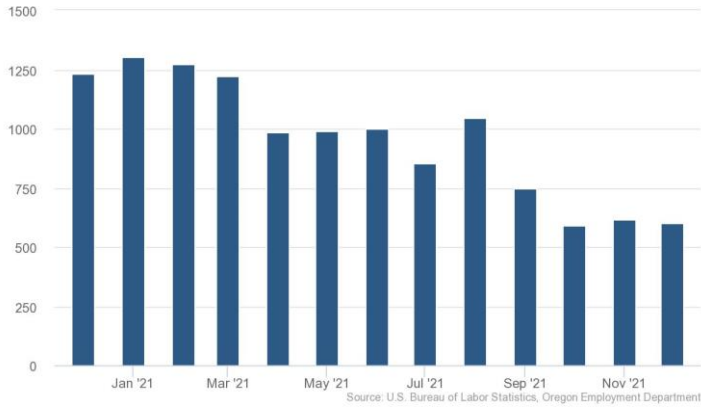
Source: Oregon Employment Department Qualityinfo.org

A review of the underlying figures to December's seasonally adjusted unemployment rate dropping year-over-year from 6.6% to 4.9% indicate a solid basis for growth. However, when comparing to the previous month of November, we see that the seasonally adjusted figures on a month-over-month basis indicates a slowing of economic activity.

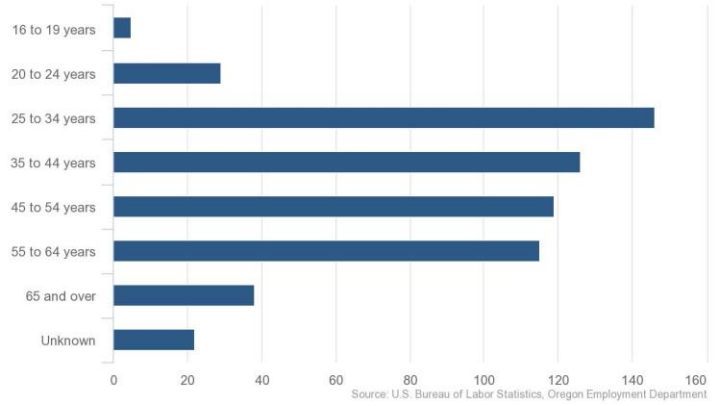
- The civilian labor force decreased by -824 year-over-year or -1.7%. The labor force also declined by -81 from November of this year;
- The number of employed (or jobs) increased by a modest 172 year-over-year or 0.3%; however, it declined by -214 from November of this year; and
- The number of unemployed decreased by -996 year-over-year or -32%, however, it increased 133 from November of this year.

### Current Douglas County Unemployment Metrics

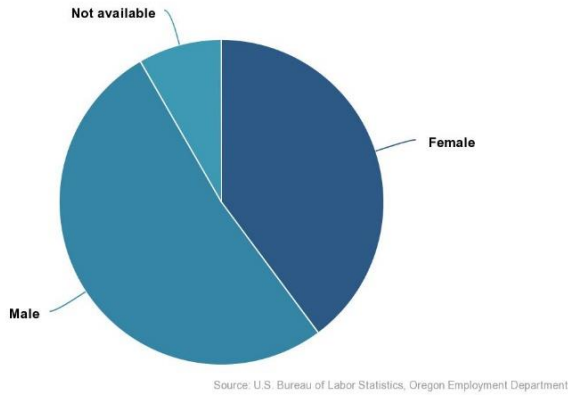
**Continued UI Claims**  
Workers Claiming Unemployment Benefits  
Douglas County, December 2020 - December 2021



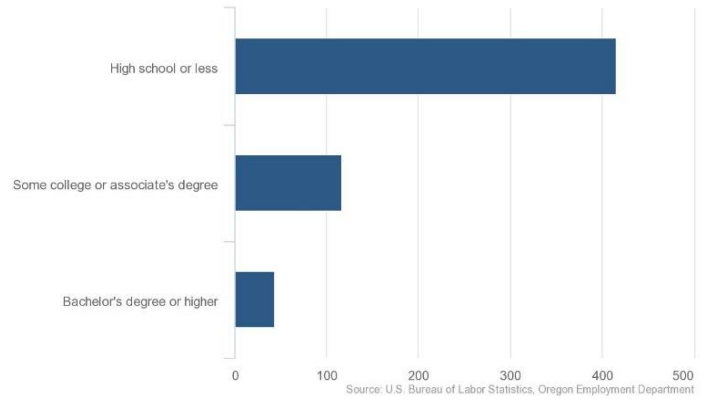
**Continued UI Claims by Age Group**  
Workers Claiming Unemployment Benefits  
Douglas County, December 2021



**Continued UI Claims by Gender**  
Workers Claiming Unemployment Benefits  
Douglas County, December 2021



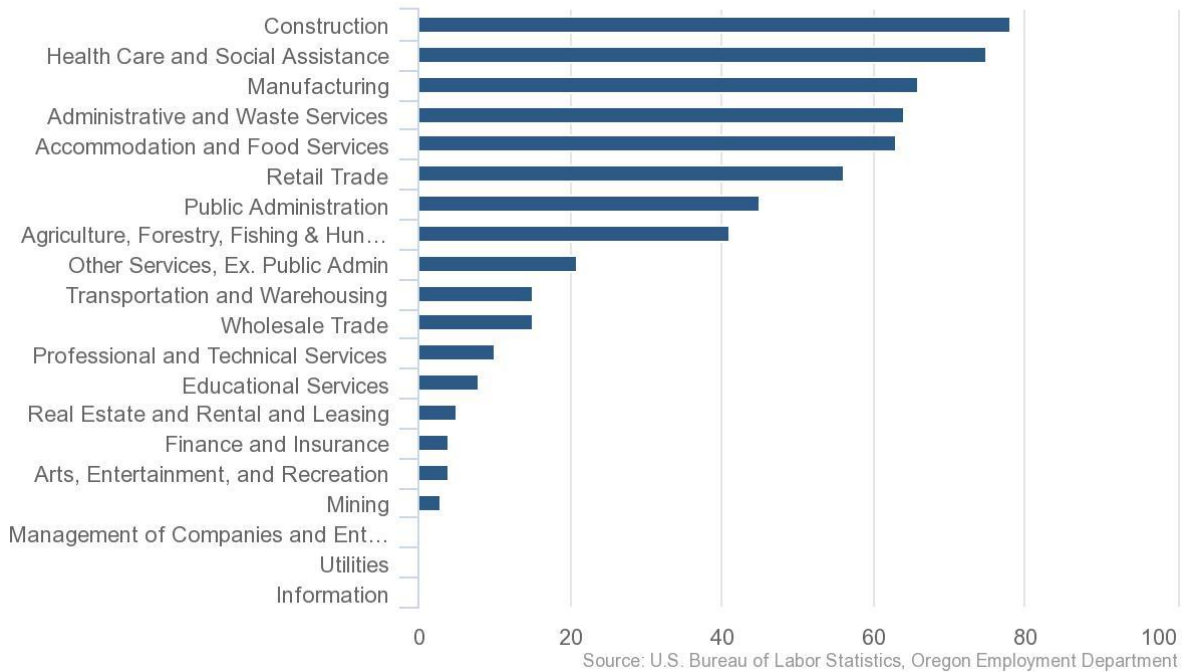
**Continued UI Claims by Education Level**  
Workers Claiming Unemployment Benefits  
Douglas County, December 2021



## Continued UI Claims by Industry

Workers Claiming Unemployment Benefits

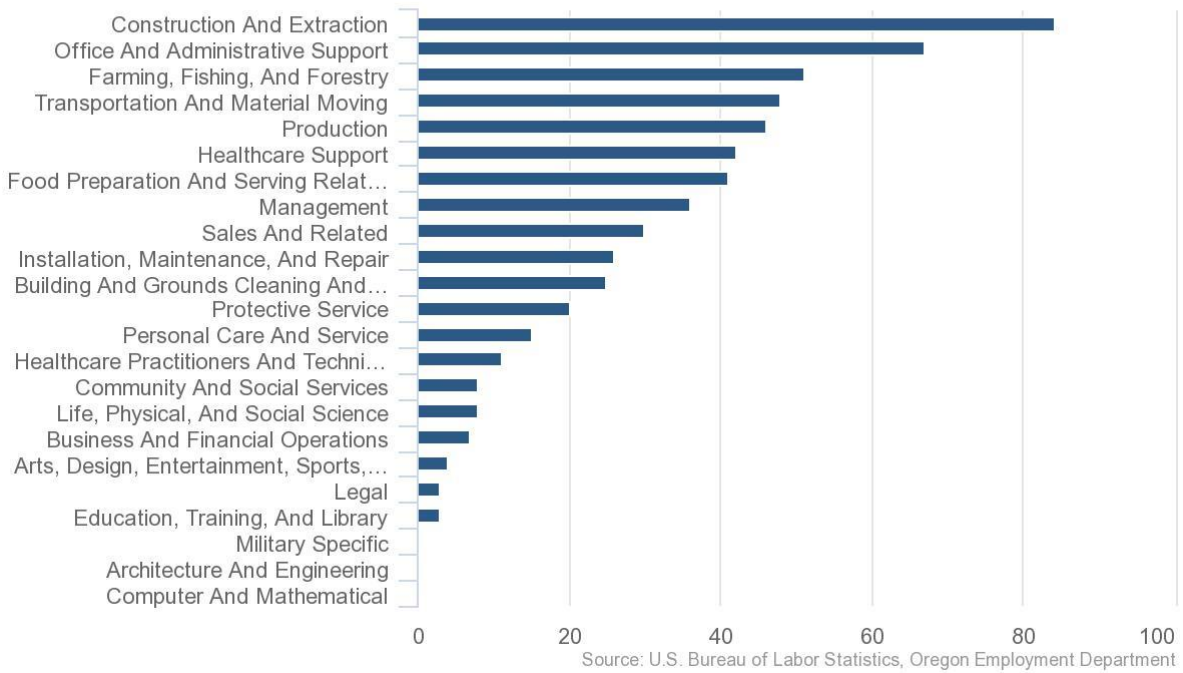
Douglas County, December 2021



## Continued UI Claims by Occupation

Workers Claiming Unemployment Benefits

Douglas County, December 2021



## A FINAL NOTE

This quarterly report has been prepared to summarize and review the City's operations and financial position for

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the second quarter of the 2021-22 fiscal year as of the month ending December 31, 2021, provide management with a financial planning tool, and monitor compliance with budget policy and Oregon budget law.

If you have questions about the report or would like additional information, please contact Ron Harker, Finance Director, at (541) 492-6710 or via email at [finance@cityofroseburg.org](mailto:finance@cityofroseburg.org). We encourage you to visit our website at [cityofroseburg.org](http://cityofroseburg.org). The site is user friendly and contains information about the services we provide.

City of Roseburg, 900 SE Douglas Avenue, Roseburg, OR 97470  
Phone: (541) 492-6710  
Website: [cityofroseburg.org](http://cityofroseburg.org)

**CITY OF ROSEBURG  
BUDGET CALENDAR AND PROCESSING SCHEDULE  
FOR FISCAL YEAR 2022-2023**

<b><u>TARGET DATE</u></b>	<b><u>ACTION</u></b>
1. 01/26/22 (Weds)	<b><u>1:00 P.M. – 5:00 P.M.</u></b> – Staff Retreat; Distribution of budget preparation manual & forms; budget briefing session; departments begin preparation process.
2. 02/14/22	<b><u>7:00 P.M.</u></b> <b>COUNCIL MEETING (Budget Committee Invited):</b> Annual Comprehensive Financial Report (“ACFR”) presented by City Auditor Jeff Cooley; Distribution of Budget User’s Guide and calendar; Finance Director presents Quarterly Report Ending <b>12/31/2021</b> . ( <i>*Email information to Councilors and Budget Committee members.</i> )
3. Week of 02/14/22	IT meets with individual departments to determine technology needs
4. 03/01/22 (Tues)	General Fund budgets submitted to City Manager and Finance Director at department head meeting. BG forms outlining grant requests shall be submitted at the same time, but separate from the full department budget.
5. 03/04/22	Special Fund budgets submitted to City Manager and Finance Director.
6. 03/18/22	Finance Director completes review of departmental budgets and advises City Manager of any uncommitted revenues.
7. 03/21 – 03/25/22	Departments meet with City Manager to review departmental budgets.
8. 03/31/22	City Manager completes review of operating sections of departmental budgets and directs expenditure adjustments.
9. 04/08/22	Budget Narratives due to Finance
10. 04/15/22	City Manager & Finance Director balance & complete proposed budget; Manager prepares Budget Message for City and Urban Renewal Agency
11. 04/20/22	*Notice of <b>05/10/22</b> -- Budget Committee Meeting/Public Hearing on <i>Possible Uses of State Revenue Sharing</i> <b>mailed</b> to Budget Committee with reminder of meeting schedule and News-Review for 1st publication on 4/26/22 <b>and posted on City’s website (ORS 294.426 requires publication no more than 30 days prior to hearing &amp; allows for posting on City website rather than 2<sup>nd</sup> newspaper publication)</b>
12. 04/21/22	Budget Committee Online Training Session via Zoom
13. 04/26/22	Notice of <b>05/10/22</b> - Budget Committee Meeting/Public Hearing on Possible Uses of State Revenue Sharing <b>published</b> in News-Review

**CITY OF ROSEBURG  
BUDGET CALENDAR AND PROCESSING SCHEDULE  
FOR FISCAL YEAR 2022-2023– CONTINUED**

<b><u>TARGET DATE</u></b>	<b><u>ACTION</u></b>
14. 05/02/22	<b>10:00 A.M. - 12:00 P.M.</b> Budget Power Point run-through by Staff.
15. 05/03/22	Budget Document and Budget Power Point ready for Budget Committee members to pick up at City Hall or have delivered to their home.
16. 05/10/22	<b><u>6:00 P.M. – 10:00 P.M.</u></b> <b>First Budget Committee Meeting:</b> City Manager presents budget message; Public Hearing on Election to Receive State Revenue Sharing & <i>Possible</i> Uses Thereof is held. Individual departments begin review of their respective portions of the budget.
17. 05/11/22 & 05/12/22	<b><u>7:00 P.M. – 10:00 P.M.</u></b> <b>Budget Committee Meetings continue as necessary.</b>
18. 05/18/22	<b><u>Mail</u></b> Notice of <b>06/13/22</b> -- Public Hearing on <i>Proposed</i> Uses of Revenue Sharing and Detailed Summary of Budget as Approved by the Budget Committee to News-Review to be published on <b>5/24/22**ORS 294.448 requires notice to be published not less than 5 days and not more than 25 days, prior to the hearing; and <u>post on City's website</u></b>
19. 05/24/22	Detailed summary of budget (as approved by the Budget Committee) and notice of <b>06/13/22</b> Public Hearing on <i>Proposed</i> Uses of Revenue Sharing <b><u>published</u></b> in News-Review
20. 06/13/22	<b>7:00 P.M. Council Meeting:</b> Council holds Public Hearing on <i>Proposed</i> Uses of Revenue Sharing & Proposed Budget as Approved by the Budget Committee and adopts a resolution electing to receive state revenue sharing & adopting the final budget <b>**pursuant to ORS 221.770</b>
21. 06/21/22	Send required forms and resolutions to County Assessor pursuant to ORS 294.458. <b>Deadline 06/30/2022</b>
22. 06/27/22	Finance Director completes online survey with DAS to certify the City is eligible to receive state shared revenues, cigarette/gas/liquor taxes, and marijuana certification. <b>Deadline 7/31/2022</b>
23. 07/05/22	File 1 copy of budget with Douglas County Clerk



**MINUTES OF THE SPECIAL MEETING  
OF THE CITY COUNCIL  
January 24, 2022**



Mayor Larry Rich called the special meeting of the Roseburg City Council to order at 6:15 p.m. on January 24, 2022 electronically via Zoom in Roseburg, Oregon.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, Bob Cotterell, Beverly Cole, Alison Eggers, Brian Prawitz, Patrice Sipos and Andrea Zielinski.

Absent: Councilor Sheri Moothart

Others Present: City Manager Nikki Messenger, Assistant City Manager/ Recorder Amy Sowa, Community Development Associate Planner John Lazur and Management Assistant Koree Tate.

PLANNING COMMISSION INTERVIEWS

Mayor Rich advised Councilor Prawitz would ask the interview questions to the applicants. City Council interviewed the following applicants for consideration of filling the Planning Commission vacancies:

Andrew Blondell worked for the Roseburg Urban Sanitary Authority and discussed his passion to grow as a person, increase his knowledge and provide public service to give back to the community. He felt it was crucial to expand the Urban Growth Boundary in the future. From working in the sewer industry, he had seen planning take place and dealt with customers from incidents with cleaning lines. He noted the best thing when faced with an angry citizen or customer was to remain calm, level headed, friendly and explain the process as to what happened. As someone on the Planning Commission, he knew they would have to follow the law and help discuss impacts on the community or neighborhoods. After growing up in Roseburg and serving in the military, he believed that it was best to leave things better than it was found. He was hardworking, driven and cared about the community. He hoped his time, knowledge, skills and problem solving ability could better assist him if he was chosen for the Commission.

Janelle James moved to Roseburg in 2018 and fell in love with the town. Initially, she wanted to pursue a career in planning. She worked with Blue Zones and planners for pedestrian safety. She took on other positions until recently accepting a job with Roseburg Tracker. Ms. James said she had been interested in planning for some time. She liked to read books about city design, and felt she was somewhat of a planning nerd. She liked to see the effects of planning and wanted to see Roseburg thrive. She had read the planning goals and was present to watch the virtual City Council goal meetings. She thought comprehensive planning was visible in most neighborhoods where residents could see the layouts of streets, how neighborhoods connected, how high fences could be and then the decisions that were made for zone changes and projects. Regarding conflicts, she said it was best to talk to people, listen, and be ready to provide solutions and options. The whole point of the Planning Commission was the intent of the law and following it. There might be times when the law cannot meet individual needs, but the Commission was there to listen and present ideas to find the best solution moving

forward. In response to Councilor Eggers, Ms. James confirmed she had applied previously to serve on the Commission and looked forward to the opportunity that recently opened.

Stephen Krimetz had been retired for a little over eight years and worked for the State of California, legislature and DMV. His background tied to parts of the planning process while working with the DMV and dealing with 140 budget workloads. He met regularly with different staff members and discussed the impact of legislation and government planning processes that would affect the different departments. He was first interested in planning at age nine when his family moved to Davis, California. He watched improvements over the years and the growth reaching projections. The effects of planning came down to an overall quality of life and how responsible the City was going to be in a person's housing needs, infrastructure of streets, electrical and police. As a member and acting president of Rocky Drive HOA, he routinely handled issues with neighbors. Like the Commission, there were guidelines that prohibited or enforced certain rules and that is what he had to uphold. For conflicts, he suggested looking at existing rules that applied to a situation, evaluate options, vote on it and consult with City Council if needed to remedy the situation. Mr. Krimetz was interested in the Commission to help improve the quality of life for Roseburg residents and believed in balanced growth.

#### ADJOURNMENT

Mayor Rich explained the Council would vote during the regular Council Meeting and invited the applicants to stay for the results. Mayor Rich adjourned the meeting at 6:53 p.m.



Koree Tate  
Management Assistant

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL MEETING  
January 24, 2022**



Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on January 24, 2022 electronically via Zoom in Roseburg, Oregon. Councilor Prawitz led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilors Shelley Briggs Loosley, Beverly Cole, Bob Cotterell, Alison Eggers, Brian Prawitz, Patrice Sipos and Andrea Zielinski.

**Absent:** Councilor Sheri Moothart

**Others Present:** City Manager Nikki Messenger, Assistant City Manager/ Recorder Amy Sowa, City Attorney Jim Forrester, Finance Director Ron Harker, Police Chief Gary Klopfenstein and Management Assistant Koree Tate.

**ROSEBURG ROTARY CLUB MONTH PROCLAMATION**

Mayor Rich proclaimed February 2022 as Roseburg Rotary Appreciation Month and urged citizens to participate in the observance for their continued services to enhance and strengthen the community. Meme Tenold, Roseburg Rotary Club President, thanked the Mayor and Council for the proclamation. She appreciated the support. For the last 100 years, they had provided multiple and sustainable services to the community for youth and people of all ages. Rotary clubs made a difference in the lives of all people, encouraged high ethical standards and fulfilled community needs for better world understanding. Ms. Tenold offered that if someone was interested in joining Rotary to go to [www.roseburgrotary.org](http://www.roseburgrotary.org), their Facebook page, or send an email to [roseburgrotary@gmail.com](mailto:roseburgrotary@gmail.com). Mayor Rich suggested the idea of them providing a list of all events, projects, etc. for which the Rotary assisted. The community would be surprised at the extensive list. Ms. Tenold appreciated the suggestion and thought a contest could be fun for the community to find what Rotary had done in the city. Mayor Rich thanked the Roseburg Rotary for their service.

**COMMISSION REPORTS**

Councilor Prawitz had an Economic Development Commission Meeting on January 11, 2022. They approved six tourism grant funding requests, received a Partnership report and heard the quarterly review of Experience Roseburg from Anvil Northwest.

Councilor Zielinski had a Library Commission Meeting on January 18, 2022 and received monthly statistics, learned about the Winter Reading Program, staffing update and grants update. They were seeking volunteers for the Friends of the Roseburg Public Library and said it was a great way to give back to the community.

Mayor Rich had a Homeless Commission Meeting early in the day on January 24, 2022. They received an HTAG update, discussed the purchase of real property for a Navigation Center, and received a warming center update.

### PLANNING COMMISSION APPOINTMENT

Mayor Rich explained Council interviewed Andrew Blondell, Janelle James and Stephen Krimetz for consideration of filling the Planning Commission vacancies. Councilor Cotterell said they had three qualified applicants and his top choice was Ms. James. Councilor Sipos agreed Ms. James was well spoken, enthusiastic and could bring new ideas to the Commission. Councilors Cole, Eggers and Zielinski supported Ms. James and liked Mr. Blondell who seemed to know the importance of infrastructure. Councilor Briggs Loosley agreed to appoint Ms. James and was undecided for Mr. Blondell and Mr. Krimetz. Councilor Prawitz added that Mr. Krimetz brought a unique combination of experience from previous employment and seemed to be an analytical thinker. Mayor Rich supported Ms. James and Mr. Krimetz.

Councilor Cotterell moved to appoint Janelle James to the Planning Commission. The motion was seconded by Councilor Cole and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no. Councilor Cotterell said he supported Mr. Blondell to fulfill the second vacancy. Councilors Sipos and Zielinski agreed and said his work with RUSA helped him be familiar with the City.

Councilor Cotterell moved to appoint Andrew Blondell to the Planning Commission. The motion was seconded by Councilor Cole and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Sipos and Zielinski voted yes. Councilor Prawitz voted no. Mayor Rich congratulated Janelle James and Andrew Blondell for their appointment to the Planning Commission and willingness to serve.

### AUDIENCE PARTICIPATION

Ashley Hicks, via emailed comment, requested Council to end the City's declared state of emergency. Having a perpetual state of emergency was good for the City Manager to have extra control, but not for the citizens.

Maria Crince, 539 SE Jackson Street business owner, discussed the issues around parking downtown and the homeless that congregate around and within the parking garage. The homeless was a main issue that customers faced each day and it was becoming a safety concern. She appreciated Roseburg Police providing patrols and answering calls. Parking was a necessity and the garage needed to be safe for all to use with signage and security. She understood the need for a new parking service, but wanted to be part of how things would be handled in the downtown area. She and other downtown merchants wanted to know more about Ace Parking. In response to Mayor Rich, Ms. Sowa explained Finance Director, Ron Harker, had been working with Ace Parking. They hired a parking program manager who planned to reach out to businesses with permits and then start a door-to-door process. Ms. Messenger said she planned to have their information added to the City website by the end of the week. Ace Parking was committed to building relationships and would have an office in Roseburg.

### CONSENT AGENDA

Councilor Cotterell moved to approve the January 10, 2022 Meeting Minutes. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no.

PUBLIC HEARING – RESOLUTION NO. 2022-01 – SUPPLEMENTAL BUDGET – OFF STREET PARKING - ESTABLISHING APPROPRIATION AUTHORITY TO MANAGE PARKING ENFORCEMENT CONTRACT, FISCAL YEAR 2021-22

Mayor Rich opened the Public Hearing at 7:33 p.m. regarding the supplemental budget – off street parking - establishing appropriation authority to manage parking enforcement contract, fiscal year 2021-22. Mr. Harker reported that after having executed a contract for parking enforcement services with ACE Parking, the City had begun to incur financial costs for which adequate appropriation authority had not been established. Additionally, with active parking enforcement once again renewed, the City would begin to see additional revenues accrue to the City. In order to manage the contract and to account for the additional expenses and revenues, a supplemental budget was needed.

The City engaged in the contract and began January 1 this year. First invoice was scheduled for February 10, 2022. Based on projected revenue streams and expenditures for the remainder of the fiscal year, it was proposed to increase revenues and expenditures in the Off Street Parking Fund by \$168,650 respectively. In order to accommodate those changes, the following adjustments were proposed:

*Off Street Parking Fund (Fund 510)*

Resources

License, Permit, Fines, Fees .....	\$ 110,400
Charges for Services .....	\$ 58,250
Total Resources .....	\$ 168,650

Expenditures

Enforcement (Materials & Services) .....	\$ 168,650
(Offsetting allocations to resources and expenditures maintains a balanced budget)	

Mr. Harker said that since the proposed actions were offsetting, there was no negative budgetary impact. However, should actual revenues be insufficient to cover the newly incurred expenses, the fund’s reserves would be utilized to cover the costs. What the potential impact of the contract to reserves might be was impossible to gauge at this time. Since the City had entered into a contract for parking enforcement services and had begun to incur related expenses, it was imperative that adequate appropriation authority be established so that the City remained in full compliance with Oregon Budget Law. In response to Councilor Eggers, Mr. Harker confirmed the contract was for five years with two extension options. If proven unsustainable, the City had an exit clause. Councilor Prawitz questioned from where the funds were coming. Mr. Harker explained they anticipated increased revenue for licenses, fees, permits, meters, etc. to cover the expenses.

As no one else wished to speak, Mayor Rich closed the Public Hearing at 7:38 p.m. Councilor Cotterell said he appreciated Council for being amendable to allow supplemental budgets when needed. Councilor Cotterell moved to adopt Resolution No. 2022-01, entitled, “A Resolution Authorizing a Supplemental Budget – Off Street Parking Fund – Establishing Appropriation Authority to Manage the Parking Enforcement Contract, Fiscal Year 2021-2022.” The motion was seconded by Councilor Zielinski and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no.

ORDINANCE NO. 3565 – AMENDING RMC SECTION 7.02.140, NOISE DISTURBANCES,  
FIRST READING

Mr. Klopfenstein stated that Staff identified areas in Section 7.02.140 of the Municipal Code that were in need of updates to reflect the needs and challenges officers experienced. Those proposed updates would help officers deal with noise disturbances and aid with prosecution of cases that go to court. Staff reviewed the noise ordinances of multiple cities and used applicable language from their ordinances to draft the amended ordinance. Following was the main proposed amendments to Section 7.02.140:

- Defining *plainly audible*
- Separating verbiage for clarity
- Changing the *plainly audible* distance from 50' to 100' in certain circumstances
- Clarifying that the City's noise ordinance was not about content
- Adding language to address yelling, shouting, etc.

Mr. Klopfenstein noted that someone had been cited for this ordinance, and during court proceedings several comments were made that prompted him to review the ordinance and what other cities used to tighten up the language. In response to Mayor Rich, Mr. Klopfenstein confirmed that if someone was out screaming in a street for no reason the police could be called. If during the day, a person would need to be 100 feet away or able to hear the audible noise in two different dwellings away from the disturbance. In response to Councilor Zielinski, Mr. Klopfenstein said there had been an incident in Stewart Park with a speaker that could be heard over 700 feet away, and in relation to shouting, he wanted to match language from other cities. Councilor Zielinski questioned what could be done about motorcycle noise. Mr. Klopfenstein noted the Police Department had many stops based on that type of complaint. For police to respond, citizens needed to make the call so it could be addressed. In response to Councilor Prawitz, Mr. Klopfenstein said the penalty for a Municipal Code violation was \$1,500, but the judge would determine a final fine based on information presented. Attorney Forrester confirmed the judge did lower the fine amount on a case-by-case basis. In response to Councilor Sipos, Mr. Klopfenstein stated that calls were complaint based. If no one called, the police were not out looking for violations.

Linda Rahmeyer, 2736 W Oriole Drive, via emailed comment, supported a proposed amendment to the current Noise Ordinance to reduce the level of noise from any vehicle or from speakers.

Dick Dolgonas, 1338 SE Overlook Avenue, addressed a concern that he felt interfered with the quality of life in Roseburg. There were too many vehicles causing greater noise or sound that was unnecessary. He asked if the City could begin aggressive action to ensure motor vehicles meet the letter and intent of the ordinance. He appreciated the action by the Police Chief to make this process easier. Noise was frustrating when trying to enjoy the outdoors and vehicles go by at an excessive speed and purposely revving an engine to be loud. Mr. Dolgonas said that behavior was disturbing and there needed to be drastic actions to make it better.

Council agreed to proceed with a first reading of Ordinance No. 3565. Ms. Sowa read Ordinance No. 3565, entitled, "An Ordinance Amending Section 7.02.140 of the Roseburg Municipal Code," for the first time.

PURCHASE OF REAL PROPERTY FOR NAVIGATION CENTER

Ms. Messenger reported that in April of 2021, the City of Roseburg was included in a state rebalancing bill to receive a \$1.5M grant to establish a navigation center no later than June 30, 2022. The grant agreement was executed in June of 2021. Mayor Rich, Councilor Briggs Loosley, Assistant City Manager/Recorder Amy Sowa and herself reached out to community members, worked with local realtors and were approached by property owners regarding a number of properties to consider for that use. Each parcel was reviewed with price, infrastructure needs, location, accessibility to services and environmental issues taken into consideration. She felt they found the best possibility based on a number of factors including affordability and an existing structure.

Ms. Messenger said the property at 948 SE Mill Street was currently owned by United Community Action Network (UCAN) and was used to provide services to their clients. The building was 7,423 square feet divided into office space, restrooms, conference rooms, and a kitchen area. It was structurally sound and had the potential to be retrofitted to allow for congregate sheltering in part of the building, and office space for service providers in the other part of the building. The property also included a separate parking lot large enough for placement of pallet shelters for additional living space. The building would be in phases while renovation needs were met and they addressed fire life safety improvements. UCAN purchased pallet shelters that could be used in the parking lot while some services could begin in the building while under renovation. She hoped COVID-19 would taper off so congregate sheltering could accommodate more and be similar to the Kelly Shelter by Rogue Retreat. Ms. Messenger had toured the facility with the Douglas County Building Officer, Fire Marshal and a few people from Rogue Retreat who were excited about the building and possibilities. She met with an architect for a walk through and discovered some items they had not seen. UCAN purchased the building in 2017, paid \$200,000, and went through some major remodeling for ADA requirements and office remodeling.

UCAN had offered to sell this property to the City for \$270,000 for use as a navigation center. This price included the building and property. Ms. Messenger said that it was a fair price and the Douglas County Assessor's office assessed it at \$385,000. During the Homeless Commission meeting, the question was posed as to why the lower price for the building. It was part of UCAN's mission to help the unhoused and selling the building to the City was a step in that direction. During inspections, nothing had been identified as having any fatal flaws. The next step would be escrow, scheduling a building inspection and then moving forward with the purchase. Other properties were double the price and would not be easy to set up. She was excited and felt this was a good step forward. This was not going to be large enough to handle all people currently living outside, but it would be a program to move people to transitional housing and then to permanent housing.

Ms. Messenger added the City and/or UCAN could be eligible to apply for grant funding to pay for the cost of retrofitting the interior of the building to provide the space needed for congregate sheltering. The City would manage the remodeling project. The next step in the process was to identify and enter into an agreement with a qualifying agency to operate the center. As part of the public process, once that agency was identified discussions would be held with neighboring properties and the community regarding the operations of the center. Councilor

Cotterell was supportive of this property option. He knew there had been a Brownfields Study conducted by the Department of Environmental Quality for the railroad regarding soil contaminants and wanted to make sure this property was not part of that area. Ms. Messenger said she would research the study to confirm they were safe to proceed with plans. Councilor Prawitz said he had been contacted by many people in the community and stressed the importance of maintaining a feeling of protection and control of the operation for the neighboring properties. Ms. Messenger understood the concerns and said the next step was to obtain an operational agreement, get the program organized and then speak with neighbors on how everything would operate. It was important to be friendly neighbors once operations started.

Mayor Rich added that they had to find the property first and knew some residents did not want it. He stressed the importance of having the program and being successful like Rogue Retreat in Medford, Oregon. Failure was not good for the neighborhood. State Representative Christine Goodwin attended the Homeless Commission meeting and agreed her mind was changed after visiting Rogue Retreat. If the City failed, it had to be fixed, but their goal was to be as successful as Rogue Retreat or better. Councilor Eggers said it was exciting news and would take a lot of communication. Councilor Sipos had driven by the property and said it seemed to be a terrific location and asset to the community. Ms. Messenger said it was important to start small and grow at a manageable rate so the operator and the City were learning at the same time.

Mayor Rich added that during the Homeless Commission meeting, UCAN Director Shaun Prichard, abstained from voting, but answered some questions. Former UCAN Director, Mike Fieldman, was present during the meeting. Mr. Pritchard and Fieldman confirmed that neither would personally make money on the sale of the property. UCAN was not making a profit from selling the property. They were a bit under the assessed value as mentioned and were there to help the cold and hungry, and this was just another area in which they wanted to help with the homeless. They already had a couple programs with the homeless but wanted to see bigger steps made. They chose to sell the property at cost because it was part of the mission to help the homeless. They were not there to bilk the city over real estate values and saw the pressing need out there in the community to help the homeless.

Mayor Rich said the proposal was presented to the Homeless Commission earlier in the morning for their review. Their recommendation was to authorize the City Manager to execute the required documents to purchase the property.

Ashley Hicks, via emailed letter, 730 SE Flint Street, disagreed with the Mill Street location for a City Navigation Center and said it was an area that already dealt with increased crime, burglary, car theft, mail theft and prowlers at all hours. Ms. Hicks suggested Council consider City property on General Avenue that would be within walking distance to the Salvation Army, mini markets, medical and dental clinics and UCAN's food pantry.

Manya Nicholson, via emailed comment, offered no objections to the Mill Street property. It was near the core population, an existing building, had a fenced parking lot and near mini markets that were already frequented. It needed to be near services and trusted the Homeless Commission did their due diligence on appropriating the property.



Those who wanted a safe secure place to sleep and receive guidance would have an opportunity for a hand up.

Betsy Cunningham, via emailed comment, said Housing First Umpqua encouraged support of the purchase of UCAN's Mill Street office for the Navigation Center. It would serve as the best use of taxpayer dollars and be a good place for the city to start to address the problems of the homelessness in a better way. Having a location where services could be accessed more than a few hours a week was needed. This was an important opportunity to facilitate better service delivery by ongoing collaboration and coordination among service providers and connection to the people they serve.

Councilor Briggs Loosley moved to authorize the City Manager to execute the required documents to purchase the property at 948 SE Mill Street for \$270,000 for use as a Navigation Center. The motion was seconded by Councilor Prawitz. Councilor Eggers appreciated the work on this and hoped people heard that UCAN was not benefiting from this financially. Councilor Zielinski said they had been talking about the Navigation Center for a long time and was excited to see it coming to fruition. The price was great for the current market and knew how hard everyone was working to find a perfect place.

Bernie Woodard, via Zoom, was in support of Navigation Center, but said the location was bad for several reasons. He spent five years to get Umpqua Community College student athletes downtown along with Air-BnB locations for tourists. Having more homeless would be detrimental to all the work he had provided. He was concerned students may not want to go to the area. He questioned if the zoning was correct for the property and what might be needed to make it a useful camping area outside the building. Ms. Messenger made a comment during the Homeless Commission meeting that funds were needed for continued Navigation Center operations. He was also concerned about several conflicts of interest regarding the process. Mr. Woodard felt they were moving too quickly and suggested allowing public time to provide more input, be frugal with City money, and postpone a decision until more answers were made rather than purchasing a building that would not be useful.

Councilor Prawitz noted that much of what Mr. Woodard addressed was mentioned earlier in their discussion. Mayor Rich said it was difficult buying land and UCAN provided an opportunity without raising the price. Although it may have seemed fast, the process did take a long time. Operations could not yet be shared, but they needed to lock in a location so they could start remodeling and figuring out the details for the program. Councilor Briggs Loosley mentioned UCC students were already living in the downtown area with the current homeless situation, and hoped this would help move people out of the area for services. Ms. Messenger reported last year the legislature passed a rule requiring cities to place shelters in locations, regardless of zoning, as long as they met certain criteria and not in a flood plain. Even if someone else had purchased the property to open a Navigation Center, the City would have to approve it by law. Attorney Forrester confirmed it was a conditional use, but anyone could put a Navigation Center in that zone by state statute for it to be permitted.

Ms. Sowa noted that the location was not going to be a place to hand out free items, but rather a location for people to stay after going through a process of approval. They would have

programs and goals for people to meet with different service providers. This was transitional to help the unhoused be independent. Mayor Rich added it would not be a check-in type of location and people would be assigned to go there. Ms. Messenger said there were many details to work through, but they wanted to learn from and model after Rogue Retreat. Councilor Cole said many Councilors went to Rogue Retreat, saw it working in person, and were very impressed.

The vote was approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no.

COUNCIL PARLIAMENTARY PROCEDURES UPDATE

Ms. Sowa discussed that a modified version of “Robert’s Rules of Order” had provided Council with clear direction on how to conduct their meetings in a simple format. Since adoption of those modified rules, slight adjustments were made in the actual conduct of the Council meetings. The Robert’s Rules of Order policy included amendments to align the policy with current practice. There were a few amendments of things that were no longer needed, most was clarification that came from the code. Mayor Rich added that they had to implement taking away speaking for a second time, but could bring it back. It was important to hear all opinions from those who want to speak.

Councilor Cotterell moved to adopt the amended Parliamentary Procedures – Robert’s Rules of Order Policy. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no.

SOUTHERN OREGON MEDICAL WORKFORCE DEVELOPMENT CENTER  
MEMORANDUM OF UNDERSTANDING

Ms. Messenger reported that for the past several years, the City had worked with community partners to develop a medical college in Roseburg. During the 2019 regular session, the Oregon Legislature funded the project through House Bill 5030, with the City of Roseburg as the grantee. The funding for all of the projects in that bill was rescinded when COVID-19 hit. The project was expected to be discussed during the 2022 legislative short session. The issue for the Council was whether to authorize the City Manager to negotiate and execute an updated Memorandum of Understanding outlining the City’s commitment to the project.

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. Shortly thereafter, the Partnership became involved with the project and solicited funding from the City to fund an initial financial feasibility study. Once the legislature funded the project in 2019, the UVDC formed with the sole purpose of moving this project forward to fruition. Then COVID-19 hit and things slowed significantly when the state made the decision to not sell lottery bonds in 2020. Since that time, UVDC had continued to work on securing academic partners and has updated the financial analysis and need statements for presentation to the 2022 legislature.

The request before Council was to update the MOU previously executed between the City and Oregonians for Rural Health by signing a new MOU between the City and UVDC. The terms of the MOU were similar and would state that the City was willing to act as the grant

recipient/fiscal agent for any funding authorized by the legislature and be willing to provide matching funds of up to \$10 million if certain conditions are met, including:

- State funding of at least \$10 million was committed.
- Academic partner(s) willing to agree to long-term triple-net-lease that ensured the City's annual debt service and other costs were covered.
- An economic analysis demonstrated positive return on investment for the City.
- The actual future appropriation of any funds was at the sole discretion of the City Council.
- Final site selection, land acquisition and development terms were acceptable to all parties.

A draft of the proposed MOU was provided to Council for review and would be reviewed by the City Attorney prior to execution. Ms. Messenger said they would not commit until all the pieces came together. The legislative session would begin February 1, 2022. One thing that was different from the first time was that UVDC became a 501(c)(3) and Ms. Messenger was a Board Member per Council's approval. Councilor Eggers asked if the City had to start over with the process. Ms. Messenger explained the initial \$10 million went away and they were trying to get it back in place for the next session. The academic model changed to have several academic models to bring to the facility. Having more schools involved would spread the financial risk. Linda Samek, former provost at George Fox University retired, was now working with PacWest to help usher the project through and to get the momentum started again. The medical shortage had been seen all over the state and COVID-19 proved that everyone had to start thinking about the future. If there were no programs for students to replace people retiring, it was only going to get worse. Ms. Messenger hoped to receive new authorization that the City was still willing to be fiscal agent if legislative chose to fund the project.

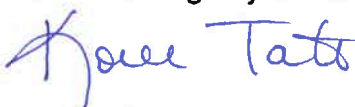
Councilor Cotterell moved to authorize staff to negotiation and execute a Memorandum of Understanding with the Umpqua Valley Development Corporation outlining the City's commitment to the Southern Oregon Workforce Development Center project. The motion was seconded by Councilor Zielinski. In response to Councilor Briggs Loosley, Attorney Forrester said because her spouse was not financially benefitting from the MOU as the UVDC Board Chair, she was allowed to vote. The motion was approved with the following vote: Councilors Briggs Loosley, Cole, Cotterell, Eggers, Prawitz, Sipos and Zielinski voted yes. No one voted no. Mayor Rich stated the medical shortage was real and the medical college was critical to train students and keep them in the area.

ITEMS FROM MAYOR/CITY COUNCIL/CITY MANAGER

No new items to report.

ADJOURNMENT

The meeting adjourned at 8:53 p.m.



Koree Tate  
Management Assistant

**MINUTES OF THE WORK STUDY MEETING  
OF THE CITY COUNCIL  
January 31, 2022**



Council President Bob Cotterell called the Work Study Meeting of the Roseburg City Council to order at 6:00 p.m. on January 31, 2022 electronically via Zoom in Roseburg, Oregon.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, Bob Cotterell, Beverly Cole, Alison Eggers, Sheri Moothart, Patrice Sipos and Andrea Zielinski.

Absent: Mayor Larry Rich and Councilor Brian Prawitz

Others Present: City Manager Nikki Messenger, Assistant City Manager/ Recorder Amy Sowa, City Attorney Jim Forrester, Community Development Director Stuart Cowie, Police Chief Gary Klopfenstein, Library Director Kris Wiley and Management Assistant Koree Tate.

POSSIBLE AMENDMENTS TO VEHICLE CAMPING PROGRAM REQUIREMENTS

Mr. Cowie reported that the purpose of the Work Study was to determine whether certain requirements of the vehicle camping program should be modified or removed in order to better facilitate and limit challenges with opening an approved vehicle camping location. Council previously authorized a new resolution that was set to expire March 31, 2022. During that meeting, Council asked staff to revisit items for modifications or changes. To move forward, this would need brought back to Council during a regular meeting to adopt a new Resolution. Staff had suggested amendments to the rules:

- Eliminating time frames for operation, meaning a vehicle could stay parked at the location without having to move on a daily basis.
- Removing language prohibiting vehicle camping adjacent to a residential zone and allowing vehicle camping locations on church properties that exist within a residential zone.
- Enabling more than three possible locations to exist within the City limits at a given time.
- Requiring access to only one restroom/portable toilet per location, rather than two; enabling more than six vehicles to be located per site.
- Amended garbage requirements since many churches may already have a dumpster on site that would suffice.
- Removing language indicating the vehicles must be licensed and registered.

Costs associated with hosting vehicle camping was the responsibility of the property owner. However, the City had offered to provide financial assistance utilizing American Rescue Act (ARPA) funding to those operating facilities designed to assist the community's homeless population. Funding assistance would be evaluated on a case-by-case basis. Mr. Cowie noted that no organizations had actively requested the program to operate a vehicle campsite location.

Mr. Cowie noted that at the last meeting, there was discussion to remove the requirement for overnight on-site staff or volunteers to be present. If the time limitations were pulled, that could change some of the language for the need of being staffed during the day. Councilor Sipos

was concerned about removing the consecutive number of days and feared the longer a person stayed, there could be more cleaning or a vehicle could become immobile. Ms. Messenger said the timeframe was to allow 29 days. Council President Cotterell agreed to 29 days because it was not supposed to be a permanent solution, but was meant to provide temporary living accommodations while trying to seek services or better their situation. Councilor Moothart agreed to 29 days and stressed the importance of providing a safe place while seeking services and help. Councilor Eggers appreciated the work on the program and asked about feedback from other cities. Mr. Cowie explained he mirrored the program after the City of Salem regarding criteria with a few changes for relevance to Roseburg. After bringing this item back to Council in December 2021, he reached out to Salem and learned they had not changed their program requirements and did have some churches and nonprofits utilizing the program.

Councilor Eggers agreed there needed to be a time limit, and they needed to be cognizant that many volunteers were retired. The property owner should have the ability to refuse someone due to bad behavior. Watching over a parking lot program was a lot to ask of volunteers, but realized this needed to be another option for people who were in need. Councilor Cole agreed it was a large ask to monitor the parking lots but understood the idea and assistance if something were to go wrong and police were needed. In response to Council President Cotterell, Attorney Forrester said there could be a potential for landlord tenant laws for subject properties, but it was part of a program and those parking would not be tenants. If the program did not have a time limit, he could see some coming back to claim a right to be there. In response to Councilor Cole, Ms. Messenger understood liability concerns and would suggest those offering the program to have property liability waivers signed by those parking.

Mr. Cowie explained the idea was to make this as easy as possible for an organization that would have permission from a property owner. If a group received permission from a church to use their parking lot, the City would need to see that agreement before approval. If complaints were received, there would be a discussion with the group running the program. In response to Councilor Briggs Loosley, Mr. Cowie said he did not ask Salem for feedback on how they handled the night shift. They were a larger city and had more assistance from groups in their area. In response to Council President Cotterell, Mr. Cowie explained the stamp of approval process meant an organization would submit their registration form, answer 8 questions and his office would review and give authorization to begin.

Ms. Messenger asked for feedback on the number of vehicles to allow. Councilor Eggers suggested 10 vehicles, and Council President Cotterell agreed. Councilor Sipos agreed with 10 vehicles, but was concerned about campers and the number of people who could reside in them. Attorney Forrester concurred that without someone present to watch the parking lots there could be incidents with large groups or parties that should not take place. It could lead to a liability situation. Mr. Cowie added that the number of people was not discussed, but they would not allow tents or camps. In response to Council President Cotterell, Ms. Messenger explained that churches could make their own hours of operation to accommodate their service schedule if needed. It would be preferable to have a nonprofit manage the program and provide storage containers, garbage collection and portable toilets.

Council President Cotterell said he did not have an issue with an unregistered or unlicensed vehicle, but did have concerns about uninsured drivers. Councilor Sipos agreed it would show

a certain amount of responsibility. Mr. Klopfenstein said he would be surprised if many of the RVs or vehicles in town were insured that were currently parking in the parks or on streets. Ms. Messenger noted the difficulty of obtaining insurance if a person did not have an address. Mr. Cowie added that when applications were to come through, they would not be confirming who had insurance. That would be up to the group operating the parking lot. The bigger complaints would come from garbage, leaks and noise. Councilor Zielinski said they had to be realistic about people living in their vehicles. People wanted to follow the rules, but had to come to the reality of the situation. The purpose of the vehicle parking was to allow a safe place to be overnight. There was a huge problem in the city and making more barriers for people was going to hinder their progress to get out of their situation. Councilor Eggers agreed a person would need an address for insurance and suggested whoever is allowing use of their parking lot to have property damage coverage.

Councilor Cole suggested reaching out to organizations since there had been no interest thus far in the program. Council President Cotterell suggested a press release to spread the information. Ms. Messenger warned they needed to keep some parameters and was willing to reach out to a church contact to spread the word. Council President Cotterell said he wanted to serve all members of the community whether homeless or not.

Discussion ensued regarding the number of days allowed for vehicle camping. Council nodded in agreement to 29 days. Mr. Cowie received approval to remove information for being licensed and registered. Council agreed to 10 vehicles per location and have at least one portable toilet available. Councilor Zielinski said it was important to not burden the property owners and let them make their own choices on what they can afford. Council President Cotterell agreed and said it was a pilot program and property owners needed a voice in the matter.

Mr. Cowie noted that he would remove the three location requirement, Council nodded in agreement. In response to Mr. Cowie, Councilor Moothart was against time limitations because some people might work swing or graveyard hours and need a quiet place to park to sleep. Councilor Sipos agreed and said it was good for them to have a safe place to park while out seeking employment. Ms. Messenger said that topic was something she had heard from others regarding stability to help with the process. Council nodded in approval to remove timeframes.

In reference to a termination date, Council President Cotterell preferred to remove an end date. Council nodded in agreement. Mr. Cowie said it would be removed and could have it adjusted later if needed.

### RV'S AND VEHICLES IN PUBLIC PLACES

Mr. Klopfenstein explained he had updated the existing abandoned vehicle policy and would present it to Council at their February 14, 2022 meeting. When an officer came across a vehicle that appeared abandoned, it was posted for three days and the owner had five days to appeal. If at any time, the owner moved the vehicle to a different location within the eight-day period, the timeline started over. That had become the problem for the Police Department when trying to remove vehicles that move from park to park or other locations in town. Those going through that process were most often not abandoned, but occupied. While reviewing the ordinance, he had proposed updates that were not a solution, but could help strengthen the language. Police did not have a legal recourse to deal with this situation. He reached out to multiple cities in Oregon and they all said they were dealing with the same problem.

Mr. Klopfenstein said legally they had to let the process run its course. In response to Council President Cotterell, Mr. Klopfenstein confirmed this was the same ordinance that dealt with campers on the street. He wanted to move the initial notification to two days, but the five-day appeal process had to remain the same per state statute. They have dealt with four truly abandoned campers and had them towed. In response to Councilor Eggers, Mr. Klopfenstein confirmed that other cities had a 48-hour notice period, but the five days for appeal was statute related. After processing and towing, they had the towing and storage fee, asbestos review and/or cleanup, and black water cleanup. By the end, it could be upwards of \$3,000 to \$5,000 per camper. In response to Councilor Cole, Mr. Klopfenstein explained police responses were complaint driven and they did not seek abandoned vehicles or campers in neighborhoods.

In response to Councilor Sipos, Attorney Forrester confirmed the five-day appeal process was five business days and excluded holidays and weekends. Ms. Messenger added there was a high percentage of nonregistered vehicles and the City was receiving calls from previous owners who may have had ownership at one time but were not the current owner or user of the vehicle. Councilor Eggers said that should be the owner's responsibility to have their name removed with the DMV. Mr. Klopfenstein agreed they spent a lot of time trying to find the correct owner or person claiming ownership for vehicles. He wanted to provide a perspective on the situation so Council would be better informed if a constituent contacted them or provided a complaint about the process. It would be best if legislation could make a change, but understood the other side of the situation for the people who had to temporarily live that way.

Council President Cotterell thanked Council for their time to meet and take part in the discussions.

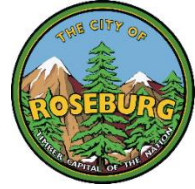
ADJOURNMENT

The meeting at 7:10 p.m.



Koree Tate  
Management Assistant

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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### OLCC CHANGE OF OWNERSHIP FOR FULL ON-PREMISES LICENSE ABRAHAM INC. DBA BRIX 527 LOCATED AT 519-527 SE JACKSON STREET

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Meeting Date: February 14, 2022

Agenda Section: Consent Agenda

Department: Administration

Staff Contact: Koree Tate, Management Assistant

[www.cityofroseburg.org](http://www.cityofroseburg.org)

Contact Telephone Number: 541-492-6866

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#### ISSUE STATEMENT AND SUMMARY

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

#### BACKGROUND

OLCC has received a Change of Ownership application from Tatyana Abrahime and Zahir Abrahime, owners for Abraham Inc. dba Brix 527, located at 519-527 SE Jackson Street for a full "On-Premises" license.

- 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 previously conducted a background investigation on the applicant and found no reason to deny the application.
- C. Financial and/or Resource Considerations.** The applicant has paid the appropriate fee for City review of the application.
- D. Timing Issues.** The applicant is requesting endorsement from the Council for immediate submittal to OLCC.

#### COUNCIL OPTIONS

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

#### STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.



**SUGGESTED MOTION**

*"I MOVE TO RECOMMEND APPROVAL OF THE CHANGE OF OWNER FULL ON-PREMISES LICENSE APPLICATION FOR ABRAHAM INC. DBA BRIX 527 LOCATED AT 519-527 SE JACKSON STREET IN ROSEBURG, OREGON."*

**ATTACHMENTS**

Attachment #1 - Subject Application

**cc:** License Applicant w/copy of agenda  
Jonathan Crowl and Amanda Cooper, OLCC Representatives  
OLCC License File



# LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 <sup>st</sup> Location	Date application received and/or date stamp: February 3, 2022 Name of City or County: City of Roseburg Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied By: _____ Date: _____
Brewery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 <sup>st</sup> location	
BPH Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	
<input checked="" type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 <sup>st</sup> location	
GSP Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	<b>OLCC USE ONLY</b> Date application received: 01/12/22 Date application accepted: 01/12/22
<input type="checkbox"/> Wholesale Malt Beverage & Wine	License Action(s): C/O
<input type="checkbox"/> Winery 1 <sup>st</sup> Location	
Winery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/> (4 <sup>th</sup> ) <input type="checkbox"/> (5 <sup>th</sup> ) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)<sup>1</sup>** applying for the license(s):

Abraham Inc

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

<b>3. Trade Name of the Business (Name Customers Will See)</b> Brix 527		
<b>4. Business Address (Number and Street Address of the Location that will have the liquor license)</b> 519-527 SE Jackson St		
City Roseburg	County Douglas	Zip Code 97470

<sup>1</sup> Read the instructions on page 1 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.



# LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) Brix 527			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in <a href="#">OAR 845-004-0065[1]</a> .) 527 SE Jackson St			
City Roseburg	State OR	Zip Code 97470	
9. Phone Number of the Business Location 541-440-4901		10. Email Contact for this Application and for the Business abrahimebrix@gmail.com	
11. Contact Person for this Application Tatyana Abrahime		Phone Number 8588886711	
Contact Person's Mailing Address (if different)	City	State	Zip Code

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.


**ATTESTATION: \*\*READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM\*\***

I understand that marijuana is **prohibited** on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. 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.

I affirm that I have read [OAR 845-005-0311](#) and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

**Applicant(s) Signature**

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

Tatyana Abrahim  01/11/22  
 App #1: (PRINT NAME)      App #1: (SIGNATURE)      App #1: Signature Date      Atty. Bar Information (if applicable)

App #2: (PRINT NAME)      App #2: (SIGNATURE)      App #2: Signature Date      Atty. Bar Information (if applicable)

App #3: (PRINT NAME)      App #3: (SIGNATURE)      App #3: Signature Date      Atty. Bar Information (if applicable)

App #4: (PRINT NAME)      App #4: (SIGNATURE)      App #4: Signature Date      Atty. Bar Information (if applicable)



CONSENT AGENDA D - ATTACHMENT #1

# OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Abraham Inc Phone: 541-440-4901

Trade Name (dba): Brix 527

Business Location Address: 519 - 527 SE Jackson st

City: Roseburg ZIP Code: 97470

### DAYS AND HOURS OF OPERATION

**Business Hours:**

Sunday 8am to 3pm  
 Monday 8am to 6pm  
 Tuesday 8am to 8pm  
 Wednesday 8am to 8pm  
 Thursday 8am to 10pm  
 Friday 8am to 10pm  
 Saturday 8am to 10pm

**Outdoor Area Hours:**

Sunday 8am to 3pm  
 Monday 8am to 6pm  
 Tuesday 8am to 8am  
 Wednesday 8am to 8am  
 Thursday 8am to 10pm  
 Friday 8am to 10pm  
 Saturday 8am to 10pm

The outdoor area is used for:

- Food service Hours: 8am to 10pm
- Alcohol service Hours: 8am to 10pm
- Enclosed, how \_\_\_\_\_

The exterior area is adequately viewed and/or supervised by Service Permittees.

BK \_\_\_\_\_ (Investigator's Initials)

Seasonal Variations:  Yes  No If yes, explain: \_\_\_\_\_

### ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: \_\_\_\_\_

### DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday 12pm to 3pm  
 Monday 12pm to 3pm  
 Tuesday 12pm to 8pm  
 Wednesday 12pm to 8pm  
 Thursday 12pm to 10pm  
 Friday 12pm to 10pm  
 Saturday 12pm to 10pm

### SEATING COUNT

Restaurant: 54 Outdoor: 36  
 Lounge: 66 Other (explain): rooftop indoor seating 12  
 Banquet: \_\_\_\_\_ Total Seating: 168

OLCC USE ONLY	
Investigator Verified Seating: _____ (Y) <u>X</u> (N)	Investigator Initials: <u>BK</u>
Date: <u>2/1/22</u>	

I understand if my answers are not true and complete, the OLCC may deny my license application.

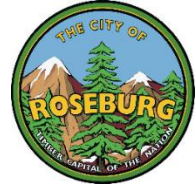
Applicant Signature: Tatyana Abrahime Date: 01/10/2022

**1-800-452-OLCC (6522)**

[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

(rev. 12/07)

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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### AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE ROSEBURG MUNICIPAL CODE TO ALLOW MINI-RETAIL BUSINESSES AS PERMITTED USES IN THE PUBLIC RESERVE (PR) ZONE. FILE NO. LUDR-22-001

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**Meeting Date:** February 14, 2022  
**Department:** Community Development  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

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

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#### ISSUE STATEMENT AND SUMMARY

Staff is proposing to amend certain sections of Title 12 of the Roseburg Municipal Code (RMC) to allow mini-retail businesses (MRB's), or uses that are commonly referred to as food trucks or mobile vendors, as permitted uses in the Public Reserve (PR) zone.

#### BACKGROUND

##### A. Council Action History.

On November 26, 2018, Council adopted Ordinance 3514, amending the Roseburg Municipal Code to deregulate aspects of the land use permitting process relating to food trucks and revise the definition of Mini Retail Businesses to include temporary mobile vendors (Food Trucks).

##### B. Analysis.

The proposed code amendments will change three separate sections of the Roseburg Municipal Code. See Attachment #1, Draft Ordinance 3566 for the full proposed changes. The list below gives a brief synopsis of each change.

##### 1. RMC Section 12.02.090 – Definitions

The “mini-retail business” definition will be amended to indicate that one of these types of businesses (e.g. food truck, coffee stand, vendor cart) may occur on an existing parking lot within the public reserve zone.

##### 2. RMC Section 12.04.020 – Public Reserve and Residential Open Space Districts

The use of a mini-retail business will be added as a use category to Table 2-2 within Section 12.04.020, subject to the standards identified in RMC 12.08.040(M).

##### 3. RMC Section 12.08.040(M) – Mini-Retail Businesses

The definition included in this section that mirrors the definition in RMC Section 12.02.090 will be amended to provide the same definition in each section. Subsection (3) of RMC

Section 12.08.040(M) will be amended to only identify commercial or industrial zones as locations in which the permanent placement of mini-retail businesses can occur.

The purpose of the code amendment is to allow more freedom and flexibility for mini-retail businesses to locate in parks, around government buildings, schools, churches, and other public oriented uses found in the PR zone. In most instances, the use of mini-retail businesses or food trucks within PR zoned properties have already been occurring.

One of the standards identified for the placement of a mini-retail business in RMC Section 12.08.040(M) requires that the operator of the mini-retail business provide documented property owner permission to operate the business at its proposed location. Property owners may have additional requirements beyond the City's standards outlined in the municipal code. The City of Roseburg's Parks Division is currently working on policy involving the operation of food trucks on city park property. This process is separate from the proposed amendments currently being presented.

The proposed amendments went before the Planning Commission on January 3, 2022. The Planning Commission moved to recommend City Council adopt the proposed amendments.

Attachment #2 – Planning Commission Findings of Fact and Order provides justification for the text amendments.

**C. Financial/Resource Considerations.**

No direct financial impacts to the City are anticipated as a result of these amendments.

**D. Timing Considerations.**

Adoption of the proposed amendments will help to align the Roseburg Municipal Code with the current use of mini-retail businesses in the PR zone throughout the City.

**COUNCIL OPTIONS**

1. Adopt the Planning Commission's Findings of Fact and Order for File No. LUDR-22-001, proceed with first reading of Ordinance 3566; or
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

**STAFF RECOMMENDATION**

Staff recommends Council adopt the Planning Commission's Findings of Fact and Order for File No. LUDR-22-001 and proceed with the first reading of Ordinance 3566.

**SUGGESTED MOTION**

*"I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. LUDR-22-001."*

Proceed with first reading of Ordinance No. 3566. No motion is needed, only consensus to proceed by the Council.

**ATTACHMENTS**

Attachment #1 - Draft Ordinance No. 3566

Attachment #2 - Planning Commission Findings of Fact and Order File No. LUDR-22-001

**ORDINANCE NO. 3566**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE ROSEBURG MUNICIPAL CODE TO ALLOW MINI-RETAIL BUSINESSES AS PERMITTED USES IN THE PUBLIC RESERVE (PR) ZONE.**

**WHEREAS**, after reviewing the recommendation of the Planning Commission after conducting a public hearing on January 3, 2022.

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

**SECTION 1.** Section 12.02.090 entitled “Definitions” is hereby amended to read as follows:

"Mini-retail business (MRB)" means a commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) **within an existing the** parking lot **of an existing business location, or a vacant parcel** within the **public reserve**, commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.

**SECTION 2.** Section 12.04.020, entitled “Public reserve and residential open space district” is hereby amended as follows:

**TABLE 2-2: RO AND PR—ALLOWED USES**

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
<b>RESIDENTIAL</b>			
1) Single-Family Dwelling	-	C <sup>[1]</sup>	-
2) Family Day Care Home	P	-	-
3) Residential Home	P	-	-
4) Residential Facility	C	-	-
5) Day Care Facility	C	-	-
6) PUD	P	-	12.12.020
7) Severe Event Shelter	P <sup>[2]</sup>	P <sup>[2]</sup>	12.08.060
<b>PUBLIC/CIVIC</b>			



PUBLIC HEARING A  
ATTACHMENT #1

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
8) Public/Semi-public Uses and Activities	C	P	-
9) Parks and Playgrounds	P	P	-
10) Schools	-	P	-
11) Botanical, Zoological and other types of Gardens	-	P	-
12) Cemeteries	-	P	-
13) Fairgrounds	-	P	-
14) Fire prevention/detection/suppression facilities	-	P	-
15) Fish and wildlife management	-	P	-
16) Golf Course	-	P	-
17) Hospital and nursing homes	-	P	-
18) Children's Group Home and charitable institutions	-	P	-
19) Campgrounds/boating facilities/lodges/camps and other such recreational facilities	-	P	-
20) Public airport/heliport/landing strips	-	C	-
21) Hydroelectric, solar wind, geothermal facilities, transmission lines or pipes, and substations	-	C	-
22) Religious Institutions	C	C	-
<b>COMMERCIAL</b>			
<b>23) Mini-Retail Business</b>	<b>-</b>	<b>P</b>	<b>12.08.040(M)</b>
24) Private airport/heliport/landing strips	-	C	-
25) Solid waste transfer/disposal sites & recycling centers	-	C	-
26) Telecommunications Facilities	C	C	12.08.030
27) Mining operations	-	C	12.08.050

**SECTION 3.** Section 12.08.040(M) entitled “Mini-Retail Businesses” is hereby amended as follows:

M. Mini-Retail Businesses.

1. Definition: A commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) **within an existing the** parking lot ~~of an existing business location, or a vacant parcel~~ within the **public reserve,** commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.
2. The following standards shall apply to all mini-retail businesses:
  - a. Shall not obstruct or be located in the public right-of-way, fire lane, private access way (e.g. driveway, parking aisle, pedestrian walkway, bike lane) or restrict access to any parking facilities (auto, motorcycle, or bicycle) or loading zones.
  - b. Shall allow for unobstructed access from the nearest active driveway by locating further than 20 feet from any local or collector driveway entrance or 40 feet from any arterial driveway entrance, respectively.
  - c. Drive-up windows for temporary businesses that require the stacking and idling of vehicles awaiting service are prohibited.
  - d. Shall provide documented property owner permission to operate the business.
  - e. Any appurtenances associated with the business (e.g. Tables, chairs, trash bins, wash stations) shall be removed from the site when the vendor vacates the site.
3. A site which allows the placement of mini-retail businesses to be placed permanently for more than 7 days or the placement of more than two (2) vendors at a time **in a commercial or industrial zone:**
  - a. Shall meet the applicable standards of the base zone, including conformance with the site review standards of RMC 12.06.010.
4. All food service vendors shall follow local fire, health and sanitation standards including:
  - a. Obtain a Roseburg Fire Department annual vendor permit.
  - b. Provide documentation from RUSA indicating an approved wastewater/graywater disposal method to ensure fats, oils and grease (FOG) do not enter the RUSA sanitary system.

- c. Vendors requiring the provision of restroom facilities shall utilize permanently constructed facilities or have documented permission to access restroom facilities from an adjacent business. The use of temporary restroom facilities is prohibited.
- d. Shall comply with Douglas County Health standards and obtain appropriate licenses prior to operation.

**SECTION 4.** All other Chapters, Sections and Subsections of Title 12 of the Roseburg Municipal Code shall remain in full force and effect as written.

**ADOPTED BY THE ROSEBURG CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**LARRY RICH, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER**

**In the Matter of the Legislative Action  
by the City of Roseburg**

**) Text Amendment  
) File # LUDR-22-001**

**BEFORE THE ROSEBURG PLANNING COMMISSION  
ORDER OF APPROVAL**

**I. NATURE OF AMENDMENTS**

The City of Roseburg proposes changes to the Land Use Regulations of the Roseburg Municipal Code (RMC) in an effort to provide more opportunities for the placement of mini-retail businesses.

**II. PUBLIC HEARING**

A public hearing was held on the proposed amendments before the Roseburg Planning Commission on January 3, 2022. At the hearing, the Planning Commission reviewed Land Use File LUDR-22-001 for legislative text amendments and it was made part of the record.

**III. FINDINGS OF FACT**

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance #2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance #2363, as originally adopted July 1, 1982, and most recently updated in Ordinance #3497 on May 1, 2018, as both may have been amended from time-to-time.
2. Notice of the public hearing was given by publication in the News-Review, a newspaper of general circulation, at least 10 days prior to the hearing. Opportunities were provided for all interested parties to be involved in the planning process through the public hearing.
3. The proposal is to legislatively amend text within the Land Use Development Regulations in the Roseburg Municipal Code.

B. PROPOSAL

The full text of the changes made in this amendment are attached to the implementing Ordinance, a summary of which is below.

<b>Summary of LUDR-22-001 Proposed Amendments</b>		
<b>Amendment</b>	<b>Summary</b>	<b>Effect</b>
Public Reserve (PR)	<p>Allows Mini-retail businesses as a permitted use, subject to requirements identified in RMC 12.08.040(M)</p> <p>Adds “public reserve” to definitions and RMC 12.08.040(M)</p>	Deregulation

C. AGENCY/DEPARTMENT COMMENTS

The Roseburg Public Works Department has indicated, that if approved, they will be drafting amended park rules concerning the placement of food trucks within City parks that they intend to present to the Parks Commission for approval. No other agency/departments comments were received prior to the hearing.

D. PUBLIC COMMENTS

No public comments were received prior to the hearing.

E. ANALYSIS

Text Amendments are required to satisfy approval criteria contained within RMC Section 12.10.020.

F. REVIEW CRITERIA

Pursuant to RMC Section 12.10.020(F)(2) all legislative action proposals shall be analyzed for consistency with the policies of the Comprehensive Plan, Statewide Planning Goals, and other provisions of the Code.

**Comprehensive Plan**

Pertinent policies that apply to the proposal have been evaluated as follows:

**Economic Growth Policy No. 3**

*The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.*

Finding:

As Roseburg currently serves as the regional trade center in the region, adding opportunities for economic activity within the PR zone, notably parks properties serving a regional population, should strengthen its position as a regional distribution, trade, and service center.

**Parks and Recreation Policy No. 3**

*The City shall continue to encourage and facilitate cooperation and coordination with other appropriate agencies regarding the planning, acquisition, development, and use of parks and recreation facilities.*

Finding:

A substantial portion of PR zoned property within the City is operated maintained by the City of Roseburg Public Works department and Parks and Recreation Department. Therefore, the Community Development department has been coordinating with Parks and Public Works concerning the effects of mini-retail businesses in the PR zone.

**Statewide Planning Goals**

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

**Statewide Planning Goal # 1 - Citizen Involvement**

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

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

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized public process and the Commission may include one member who resides outside the city limits.

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

**Statewide Planning Goal # 2 - Land Use Planning**

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

As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.) Implementation of the Comprehensive Plan is accomplished through the adopted Code. The Land Use and Development Regulations Chapter of Roseburg Municipal Code has been acknowledged by the State of Oregon and has been amended from

time-to-time in order to comply with ORS. (Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and most recently updated in Ordinance No. 3497 on May 1, 2018.) Both the Comprehensive Plan and RMC have been amended from time-to-time.

**IV. CONCLUSION**

Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in RMC 12.10.020(F)(2).

**V. ORDER**

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

  
\_\_\_\_\_  
Ron Sperry, Chair

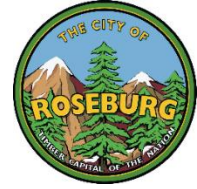
Jan. 3, 2022  
Date

  
\_\_\_\_\_  
Stuart Cowie, Community Development Director

1/3/2022  
Date

Planning Commission Members:  
Ron Sperry, Chair  
Dan Onchuck, Vice Chair  
Victoria Hawks  
Shelby Osborn  
Jamie Yraguen

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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## A RESOLUTION AMENDING REQUIREMENTS WITHIN THE VEHICLE CAMPING PROGRAM

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**Meeting Date:** February 14, 2022  
**Department:** Community Development  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section:** Resolutions  
**Staff Contact:** Stuart Cowie  
**Contact Telephone Number:** 541-492-6750

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### ISSUE STATEMENT AND SUMMARY

Council held a work-study meeting to discuss possible amendments to the Vehicle Camping Program requirements. Staff received direction from Council regarding specific changes to better facilitate and limit challenges with opening an approved vehicle camping location. These changes are being presented to Council in an effort to adopt a new resolution enabling the program to continue with the modified requirements in place.

### BACKGROUND

#### **A. Council Action History.**

On January 13, 2020, Council adopted Resolution 2020-01, prioritizing the need to explore strategies to address issues related to unhoused individuals within the community as one of six goals the City should focus on through 2022. On August 31, 2020, Council directed staff to begin working on code updates related to vehicle camping. On October 12, 2020, Council was asked specific questions about rules involving vehicle camping and was advised of progress being made toward a future vehicle camping pilot program. On November 9, 2020, Council adopted Resolution 2020-20, establishing a vehicle camping pilot program that would operate until November 30, 2021.

On December 13, 2021, Council adopted Resolution 2021-27 re-authorizing the vehicle camping program, with a March 31, 2022 expiration date, with the intention of revisiting the policy requirements prior to that date. Council held a work-study meeting January 31, 2022, to discuss modification of requirements to better facilitate and limit challenges with opening an approved vehicle camping location. Direction was provided to staff about changes Council would like to see in a new resolution that would be presented to them at a later date.

#### **B. Analysis.**

The Roseburg Municipal Code Section 7.02.100 prohibits vehicle camping. In 2020, staff researched what other cities were doing to allow vehicle camping in limited situations to temporarily assist the City's homeless population. Policy surrounding vehicle camping was created and patterned after the City of Salem's program.

Based on Council input provided at the work-study meeting, the following modifications are being proposed for the vehicle camping program.



See Attachment A (City of Roseburg Vehicle Camping Rules) and Attachment B (Vehicle Camping Registration Form), which identify the amendments to the rules.

These changes include the following:

- Eliminating time frames for operation, meaning a vehicle could stay parked at the location without having to move on a daily basis.
- Removing language prohibiting vehicle camping adjacent to a residential zone and allowing vehicle camping locations on church properties that exist within a residential zone.
- Enabling more than three possible locations to exist within the City limits at a given time.
- Requiring access to only one restroom/portable toilet per location, rather than two.
- Enabling up to ten vehicles to be located per site.
- Removing language indicating the vehicles must be licensed and registered.

**C. Financial/Resource Considerations.**

Costs associated with hosting vehicle camping are the responsibility of the property owner. However, the City has offered to provide financial assistance utilizing American Rescue Plan Act (ARPA) funding to those operating facilities designed to assist our community's homeless population. Funding assistance will be evaluated on a case-by-case basis.

**D. Timing Considerations.**

Adoption of Resolution 2022-02 is at the discretion of Council. The Vehicle Camping Program is designed to be used as a tool for private property owners, religious entities, or non-profit organizations to assist the community's homeless population.

**COUNCIL OPTIONS**

1. Adopt Resolution 2022-02, modifying and continuing the Vehicle Camping Program;  
or
2. Modify the proposed resolution; or
3. Continue the matter for further consideration; or
4. Decline to proceed with the proposed action.

**STAFF RECOMMENDATION**

Staff recommends Council adopt Resolution 2022-02, amending and continuing the Vehicle Camping Program.

**SUGGESTED MOTION**

*"I move to adopt Resolution 2022-02, amending the Vehicle Camping Program."*

**ATTACHMENTS:**

- Attachment #1 Resolution 2022-02
- Attachment #2 City of Roseburg Revised Vehicle Camping Rules
- Attachment #3 Revised Vehicle Camping Registration Form

**RESOLUTION NO. 2022-02**

**A RESOLUTION AMENDING REQUIREMENTS WITHIN THE CITY OF  
ROSEBURG'S VEHICLE CAMPING PROGRAM.**

**WHEREAS**, City Council adopted Resolution 2020-01 on January 13, 2020, prioritizing the need to explore strategies to address issues related to unhoused individuals within the community as one of six goals the City should focus on from 2020 to 2022; and

**WHEREAS**, City Council discussed the idea of a vehicle camping pilot program at their October 12, 2020, meeting and directed staff to move forward with a concept pilot program to present to Council.

**WHEREAS**, City Council adopted Resolution 2020-20 on November 9, 2020, establishing a vehicle camping pilot program.

**WHEREAS**, the pilot program was established for a one-year period ending November 30, 2021, and during this time no private property owners/organizations hosted a vehicle camping location.

**WHEREAS**, City Council adopted Resolution 2021-27 to expire March 31, 2022, with the intention of revisiting the requirements prior to the expiration date.

**WHEREAS**, City Council held a work-study meeting January 31, 2022, in which they directed staff to modify or remove specific requirements to better facilitate and limit challenges with opening an approved vehicle camping location.

**WHEREAS**, the need for vehicle camping locations still remains within the community.

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

**Section 1.** The City of Roseburg Vehicle Camping Rules, attached hereto as Exhibit "A," authorizing a vehicle camping pilot program are hereby adopted; and

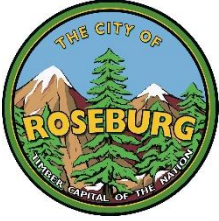
**Section 2.** Property owners interested in hosting vehicle camping must submit an application to be reviewed and authorized by the City of Roseburg, indicating they will follow the vehicle camping rules; and

**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 14TH DAY OF FEBRUARY, 2022.**

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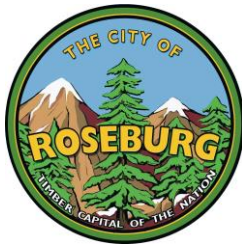
**Amy L. Sowa, Assistant City Manager/Recorder**



## CITY OF ROSEBURG VEHICLE CAMPING RULES:

RESOLUTIONS A  
ATTACHMENT #2  
COMMUNITY DEVELOPMENT  
DEPARTMENT  
900 SE DOUGLAS AVENUE,  
ROSEBURG, OR 97470  
(541) 492-6750

- a) Vehicle-camping is limited to properties operated by a non-profit, public, or commercial entity, and not located within ~~or adjacent to~~ a residential zone, ~~or property currently used for residential use~~; except for church owned properties already existing within a residential zone;
- ~~b) Daily hours of operation are limited to 9:00pm to 7:00am. Vehicles used for camping outside these time frames are required to vacate the property;~~
- ~~cb) The property owner must register the location with the Roseburg Community Development Department;~~
- ~~d) No more than three locations may be registered with the City at any time;~~
- ec) The property owner shall require a staff member or volunteer to be present **overnight** on-site while vehicle camping is occurring on the property to ensure rules for vehicle camping are being followed;
- fd) The property owner shall provide on-premises access to a minimum of ~~two~~ **one** restroom/~~portable~~ **toilet** per location;
- ge) The property owner shall provide ~~the equivalent of one 32-gallon~~ garbage receptacle(s) for ~~each vehicles~~ on the premises, ~~in addition to any unless~~ garbage receptacle(s) ~~otherwise required already exist~~ for the property;
- hf) Camping is limited to vehicles, and not tents or other improvised camps;
- ig) Vehicles possessing holding tanks (e.g. recreational vehicles) must be emptied and free of leaks prior to admittance to a site;
- jh) No more than ~~six~~ **ten** vehicles are allowed per location;
- ~~k) All vehicles used for camping must be licensed and registered;~~
- li) All personal property must be stored within each vehicle and properties must be maintained as to not create a "Nuisance" as per Roseburg Municipal Code (RMC) Chapter 7.04;
- mj) All activities shall comply with RMC Section 7.02.140 – Noise disturbances;
- nk) No open flames will be allowed at the location, including within vehicles;
- el) All vehicle camping sites must be located within an established parking lot;
- pm) The owner-operator of a location may not charge a fee for the use of the property for camping;
- qn) The owner-operator has the right to refuse entry or discontinue use for any individual-, ~~and~~;
- ro) No person may camp at a registered location for more than 29 consecutive days., ~~and~~;
- ~~s) The pilot program will terminate on December 31, 2022.~~



COMMUNITY DEVELOPMENT DEPARTMENT  
900 SE DOUGLAS AVENUE, ROSEBURG, OR 97470  
(541) 492-6750

## VEHICLE CAMPING REGISTRATION FORM

1. Person registering the Vehicle Campsite: \_\_\_\_\_

2. Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

Location of the Vehicle Campsite: \_\_\_\_\_

\_\_\_\_\_

3. Property Zone: \_\_\_\_\_ (Please include Plot Plan with this Registration Form).

4. This location is inside Roseburg City Limits? (y/n) \_\_\_\_\_

~~5. This location is not located in or next to a residential zone, or property currently used as a residence? (y/n) \_\_\_\_\_~~

~~65.~~ Is the person registering the campsite the owner of the property? (y/n) \_\_\_\_\_

If not, you need to provide a copy of the written permission from the owner.

~~76.~~ Is this location the parking lot for a non-profit, public, or commercial entity?

(y/n) \_\_\_\_\_

~~87.~~ Have you read and do you understand the attached rules and vehicle camping notice? (y/n) \_\_\_\_\_

Emergency contact if the City Responders have to contact you:

\_\_\_\_\_

I certify that I have answered the above questions correctly and honestly.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

RESOLUTIONS A  
ATTACHMENT #3

City Stamp: \_\_\_\_\_  
*(Form is void without stamp)*

Submit this completed form to the City of Roseburg, Community Development Department, 900 SE Douglas Ave.,  
Roseburg, OR 97470

**ORDINANCE NO. 3565**

**AN ORDINANCE AMENDING SECTION 7.02.140 OF THE ROSEBURG MUNICIPAL CODE**

**WHEREAS**, Section 7.02.140 of the Roseburg Municipal Code, "Noise Disturbances," is overly broad and needs updating; and

**WHEREAS**, the proposed amendments will bring Roseburg Municipal Code more in line with other Oregon Cities, provide clarity for officers enforcing noise disturbances, and aid in the prosecution of noise disturbances.

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

**SECTION 1.** Section 7.02.140, is hereby amended as follows:

7.02.140

A. As used in this Section:

1. "Plainly Audible" means the listener can clearly hear the sound produced by a sound source with unaided hearing faculties. Sounds which may be plainly audible include, but are not limited to, musical rhythms, musical bass, engine noises, spoken words or phrases even though not clearly discernable, and other vocal sounds.

B. No person shall make, continue, cause or permit to be made or continued, any noise disturbance as described herein. It is unlawful to make any excessive, unreasonable or unusually loud sound which disturbs the peace and quiet of any neighborhood or which injures or endangers the comfort, repose, health, peace or safety of any person. The following are declared to be noise disturbances in violation of this Section, but this enumeration is not exclusive:

1. Sound Producing or Reproducing Equipment.
  - a. Use of sound producing or reproducing equipment anywhere within the City between the hours of ten p.m. and seven a.m. that is plainly audible within a dwelling unit that is not the source of the sound.
  - b. Use of sound producing or reproducing equipment anywhere within the City between the hours of seven a.m. and ten p.m. that is plainly audible simultaneously within two separate dwelling units that are not the source of the sound.
  - c. Use of sound producing or reproducing equipment, at any time, on public property or on a public right-of-way so as to be plainly audible ~~fifty~~ 100 feet or more from the source of the sound.
  - d. Use of sound producing or reproducing equipment, at any time on private property that is plainly audible 100 feet from the property's boundary line(s).
  - e. Sound producing or reproducing equipment includes but is not limited to: any radio, television set, musical instrument,

phonograph, stereo, loudspeaker, amplifier, public address system, horn, bell or chime.

- f. Disturbances under this section must be the result of the volume, duration, location, timing or other factors, provided the basis in whole or in part is not the content of the communication.
2. Yelling, Shouting and Similar Activities, and Generation of Noise.
    - a. Yelling, shouting, hooting, whistling, singing, or similar activities, or generation of noise in residential or public places, between the hours of ten p.m. and seven a.m. that is plainly audible within a dwelling unit that is not the source of the sound.
    - b. Yelling, shouting, hooting, whistling, singing, or similar activities, or generation of noise anywhere within the City between the hours of seven a.m. and ten p.m. that is plainly audible simultaneously within two separate dwelling units that are not the source of the sound.
    - c. Yelling, shouting, hooting, whistling, singing, or similar activities, or generation of noise, at any time, on public property or on a public right-of-way so as to be plainly audible 100 feet or more from the source of the sound.
    - d. Yelling, shouting, hooting, whistling, singing, or similar activities, or generation of noise, at any time on private property that is plainly audible 100 feet from the property's boundary line(s).
    - e. Disturbances under this section must be the result of the volume, duration, location, timing or other factors, provided that the basis in whole or in part is not the content of the communication.
  3. Motor Vehicles.
    - a. Parking a motor vehicle with the motor or auxiliary equipment in operation on a public right-of-way or on private property between the hours of ten p.m. and seven a.m., if the noise so produced is plainly audible within a dwelling unit.
    - b. Operating upon any highway any motor vehicle so as to cause any greater noise or sound than is reasonably necessary for the proper operation of the vehicle. In lieu of other sufficient evidence of a violation, evidence of an unreasonable noise or sound shall be sufficient if the noise or sound produced is audible simultaneously within two separate dwelling units in the vicinity.
    - c. This Subsection 2 shall not apply to the normal operation of vehicles designed and used for commercial transportation of passengers, or to other commercial vehicles being loaded or unloaded.
  4. Commercial Construction Activities. Alteration, demolition, erection or repair of any structure or building, or development of, or improvements to, any real property in a manner so as to produce noise plainly audible within a dwelling unit in the proximity of such work as outlined herein. The intent of this Subsection 3 is to protect residential neighborhoods

from excessive noise generated by commercial construction activities. It is not, however, intended to prohibit individual homeowners or occupants from performing home improvements, maintenance projects or similar activities on privately owned property within a residential neighborhood, except as limited elsewhere in this Code.

- a. Residential zones and commercial zones adjacent thereto: Before seven a.m. and after seven p.m., Monday through Friday, before eight a.m. and after six p.m. on Saturday; or at any time on Sunday or any state or federal holiday;
- b. Commercial zones not adjacent to a residential zone: Before seven a.m. and after nine p.m.

5. Home Equipment and Powered Tools. Use of powered tools and equipment for home maintenance or repair, or as part of a home occupation, or for lawn and garden maintenance, in a residential zone between the hours of ten p.m. and seven a.m., if the noise produced is plainly audible within a dwelling unit that is not the source of the noise. Powered tools and equipment for home use or lawn and garden maintenance include but are not limited to power saws, sanders, grinders, trimmers, vacuums, mowers, blowers, air compressors and similar devices.

C. Exemptions. The following activities are exempt from the regulations set forth in this Section:

1. The use of emergency equipment required to protect life or property;
2. Any construction project or public improvement authorized by a government entity;
3. Reasonable use of public or private property or right-of-way to broadcast music or speech authorized by a loud speaker permit issued by the Police Chief upon payment of a loud speaker permit fee as set by Council resolution; and
4. Construction activity authorized by permit issued by the Community Development Director or their designee when special circumstances beyond a contractor's control requires continuous work or work beyond the times authorized in Subsection B and the Community Development Director or their designee has approved the work due to such special circumstances.
5. Reasonable sound produced as a result of sporting and other organized or permitted events;
  - a. Complaints will be evaluated by the Police Chief or their designee for reasonableness.

D. Enforcement. The Police Chief or their designee shall have the authority to administer and enforce the regulations set forth in Subsections B(1), B(2), B(3), B(4) and B(45). The Community Development Director or their designee and/or the Police Chief or their designee shall have the authority to administer and enforce the regulations set forth in Subsection B and may issue a stop work



order demanding that any commercial construction activity found in violation of such regulations shall be stopped immediately upon receipt of such stop work order or citation.

**ADOPTED BY THE ROSEBURG CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

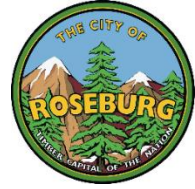
**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**LARRY RICH, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**AMY L. SOWA, ASSISTANT CITY MANAGER/ RECORDER**

## ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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### ORDINANCE NO. 3567 AMENDING RMC SECTION 7.04.005 "DEFINITIONS" and 7.04.170 "INOPERATIVE, WRECKED, DISMANTLED OR ABANDONED VEHICLES"

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Meeting Date: February 14, 2022  
Department: Police Department  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

Agenda Section: Ordinances  
Staff Contact: Chief Gary Klopfenstein  
Contact Telephone Number: 541-492-6760

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#### ISSUE STATEMENT AND SUMMARY

Staff proposes to amend Roseburg Municipal Code Section 7.04.005, titled "Definitions," and Section 7.04.170, titled "Inoperative, wrecked, dismantled or abandoned vehicles." These sections need amending to reflect both current practice/procedures and needed updates.

#### BACKGROUND

##### A. Council Action History.

Council last made amendments to Section 7.04.005 in 1999 and Section 7.04.170 in 1996.

##### B. Analysis.

Staff has identified areas in Section 7.04.005 and Section 7.04.170 of the Municipal Code that need to be updated. Additionally, procedures for handling abandoned vehicles need to be added to Section 7.04.170. Staff reviewed the Abandoned Vehicle ordinances of multiple cities and used applicable language from their ordinances to draft the updates to the attached ordinance. Below are the main proposed amendments to Section 7.04.005 and Section 7.04.170:

- Defined *Abandoned Vehicles*
- Added *Unlawful* (vehicles) language
- Differentiated between Abandoned Vehicles being on private and public property
- Changed the allowed time for Abandoned Vehicles on public property from 72 hours to 48 hours
- Added language allowing for property retrieval for 30 days
- Added a Vehicle Compliance section to ensure abandoned vehicles fully leave an area
- Added the procedures that the Police Department currently utilize during the pre- and post-tow process.

**C. Financial/Resource Considerations.**

There is no financial impact.

**D. Timing Considerations.**

There is no timing impact.

**COUNCIL OPTIONS**

Council has the following options:

- Move forward with first reading of the proposed ordinance; or
- Direct Staff to make changes; or
- Do nothing.

**STAFF RECOMMENDATION**

Staff recommends Council proceed with first reading of Ordinance No. 3567.

**SUGGESTED MOTION**

No motion is required at this time. First Reading.

**ATTACHMENTS:**

Attachment #1 - Ordinance No. 3567

**ORDINANCE NO. 3567**

**AN ORDINANCE AMENDING SECTIONS 7.04.005 AND 7.04.170 OF THE  
ROSEBURG MUNICIPAL CODE**

**WHEREAS**, Sections 7.04.005, "Definitions," and 7.04.170, "Inoperative, wrecked, dismantled or abandoned vehicles," of the Roseburg Municipal Code need amending to reflect both current practice and needed updates; and

**WHEREAS**, the proposed amendments will bring Roseburg Municipal Code more in line with other Oregon cities, and provide clarity to the inoperative, wrecked, dismantled, unlawful or abandoned vehicles ordinance.

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

**SECTION 1.** Section 7.04.005, "Definitions," is hereby amended as follows:

- A. "Abandoned vehicle" means a vehicle that has been deserted, relinquished or has one or more of the following existing conditions:
1. The vehicle license plate or registration sticker has expired or has been canceled or altered, or the vehicle has a license plate from another vehicle;
  2. The vehicle has no license plates or registration sticker;
  3. The vehicle appears to be inoperative or disabled;
  4. The vehicle appears to be wrecked, partially dismantled or junked; including but not limited to vehicles that lack an engine, transmission, wheel, tire, door, body panel, windshield, window, or any other part or equipment necessary to operate safely on the highway of this state;
  5. The records of the Oregon Department of Transportation identify the vehicle as sold and the current owner of the vehicle has not registered the vehicle as required by state law.

\* \* \* \* \*

P. "Vehicle" means a device in or by which a person or property is or may be transported or drawn upon a public highway, excluding a device moved by human power or used exclusively upon stationary rails or tracks, and including, but not limited to, a vehicle body, engine, transmission, frame or other major part.

**SECTION 2.** Section 7.04.170, "Inoperative, wrecked, dismantled, ~~unlawful~~ or abandoned vehicles," is hereby amended as follows:

- A. Storage. No person shall cause or allow an ~~inoperative, wrecked, dismantled,~~ neglected or discarded vehicle to remain upon ~~public or~~ private property within the City for more than five days unless the vehicle is completely enclosed within a legally permitted building, or unless it is stored by a licensed business enterprise dealing in junked vehicles lawfully conducted within the City.

- B. Abandoned Vehicles. No person shall cause or allow a vehicle to be abandoned upon public ~~or private~~ property within the City for more than 48 hours. This section shall not apply to a vehicle that has been abandoned as defined by state law nor to a vehicle that constitutes a hazard as defined by state law. A vehicle that is abandoned or that constitutes a hazard shall be dealt with pursuant to the provisions of state law.

A vehicle so parked or left standing may be taken into custody by the Police Chief or their designee and shall be held at the expense of the owner of the vehicle. The Police Chief or their designee may use department personnel, equipment, and facilities for removal and storage of the vehicle or may hire other personnel, equipment, and facilities for that purpose.

A vehicle that is believed or known to be actively used as a form of temporary occupancy that is towed under this section will be held at the tow yard or a secured facility for a period of at least 30 days. During that time, upon furnishing proof of ownership, or authorization from the Police Chief or their designee, valuables and personal property contained within the vehicle will be released. Retrieval of the vehicle will require owner compliance with rules established by the tow company and state law.

1. Vehicle compliance

- a. Public roadway. Vehicle(s) tagged under this section that are parked along a public roadway will need to move more than one city block to become compliant.
- b. Public right-of-ways, parking lots, and park systems. Vehicle(s) tagged under this section that are parked on a public right-of-way, in a public parking lot or within a park system will need to fully leave the premises in order to become compliant.

2. Towing and storage liens

- a. A person who, at the request of the Chief of Police, takes a vehicle into custody under the provisions of this chapter shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle until the charges are paid, and may sell the vehicle to satisfy the lien. The lien that attaches to the vehicle and its contents shall be a possessory chattel lien in accordance with ORS 87.152 and may be foreclosed in the manner provided in ORS 87.152 to 87.212. If the appraised value of the vehicle is \$500 or less, the vehicle may be disposed of in the manner provided in ORS 819.215.
- b. If the vehicle is taken into custody under the provisions of this chapter and held by the City rather than by a private entity, the vehicle and its contents shall be disposed of in the manner provided in ORS 819.210 to 819.110.

3. Pre-tow investigation and notice.

- The Police Chief or their designee investigating a violation of RMC 7.04.170 shall:
- a. Conduct a routine investigation to identify the owner and request removal of the vehicle;
  - b. Failing to discover the owner by such process, make a diligent inquiry as to the name and address of the owner by examining the vehicle for a license plate, vehicle identification number (VIN), make, model, style, or any other information that will aid in the identification of the owner. When such vehicle is required by law to be registered with the Oregon Department of Transportation, the Chief of Police or their designee shall inquire by license and/or VIN number with the appropriate division for the name and address of the owner;
  - c. Whether or not the owner is identified, affix a pre-tow notice upon the vehicle where it can be easily seen;
  - d. A vehicle found in violation of RMC 7.04.170 may be taken into custody with authorization of the Chief of Police or their designee.
4. Contents of pre-towing notice.
- Notices placed under RMC 7.04.170 shall contain the following information:
- a. The name of the officer or other City employee issuing the notice;
  - b. That if the vehicle is not removed within the date/time specified, the vehicle will be towed and taken into custody for violation of this chapter;
  - c. The vehicle will be subject to towing and storage charges and that a lien will attach to the vehicle and its contents;
  - d. The vehicle and its contents may be sold to satisfy the towing and storage charges if they are not paid;
  - e. The owner is entitled to a hearing, before the vehicle is towed, to contest the proposed custody and removal, if a hearing is timely requested;
  - f. The owner may challenge the reasonableness of any towing and storage charges at the hearing;
  - g. Contact the Roseburg Police Chief in writing not more than five days (excluding Saturday, Sunday, and holidays) from the date of the notice. The request must state grounds as to why the custody and removal is not justified;
  - h. If the vehicle is towed, its location may be obtained by contacting the Roseburg Police Department.
5. Post-towing notice.
- a. After an abandoned or hazardous vehicle has been towed pursuant to this chapter, notice shall be mailed within 48 hours of removal (excluding Saturday, Sunday, and holidays) to the owner. The notice shall contain the following information:
    - i. That the Roseburg Police Department has removed the vehicle. The applicable statute or ordinance by which the vehicle was towed is cited;
    - ii. The location of the vehicle;

- iii. That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of notice and daily storage charges;
  - iv. That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by the date specified;
  - v. That the owner is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and to contest the reasonableness of the towing charges if a hearing is timely requested;
  - vi. If a hearing is desired, the owner must request a hearing within five days (excluding Saturday, Sunday, and holidays) from the mailing date of the notice. The request must be made in writing to the Police Chief. The request must state the grounds as to why the custody and removal is not justified;
  - vii. That the vehicle and its contents may be reclaimed by presenting proof of ownership, payment of towing and storage charges, or the deposit of cash security, or a bond equal to the charges, with the appropriate authority.
- b. If the vehicle is registered in Oregon Department of Transportation records, notice may be addressed to the owner at the latest respective address shown by those records. If the vehicle is not registered, reasonable efforts shall be made to ascertain the name and address of the owner so that notice may be mailed, if reasonably possible, within the time period outlined in this section.
  - c. Notice is considered given when a certified letter addressed to the owner of the vehicle, return receipt requested, and postage prepaid is mailed within 48 hours (excluding Saturday, Sunday, and holidays) after the vehicle is taken into custody.
6. Tow Hearing.
- a. Upon request of the owner, a hearing shall be held before the Municipal Judge. If the vehicle has not been taken into custody before the hearing request, it will not be removed unless it is a hazard;
  - b. A hearing shall be set within 72 hours (excluding Saturday, Sunday, and holidays) of receipt of the request and the owner shall be notified;
  - c. Towing and storage charges set by law, ordinance, or rule or that comply with law, ordinance, or rule are reasonable for purposes of this hearing;
  - d. Hearings may be informal in nature, but the presentation of evidence shall be consistent with the presentation of evidence required for contested cases under ORS 183.450.
7. Decision of hearing.
- If the Municipal Judge finds that:
- a. The action of the Police Chief or their designee is valid:
    - i. The vehicle will be held in custody until the costs of the hearing, towing, and storage are paid by the owner;
    - ii. If the vehicle has not yet been towed, its removal shall be ordered.

- b. The action of the Police Chief or their designee is invalid:
    - i. Order the immediate release of the vehicle to the owner;
    - ii. Find that the owner is not liable for towing or storage charges incurred prior to the hearing;
    - iii. Order the City to satisfy towing and storage charges incurred prior to the hearing.
  - c. The Municipal Judge shall provide a written statement of the results of the hearing to the person requesting the hearing;
  - d. The action of the Municipal Judge is final.
8. Failure to appear.  
If the person requesting the hearing does not appear at the scheduled hearing, the Judge shall enter an order supporting the removal and assessment of towing and storage costs.
9. Exemption from notice and hearing requirements.  
A vehicle that is being held as part of any criminal investigation is not subject to any part of this chapter.

**SECTION 3.** All other Sections, Subsections and Paragraphs of Chapter 7.04 of the Roseburg Municipal Code shall remain in full force and effect as currently written.

**ADOPTED BY THE ROSEBURG CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

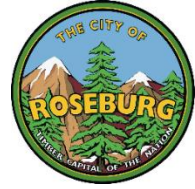
\_\_\_\_\_  
**LARRY RICH, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**AMY L. SOWA, ASSISTANT CITY MANAGER/RECORDER**



# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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## ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO WEAVE COMMUNICATIONS, INC.

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Meeting Date: February 14, 2022  
Department: Administration  
[www.cityofroseburg.org](http://www.cityofroseburg.org)

Agenda Section: ORDINANCES  
Staff Contact: Amy L. Sowa  
Contact Telephone Number: 541-492-6866

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### ISSUE STATEMENT AND SUMMARY

The City has received an application for a telecommunications franchise from Weave Communications, Inc. located in Lehi, Utah.

### BACKGROUND

#### A. Council Action History.

Council has not acted on this particular application.

#### B. Analysis.

The subject application and application processing fee were received on January 31, 2022. Service to Roseburg customers began on October 1, 2021. Therefore, the provider has requested that the franchise agreement be granted effective retroactively to October 1, 2021.

#### C. Financial/Resource Considerations.

Under our definitions of telecommunications “provider” and telecommunication “service,” Weave Communications, Inc. is required to pay a franchise fee of 5% of the gross revenues derived from customers within the City. Weave Communications, Inc. has been making payments since October 2021.

#### D. Timing Considerations.

As noted above, Weave Communications, Inc. began serving Roseburg in October of 2021; therefore, the franchise needs to be made effective retroactively to that date. Such effective date will make the initial term of the franchise 2 years and 3 months, with an expiration date of December 31, 2023. The ordinance will also allow renewal options of three years each, for a total of five terms.

### COUNCIL OPTIONS

Council has the following options:

- Proceed with first reading of the ordinance, followed by second reading and adoption; or

- Request additional information; or
- Do nothing

**STAFF RECOMMENDATION**

Staff recommends that Council proceed with first reading of the ordinance, followed by suspension of the rules, second reading and adoption at the February 14, 2022, meeting in order to avoid further delay in granting the franchise.

**SUGGESTED MOTION**

If Council concurs with Staff's recommendation, Council will need to request first reading of the ordinance granting a telecommunications franchise to Weave Communications, Inc. effective October 1, 2021, after which the following motions would be appropriate:

***"I MOVE TO SUSPEND THE RULES AND PROCEED WITH SECOND READING OF ORDINANCE NO. 3568, GRANTING A TELECOMMUNICATIONS FRANCHISE TO WEAVE COMMUNICATIONS, INC., EFFECTIVE RETROACTIVELY TO OCTOBER 1, 2021."***

***"I MOVE TO ADOPT ORDINANCE NO. 3568."***

**ATTACHMENTS:**

Attachment #1 – Proposed Ordinance

Cc: Weave Communications, Inc., 1331 W. Powell Way, Lehi, UT 84043  
Subject Franchise File

ORDINANCE NO. 3568

**AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE  
TO WEAVE COMMUNICATIONS, INC.  
EFFECTIVE RETROACTIVELY ON OCTOBER 1, 2021**

**SECTION 1. Grant of Franchise.** The City of Roseburg, hereinafter called “City,” hereby grants Weave Communications, 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 three years, retroactively beginning October 1, 2021, and ending December 31, 2023, 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 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: Amy L. Sowa, City Recorder  
900 SE Douglas  
Roseburg, OR 97470  
E-mail: [asowa@cityofroseburg.org](mailto:asowa@cityofroseburg.org)  
Phone: (541) 492-6866

**If to Franchisee:**

Weave Communications, Inc.  
Attn: Selma N. Hemingway, Tax Dir.  
1331 W. Powell Way  
Lehi, UT 84043  
E-mail: [tax@getweave.com](mailto:tax@getweave.com)  
Phone: (385) 270-8665

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:** Selma N. Hemingway, Tax Director

**Mailing Address:** 1331 W. Powell Way, Lehi, UT 84043

**Telephone:** (385) 270-8665

**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 telecommunications franchise and paid the application processing fee on January 31, 2022, and is currently serving Roseburg customers. The Roseburg City Council approved such request at its meeting on February 14, 2022; and hereby authorizes this Franchise to take effect retroactively on October 1, 2021, and expire on December 31, 2023, 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 14<sup>TH</sup> DAY OF FEBRUARY, 2022.**

**APPROVED BY THE MAYOR ON THIS 14<sup>TH</sup> DAY OF FEBRUARY, 2022.**

**MAYOR**

\_\_\_\_\_  
**Larry Rich**

**ATTEST:**

\_\_\_\_\_  
**Amy L. Sowa, Assistant City Manager/Recorder**

**(Franchisee's Acceptance on Following Page)**

**FRANCHISEE’S ACCEPTANCE OF ORDINANCE NO. 3568.** This Ordinance is hereby accepted by \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_, 2022.

**By:** \_\_\_\_\_  
(Signature)

**Name:** \_\_\_\_\_  
(Printed)

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) **ss.**

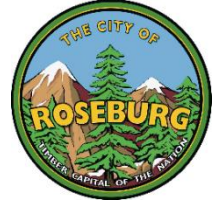
This acceptance was signed before me on \_\_\_\_\_, 2022 by, \_\_\_\_\_ as \_\_\_\_\_ of Weave Communications, Inc.

Notary Public for \_\_\_\_\_  
Name: \_\_\_\_\_  
My commission expires on: \_\_\_\_\_

.....  
Acceptance received by City Recorder on \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Amy L. Sowa, Assistant City Manager/Recorder**

# ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



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## CITY MANAGER ACTIVITY REPORT

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**Meeting Date: February 14, 2022**

**Department: Administration**

**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section: Informational**

**Staff Contact: Nikki Messenger, City Manager**

**Contact Telephone Number: 541-492-6866**

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### 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 February 14, 2022, meeting, the following items are included:

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



Agenda  
Department Head Meeting  
Electronically via Zoom  
January 25, 2022 - 10:00 a.m.

1. January 24, 2022 City Council Meeting Synopsis
2. January 31, 2022 City Council Work Study Agenda
3. February 14, 2022 City Council Work Study & Regular Meeting Agenda
4. Review Tentative Future Council Meeting Agendas
5. Documents, Events, or Grants to review and/or sign
  - A. Grant Acceptance Online Form - KW
6. Department Items
  - A. COVID Updates (NM/JV)
  - B. KMTR Updates (SH)





Agenda  
Department Head Meeting  
Electronically via Zoom  
February 7, 2022 - 10:00 a.m.

1. IT Department Updates - BW
2. February 14, 2022 City Council Work Study & Regular Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
5. Department Items
  - A. COVID Updates (NM/JV)
  - B. KMTR Updates (SH)
6. Employee Service Pins
  - A. Drew Fairbairn, Fire Department – 20 Years
  - B. Chris Brown, Fire Department – 20 Years
  - C. Matt Bird, Police Department – 15 Years
  - D. Mike Anderberg, Fire Department – 10 Years

## TENTATIVE FUTURE COUNCIL AGENDA



### Unscheduled

- Golf Course Property Tax Appeal
- IAFF Contract
- Umpqua Basin Urban Services Agreement
- Urban Growth Boundary Swap

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### February 23, 2022

Work Study – 6:00 p.m.

- A. American Rescue Plan (ARPA) Funding Discussion

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### February 28, 2022

Mayor Reports

- A. American Red Cross Month Proclamation

Commission Reports

- A. Public Works Commission Appointment

Consent Agenda

- A. Minutes of February 14, 2022
- B. Minutes of February 23, 2022 Work Study

Public Hearing

- A. Ordinance No. 3569 - ZC-21-003 – 1802 W Harvard Avenue Zone Change from C2 to C3, First Reading

Ordinances

- A. Ordinance No. 3566 – Amending Certain Sections of Title 12 of the Roseburg Municipal Code to Allow Mini-Retail Businesses as Permitted Uses in the Public Reserve (PR) Zone, File No. LUDR-22-001, Second Reading
- B. Ordinance No. 3567 – Abandoned Vehicle Policy Update, Second Reading

Department Items

- A. 24-inch Transmission Main Isabell to Newton Creek Design Task Order, Project 22WA11
- B. Surface Transportation Block Grant (STBG) Funds Exchange Authorization

Informational

- A. City Manager Activity Report

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### March 14, 2022

Consent Agenda

- A. Minutes of February 28, 2022

Resolutions

- A. Resolution No. 2022- -- Parks and Recreation Rules Update
- B. Resolution No. 2022 - -- Authorizing the Dedication of City Owned Real Property for use as Public Right-of-Way

Ordinances

- A. Ordinance No. 3569 - ZC-21-003 – 1802 W Harvard Avenue Zone Change from C2 to C3, Second Reading

Informational

- A. City Manager Activity Report

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### March 28, 2022

Mayor Reports

- A. Child Abuse Prevention Month Proclamation

- B. National Library Week Proclamation

Consent Agenda

- A. Minutes of March 14, 2022

Department Items

- A. Broccoli Street Storm Drain Improvements Bid Award, Project 21PW16
- B. ADA Ramp Improvements Bid Award Recommendation, Project 22PW05
- C. 18-inch Water Main, Diamond Lake Boulevard – Kester to Sunshine Design
- D. Calkins/Troost/Harvard Storm Projects Design, Project 21PW08

Informational

- A. City Manager Activity Report
- 

**April 11, 2022**

Mayor Reports

- A. Recognition of City Volunteers and Volunteer Recognition Month Proclamation
- B. Arbor Day Proclamation

Consent Agenda

- A. Minutes of March 28, 2022
- B. 2022 OLCC Annual License Renewal Endorsement

Informational

- A. City Manager Activity Report
- 

**April 25, 2022**

Mayor Reports

- A. Historic Preservation Month Proclamation
- B. Bike to School Day Proclamation
- C. Blue Zones Day Proclamation

Consent Agenda

- A. Minutes of April 11, 2022
- B. 2022 OLCC License Renewal Endorsement

Special Presentation

- A. Umpqua Economic Development Partnership Annual Report

Department Items

- A. Stephens Street ADA Ramp Upgrade Bid Award Recommendation, Project 22PW01

Informational

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

**May 9, 2022**

Mayor Reports

- A. EMS Week Proclamation
- B. National Public Works Week Proclamation

Consent Agenda

- A. Minutes of April 25, 2021

Informational

- A. City Manager Activity Report
- 

**May 23, 2022**

Consent Agenda

- A. Minutes of May 9, 2021

Resolutions

- A. Annual Fee Adjustments  
Resolution No. 2022- -- - General Fees  
Resolution No. 2022- -- - Water Related Fees

Informational

- A. City Manager Activity Report
- 

**June 13, 2022**

Consent Agenda

- A. Minutes of May 23, 2022

Public Hearing

- A. Resolution No. 2022 - - - 2022-2023 Budget Adoption

Informational

- A. City Manager Activity Report

**Urban Renewal Agency Board Meeting**

Consent Agenda

- A. Minutes of June 14, 2021

Public Hearing

- A. Resolution No. UR-2022-01 – 2022-2023 Budget Adoption
- 

**June 27, 2022**

Consent Agenda

- A. Minutes of June 13, 2022

Informational

- A. City Manager Activity Report
- 

**July 11, 2022**

Mayor Reports

- A. Parks and Recreation Month Proclamation

Special Presentation

- A. Roseburg Public Library UCAN AmeriCorps Member Presentation by Lydia Rathe

Consent Agenda

- A. Minutes of June 27, 2022

Executive Session ORS 192.660(2)(i) – City Manager Evaluation

Informational

- A. City Manager Activity Report
- 

**July 25, 2022**

Consent Agenda

- A. Minutes of July 11, 2022

Informational A

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

**August 8, 2022**

Consent Agenda

- A. Minutes of July 25, 2022

Informational

- A. City Manager Activity Report
-

**Friday Message**  
**January 21, 2022**

- The Library Commission met on Tuesday and received updates regarding library operations and statistics.
- The latest COVID numbers are not encouraging. The daily report from the County's website today reports 244 new positive or presumptive cases. Given the increasing case numbers, staff has decided to close the library during this surge. The library building will be open tomorrow and closed beginning January 25. During the closure, instead of having one pick up day as has been occurring, library staff will be available three days a week for customers to pick up materials. Materials can be reserved ahead of time, and then the library customer can call when they arrive, and a staff member will deliver the materials to their vehicle. More information is available in the press release that went out earlier today. This was not an easy decision for staff and we hope to safely reopen the building again soon.
- This week, I spent three mornings participating in ODOT's virtual Transportation Safety Operations Planning Sessions. These sessions inform ODOT's updates to the Highway Safety Improvement Program that is submitted to the Federal Highway Administration. While the data for 2020 is incomplete and 2021 has not been released, it is clear that transportation related deaths are trending up, despite heightened efforts by state and local transportation agencies to reduce fatal and injury A crashes. Other virtual meetings this week included the Thrive Umpqua (formerly Blue Zones Umpqua) steering committee meeting and the Douglas County Childcare Coalition monthly meeting. The coalition is moving forward with some strategic actions to increase the number of available childcare providers within the County.
- Thank you for working with Koree and Amy on scheduling work-study sessions. The following have been scheduled:
  - January 31 – vehicle camping program & discussion regarding RVs
  - February 14 – before regular meeting – possible charter updates
  - February 23 - ARPA funding discussion
- Meetings next week (via Zoom):
  - Homeless Commission – Monday, 1/24 @ 11:00 a.m.
  - City Council Planning Comm. Interviews – Monday, 1/24 @ 6:15 p.m.
  - City Council Regular Mtg. – Monday, 1/24 @ 7:00 p.m.
- Press releases this week: <https://www.cityofroseburg.org/news>
  - Library temporarily closing building, expanding curbside service
  - Discover Roseburg geocaching kick-off Feb. 5
  - New year, new books
  - Cleaned-up, patrolled parking garage should help downtown
  - KMTR videos: <https://www.cityofroseburg.org/news-videos>

**Friday Message**  
**January 28, 2022**

- This afternoon I chatted with Kyle Bailey on Inside Douglas County. Most of the time was spent discussing the navigation center, with some time on COVID and other issues. Link is here: <https://kqennewsradio.com/2022/01/28/inside-douglas-county-1-28-22/>
- Staff held the annual budget retreat (on Zoom) Wednesday to kick off the preparation of next fiscal year's budget. The process begins in late January and culminates in the budget hearings in May, followed by adoption by the City Council in June.
- The Umpqua Valley Development Corporation met on Tuesday and received updates on the upcoming legislative session as it relates to the medical college.
- Amy and I met virtually with Christin Rutledge at Aviva Health to brainstorm ideas relating to the hiring of a homeless immediate needs coordinator. Aviva has held several interviews but not had any luck finding the right person to commit to the position. We plan to get back "together" next week and continue discussions.
- I met virtually with Jerry Gilham and Pat Lynch from City of Sutherlin regarding some ideas they have on a collaborative approach to providing services to the unhoused. I expect to hear more about their ideas and potentially bring some of those to Council in the future.
- On the monthly city-leaders call Wednesday, Commissioner Freeman gave updates on the growing number of omicron cases in the county and the county/DPHN's efforts to handle the surge in cases.
- With the low temperatures at night, Onward Roseburg has opened the warming center every night this week. On Thursday, they requested and received permission to increase the occupancy to 60 to better meet the demand they are experiencing.
- Meetings next week (via Zoom):
  - City Council Work-Study Session – Monday, 1/31 @ 6:00 p.m.
  - Parks & Rec Commission – Wednesday, 2/2 @ 8:15 a.m.
- Press releases this week: <https://www.cityofroseburg.org/news>
  - Library and Audubon to host nature essayist
  - Warming shelter reopens in Roseburg
  - City to update agreement for proposed medical training center
  - City to purchase Mill Street building for navigation center
- KMTR Videos this week: <https://www.cityofroseburg.org/news-videos>
  - Tracy Moser – Upcoming Discover Roseburg geocaching event
  - Mayor Rich – Purchase of building for navigation center