

ROSEBURG CITY COUNCIL AGENDA – MAY 8, 2023
City Council Chambers, City Hall
900 SE Douglas Avenue, Roseburg, Oregon 97470
Public Online Access:



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5/4/23

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

Facebook Live at www.Facebook.com/CityofRoseburg

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

7:00 p.m. Regular Meeting

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

Shelley Briggs Loosley	David Mohr	Ellen Porter	Brian Prawitz
Kylee Rummel	Patrice Sipos	Ruth Smith	Andrea Zielinski
- 4. Mayor Reports**
 - A. EMS Week Proclamation
 - B. National Public Works Week Proclamation
- 5. Commission Reports/Council Ward Reports**
- 6. Audience Participation – In Person or via Zoom/See Information on the Reverse**
- 7. Consent Agenda**
 - A. April 24, 2023 Meeting Minutes
 - B. Inmate Housing Intergovernmental Agreement Extension
 - C. Intergovernmental Agreement - Douglas County Communications Services and Radio Usage Agreement
 - D. OLCC License Privilege Change – The Fox Den Eatery located at 838 NW Garden Valley Blvd
 - E. OLCC New Outlet – Abraham Inc., dba Cass Market & Deli located at 831 SE Cass Avenue
- 8. Ordinances**
 - A. Ordinance No. 3586: Repealing and Replacing RMC Section 7.02.100, Prohibited Camping, First Reading
 - B. Ordinance No. 3587: Granting Renewal of a Telecommunications Franchise to Douglas Services, Inc. dba Douglas Fast Net, First Reading
 - C. Ordinance No. 3584: Granting Renewal of a Telecommunications Franchise to First Communications, LLC, Second Reading
 - D. Ordinance No. 3585: Granting Renewal of a Telecommunications Franchise to LightSpeed Networks, Inc. dba LS Networks, Second Reading
- 9. Items from Mayor, City Council and City Manager**
- 10. Adjourn**
- 11. Executive Session ORS 192.660(2)(d)**
 - A. Labor Negotiations

Informational

- A. City Manager Activity Report

AUDIENCE PARTICIPATION INFORMATION

The Roseburg City Council welcomes and encourages participation by citizens at all our meetings, with the exception of Executive Sessions, which, by state law, are closed to the public. To allow Council to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Council follow these simple guidelines:

Comments may be provided in one of three ways:

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

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

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

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

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

Persons addressing the Council must state their name and city of residence for the record. All remarks shall be directed to the entire City Council. The Council reserves the right to delay any action requested until they are fully informed on the matter.

TIME LIMITATIONS

With the exception of public hearings, each speaker will be allotted a total of 6 minutes. At the 4-minute mark, a warning bell will sound at which point the Mayor will remind the speaker there are only 2 minutes left. All testimony given shall be new and not have been previously presented to Council.

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

CITIZEN PARTICIPATION

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

PROVIDING COMMENTS

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

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

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

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

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

The City Council meetings are on Facebook Live and available to view on the City website the next day at:

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

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

PROCLAMATION

CITY OF ROSEBURG, OREGON

EMS WEEK

- WHEREAS:** Emergency medical services is a vital public service; and
- WHEREAS:** The members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and
- WHEREAS:** Access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- WHEREAS:** Emergency Medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and
- WHEREAS:** the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and
- WHEREAS:** The members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
- WHEREAS:** It is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating Emergency Medical Services Week;
- NOW, THEREFORE,** I, Larry Rich, Mayor of the City of Roseburg, do hereby proclaim the week of May 21-27, 2023 as

Emergency Medical Services Week

with the EMS Strong theme: *Where Emergency Care Begins*, and encourage the community to observe this week with appropriate programs, ceremonies and activities.

DATED this 8th day of May 2023.

Honorable Mayor Larry Rich

PROCLAMATION

CITY OF ROSEBURG, OREGON

National Public Works Week – Connecting the World

WHEREAS: Public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Roseburg; and,

WHEREAS: These infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS: It is in the public interest for the citizens, civic leaders and children in Roseburg to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in our community; and

WHEREAS: The year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, Larry Rich, Mayor of the City of Roseburg, Oregon, do hereby proclaim the week of May 21-27, 2023 as

National Public Works Week

and urge all citizens to join in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety and quality of life.

DATED this 8th day of May 2023.

Honorable Mayor Larry Rich

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
April 24, 2023**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:00 p.m. on April 24, 2023 in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon. Councilor Prawitz led the Pledge of Allegiance.

ROLL CALL

Present: Councilors Shelley Briggs Loosley, David Mohr (via Zoom), Kylee Rummel, Patrice Sipos, Ruth Smith, Brian Prawitz, Ellen Porter (via Zoom), and Andrea Zielinski

Absent: None

Others Present: City Manager Nikki Messenger, City Recorder Patty Hitt, City Attorney Jim Forrester, Police Chief Gary Klopfenstein, Community Development Director Stuart Cowie, Human Resource Director John VanWinkle, Library Director Kris Wiley, Public Works Director Dawn Easley, Finance Director Ron Harker, and Management Assistant Autumn David.

MAYOR REPORTS

Mayor Rich proclaimed May 2023 as Historic Preservation Month and called upon the people of Roseburg to join their fellow citizens across the United States in recognizing and participating in this special observance. Community Development Director Stuart Cowie accepted the proclamation and shared information about the interactive map created by RARE AmeriCorps member Kate Bentz regarding historic preservation in Roseburg's four historic districts. The map can be found on the City website at <https://www.cityofroseburg.org/departments/community-development>.

Mayor Rich proclaimed May 2023 as National Bike & Bicycle Safety Month with May 3 as Walk and Bike to School Day and May 19 as Bike to Work Day and urged citizens to support bicycling and participate in the events planned and urged all road users to share the road safely with bicycles. Daniel Rosas, Safe Routes to School Assistant with Douglas Education Service District accepted the proclamation on behalf of Safe Routes to School, Thrive Umpqua, and Umpqua Velo Club. Rosas thanked the Mayor and Council for the recognition and encouraged Council to participate in the upcoming events planned for the community.

Mayor Rich proclaimed May 1, 2023 as Thrive Umpqua Day and encouraged all citizens of Roseburg to unite as a community in showing pride for creating a more livable, vibrant and healthy future where we can all thrive together. Juliete Palenshus, Thrive Umpqua Community Engagement Director, accepted the proclamation and shared the story of how Blue Zones Project-Umpqua came to be and its unique ability to bring the community together around a shared objective of well-being transformation. Because of hard work and determination, in 2017 Roseburg was selected out of nine other applicants to be a Blue Zones Community. Since that time, the community well-being index has defied the downward trend and health rankings have improved, along with several other key point indicators, which have saved the community over 11 million dollars. Palenshus thanked Council for their vision for the future of Roseburg and making the healthy choice the easy choice.

COMMISSION REPORTS

Councilor Prawitz reported the Economic Development Commission met on April 11, 2023, to take the Ghosts of Roseburg Past walking tour downtown and urged people to check it out.

Councilor Zielinski chaired a Library Commission meeting on April 18, 2023, and shared information on upcoming programs at the library. Library programs are listed on the Events Calendar at <https://www.cityofroseburg.org/departments/library>.

Councilor Porter chaired a Public Works Commission meeting on April 13, 2023, and reviewed and recommended approval of three projects. Porter added a meeting was held with the school district to discuss their upcoming project, a compromise between the High School and neighboring residences had been reached. Porter thanked Community Development Director Stuart Cowie for his help.

Councilor Mohr reported the April Airport Commission meeting was cancelled due to a lack of agenda items.

Councilor Briggs-Loosley reported the Homeless Commission met on April 24, 2023. They moved to conceptually approve the Time, Place and Manner draft ordinance to go to Council. The ordinance was conceptually approved because there would be additional changes made to the language prior to going to Council. The Commission received an update for the Gary Leif Navigation Center, HTAG, and efforts to find property for an urban campground. Mayor Rich added the Commission was looking at a potential property for an urban campground and were assessing what the costs would be moving forward. Liability insurance is necessary and it would be expensive. Attorney Forrester clarified an urban campsite that only involves tents, rather than a structure, does not constitute shelter for purposes of citing people for prohibited camping. Councilor Porter added finding liability insurance for an urban campground is a statewide problem; representatives from the Square One Housing Project out of Eugene and the Oregon Housing Advocates reached out to private insurance carriers and confirmed liability insurance would be very expensive, if a policy would even be made available.

AUDIENCE PARTICIPATION

Sarah Morin, downtown business manager, stated she attended a Council meeting a few months back regarding parking issues and shared her research in regards to parking enforcement issues with City staff and had not received feedback. The parking garage had been cleaned up and there was a security presence, which had made a difference. However, her understanding was that ARPA funds were used and was worried that once that funding was gone conditions would return to the previous state. Morin recommended security gates for accessing the second and third levels of the parking garage and asked to share her additional research on the costs of security gates and cameras. Mayor Rich directed her to provide the information to Hitt for review.

CONSENT AGENDA

Councilor Zielinski moved to approve the following consent agenda items:

- A. April 10, 2023 Regular Meeting Minutes
- B. April 17, 2023 Work Study Session Minutes

The motion was seconded by Councilor Rummel and approved with the following vote: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter, and Zielinski voted yes. No one voted no.

ORDINANCE NO. 3583 AMENDMENT TO NOISE ORDINANCE, FIRST AND SECOND READING.

Klopfenstein reported staff conducted a major overhaul of the Noise Disturbance ordinance in 2022. Some of the changes made were exemptions to the regulations set forth in the ordinance. One of those exemptions was “reasonable sound produced as a result of sporting and other organized or permitted events” with a subcategory that complaints would be reviewed by the Police Chief or designee for reasonableness. The exemption was intended for school sporting events; however, it created a loophole in the ordinance. The Police Department recently lost a case related to a Noise Disturbances citation. The judge in the case ruled that the exemption did not include a definition for an “organized event”; therefore, determined any group of two or more people could be considered an organized event. Staff proposes to amend Roseburg Municipal Code Section 7.02.140, titled “Noise Disturbances” as outlined in the staff report. Due to the recent Circuit Court decision, an “organized” non-permitted event cannot violate the Noise Disturbance ordinance. There were events in the near future where Police may need to utilize the Noise Disturbances ordinance for enforcement. If authorized by Council, Staff requests the ordinance amendment take effect immediately. Staff recommends Council proceed with first reading, suspend the rules and proceed with second reading and adoption of Ordinance No. 3583.

In response to Councilor Prawitz, Klopfenstein confirmed staff worked with the City’s attorney on the wording.

Councilor Porter stated that noise made by sporting events is something the school board has been discussing, and questioned how the language change might affect the school. Klopfenstein stated the school should not be impacted by the change.

In response to Councilor Zielinski, Klopfenstein stated to make a complaint for a noise ordinance violation, call non-emergency dispatch.

In response to Messenger, Klopfenstein clarified that the ordinance language would affect both amplified and non-amplified sound. In response to Zielinski, Klopfenstein stated officers would work with offenders before citing; the goal is to influence and change behavior, rather than punish.

Mayor Rich asked for clarification on noise violations. Klopfenstein explained the Noise Disturbances ordinance time violations. Councilor Smith stated she receives several noise complaints in her neighborhood about motorcycle noise and bar music noise and asked how this ordinance would influence those complaints. Klopfenstein stated by removing the language there would be an ability to cite offenders, if the noise violation would not stop.

In response to Mayor Rich, Klopfenstein stated staff uses distance to measure sound rather than decibel meters.

Shawn Kellim, Roseburg, expressed his concerns regarding changes to the Noise Disturbances ordinance and stated that the City is opposing the constitutional rights of our citizens and attempting to limit the voice of residence in this community. Suggested the intent of the ordinance was to silence a minority and added that the only objectively justifiable way to determine noise was by using decibels. Kellim agreed there should be a Noise Disturbances ordinance, but recommended staff use decibels, rather than distance.

Klopfenstein read section 1. F of the Noise Disturbances ordinance, which states “disturbances under this section must be a result of volume, duration, location, timing, or other factors provided the basis in whole or in part is not the content of the communication.”

Council agreed to proceed with a first reading of Ordinance No. 3583. Hitt read Ordinance No. 3583, entitled, “An Ordinance Amending Section 7.02.140 of the Roseburg Municipal Code,” for the first time.

Councilor Zielinski moved to suspend the rules and proceed with a second reading of Ordinance No. 3583, amending subsection 7.02.140 of the Roseburg Municipal Code. The motion was seconded by Councilor Prawitz and approved with the following vote: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter, and Zielinski voted yes. No one voted no.

Hitt read Ordinance No. 3583, entitled, “An Ordinance Amending Section 7.02.140 of the Roseburg Municipal Code,” for the second time. Councilor Zielinski moved to adopt Ordinance No 3583. The motion was seconded by Councilor Rummel. Roll call vote was taken: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter and Zielinski voted yes. No one voted no. Mayor Rich declared Ordinance No. 3583 as adopted.

ORDINANCE NO. 3584 GRANTING RENEWAL OF A TELECOMMUNICATIONS FRANCHISE TO FIRST COMMUNICATIONS, LLC, EFFECTIVE JANUARY 1, 2024, FIRST READING.

Hitt reported the telecommunications franchise agreement with First Communications, LLC was in its fifth and final term and staff received an application for renewal on April 4, 2023.

Council agreed to a first reading of Ordinance No. 3584. Hitt read Ordinance No. 3584, entitled, “An Ordinance Granting Renewal of a Telecommunications Franchise to First Communications, LLC, effective January 1, 2024” for the first time.

ORDINANCE NO. 3585 GRANTING RENEWAL OF A TELECOMMUNICATIONS FRANCHISE TO LIGHTSPEED NETWORKS, INC. dba LS NETWORKS, EFFECTIVE JANUARY 1, 2024, FIRST READING.

Hitt reported the telecommunications franchise agreement with LightSpeed Networks, Inc., dba LS Networks was in its fifth and final term and staff received an application for renewal on April 6, 2023.

Council agreed to a first reading of Ordinance No. 3585. Hitt read Ordinance No. 3585, entitled, “An Ordinance Granting Renewal of a Telecommunications Franchise to LightSpeed Networks, Inc. dba LS Networks, effective January 1, 2024,” for the first time.

VINE STREET WATER MAIN REPLACEMENT AND HOOKER ROAD WATER MAIN EXTENSION CONSTRUCTION BID AWARD – PROJECT NO. 23WA04 AND 23WA05

Easley reported the City received bids for the Vine Street Main Replacement Project and the Hooker Road Main Extension Project as outlined in the staff report. The two projects were combined into one bid package to draw more attention to the projects. The Vine Street project would replace 565 linear feet of existing 4-inch diameter cast iron water main installed in 1954. New 8-inch ductile iron would be installed along with a new fire hydrant to increase fire protection. The Hooker Road project would replace 1,200 feet of existing 6-inch diameter ductile iron water main with a new 8-inch ductile iron main. The project would abandon the temporary water line and provide residents an opportunity to be served by a water main fronting their residence. Staff received six bids on the project as outlined in the staff report. The funds were budgeted for the 2022/2023 fiscal year and the Public Works Commission unanimously recommended approval of the project. In response to Councilor Sipos, Easley confirmed the City had worked with Cradar Enterprises, Inc. on several other projects.

Councilor Zielinski moved to award the Vine Street Main Replacement and Hooker Road Main Extension projects to the lowest responsible bidder, Cradar Enterprises, for \$309,735.00. The motion was seconded by Councilor Prawitz and approved with the following vote: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter, and Zielinski voted yes. No one voted no.

CALKINS/TROOST/HARVARD STORM IMPROVEMENT PROJECT CONTRACT AWARD RECOMMENDATION - PROJECT NO. 22GR20

The City received grant funding to fix deficiencies in the storm system as outlined in the staff report. The project totals approximately 3,750 lineal feet of storm drainage improvements to capture and re-route stormwater with City right-of-way. The deficiencies were identified for improvement in the 2011 Roseburg Storm Water Master Plan. Staff received four bids as outlined in the staff report. Grant funding would cover the costs of the project. The project would start in May and conclude by November 2023. Staff recommends awarding the project to the lowest responsible bidder, Black Pearl Paving & Excavation for \$1,277,415.00. Messenger applauded City of Roseburg Design and Construction Manager Ryan Herinckx for his responsiveness in getting the grant awarded to the City. In response to Mayor Rich, Easley stated the old piping located under housing would be abandoned and backfilled with a slurry. Councilor Rummel asked if unused grant funds remain with the City. Messenger stated the City would find a way to use the funds on the project.

Councilor Zielinski moved to award the Calkins/Troost/Harvard Storm Improvement project to the lowest responsible bidder, Black Pearl Paving & Excavation, for \$1,277,415.00. The motion was seconded by Councilor Smith and approved with the following vote: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter, and Zielinski voted yes. No one voted no.

SE STEPHENS/SE PINE STREET WATER MAIN REPLACEMENT – PROJECT NO. 23WA12 AUTHORIZATION FOR TASK ORDER NO. 1

Easley reported staff completed a qualifications-based selection process for design and engineering services for the Water Distribution Main Replacement Program. The project would replace approximately 2,700 feet of 6-inch diameter cast iron water main from the 1930's with a new 8-inch ductile iron main between SE Sykes Avenue and SE Oak Avenue. The current pipe had reached the end of its useful service life and would need replaced. The project also includes inter-block designs to replace approximately 300 feet of 8-inch cast iron water main installed in

1954 on SE Mosher Avenue between SE Pine Street and SE Stephens Street. Both projects would add fire protection and funds were available in the current fiscal year budget. The Public Works Commission discussed the task order request and recommended Council award the task order as outlined in the staff report.

In response to Councilor Smith, Easley clarified the project location.

Councilor Zielinski moved to authorize Task Order No. 1 with Century West Engineering for Design and Bidding Services for the Water Main Replacement on SE Stephens Street and SE Pine Street at a cost not to exceed \$151,011.00. The motion was seconded by Councilor Briggs Loosley and approved with the following vote: Councilors Briggs Loosley, Mohr, Rummel, Sipos, Smith, Prawitz, Porter, and Zielinski voted yes. No one voted no.

ITEMS FROM THE MAYOR, CITY COUNCIL AND CITY MANAGER

Messenger reported she would be out of the office Friday and was scheduled to be in conferences next week.

A Conditional Use Permit was submitted to Douglas County for trails at Sunshine Park. The County Planning Commission approved the permit but it was appealed and was going to the Board of Commissioners on May 3. Staff was preparing to attend the hearing to talk about the trails. Messenger notified Council the ultimate plan would be to annex Sunshine Park into city limits, so the city had full jurisdiction of the area. In response to Councilor Smith, Messenger stated there was an exception to annexation rules for park properties. Because the City owns the park, it could be annexed into the city without changing any urban growth boundaries, and no other properties would be affected.

Councilor Rummel recognized Library Director Wiley for her participation in the Ways and Means Joint Committee meeting on April 21. Wiley represented the City of Roseburg and advocated for literacy funding for Dolly Parton's Imagination Library program for our community and the entire state. Councilor Prawitz added there was an article in the newspaper this week about the 5-year anniversary of reopening the library and urged people to read it.

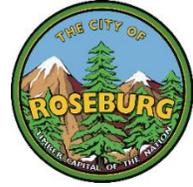
ADJOURNMENT

Mayor Rich adjourned the regular meeting at 8:12 p.m.

Autumn David

Autumn David
Management Staff Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



INMATE HOUSING INTERGOVERNMENTAL AGREEMENT EXTENSION

Meeting Date: May 8, 2023
Department: Police
www.cityofroseburg.org

Agenda Section: Consent
Staff Contact: Police Chief Gary Klopfenstein
Contact Telephone Number: 541-492-6770

ISSUE STATEMENT AND SUMMARY

The intergovernmental agreement (IGA) between the City and Douglas County for inmate housing at the Douglas County Jail is up for renewal.

BACKGROUND

A. Council Action History.

Updates to this agreement have been brought to the Council in previous years.

B. Analysis.

In May of 2004, the City and Douglas County entered into an intergovernmental agreement to house City inmates in the Douglas County Jail for a per prisoner/per day fee payable by the City. This agreement has been extended eighteen times to date, with the current extension expiring June 30, 2023.

Due to the cost of this agreement, Council approval is required.

Douglas County determines inmate housing cost increases, and they are not negotiable. The nineteenth extension extends the current agreement to June 30, 2024, and changes the per prisoner/per day cost from \$97.95 to \$103.83, which is an increase of 6%.

C. Financial/Resource Considerations.

The Police Department anticipates spending approximately \$300,000 on jail expenses in FY 22-23, and has sufficiently budgeted to increase the jail expenses line item in the proposed FY 23-24 budget.

D. Timing Considerations.

The current inmate housing extension expires June 30, 2023. Approval of the nineteenth extension will ensure services continue as outlined in the agreement.

COUNCIL OPTIONS

Council has the following options:

- Authorize the City Manager to sign the nineteenth extension of the Inmate Housing IGA with Douglas County; or

- Request additional information; or
- Not authorize the City Manager to sign the nineteenth extension.

STAFF RECOMMENDATION

Staff recommends Council authorize the City Manager to sign the nineteenth extension of the Inmate Housing IGA with Douglas County.

SUGGESTED MOTION

“I MOVE TO AUTHORIZE THE CITY MANAGER TO SIGN THE NINETEENTH EXTENSION OF THE INMATE HOUSING IGA WITH DOUGLAS COUNTY.”

ATTACHMENTS:

None

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



INTERGOVERNMENTAL AGREEMENT – DOUGLAS COUNTY COMMUNICATIONS SERVICES AND RADIO USAGE AGREEMENT

Meeting Date: May 8, 2023
Department: Police / Fire
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

Douglas County Emergency Communications (DCEC) provides communications services for the Roseburg Police and Fire Departments annually through an intergovernmental agreement (IGA). The current agreement expires June 30, 2023, and needs to be renewed to continue this essential service.

BACKGROUND

A. Council Action History.

Council has authorized the City Manager to enter into a communications service IGA with DCEC on an annual basis.

B. Analysis.

In the 1990s, Roseburg elected to contract with DCEC for dispatch services. Since that time, Roseburg Police and Fire have paid annually for use of DCEC. Roseburg has utilized multiple communications services IGAs with DCEC over the years.

Douglas County initiated a separate radio usage fee in 2019 to help maintain their aging radio network infrastructure. The radio usage fee was not increased this year.

Radio usage fee for FY 23-24:
Roseburg Police: \$69,226.00
Roseburg Fire: \$8,855.00
Total: \$78,081.00

DCEC utilizes a system use formula determined by the previous year's call volume to determine dispatch services cost for Roseburg Police and Fire. DCEC increased dispatch services cost this year by 6%.

Dispatch usage fee for FY 23-24:
Roseburg Police: \$424,890.40
Roseburg Fire: \$90,161.48
Total: \$515,051.88

Dispatch and radio fees for FY 23-24:
Police and Fire radio usage fee: \$78,081.00
Police and Fire dispatch usage fee: \$515,051.88
Total due to DCEC: \$593,132.88

Payments will be made beginning July 1, 2023, in the quarterly amount of \$148,283.22. DCEC generates a Communications Services Agreement that requires a signature from the City Manager; due to the associated fee cost, Council authorization is required.

C. Financial/Resource Considerations.

Police and Fire have sufficiently budgeted for the dispatch services and radio usage fee increases in the proposed FY 23-24 budget.

D. Timing Considerations.

DCEC FY 23-24 dispatch services and radio usage fee increases go into effect on July 1, 2023.

COUNCIL OPTIONS

1. Authorize the City Manager to enter into an IGA with Douglas County for Communications Services, or;
2. Not authorize the City Manager to enter into an IGA with Douglas County for Communications Services.

STAFF RECOMMENDATION

Staff recommends authorizing the City Manager to enter into an IGA with Douglas County for Communications Services.

SUGGESTED MOTION

“I MOVE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN IGA WITH DOUGLAS COUNTY FOR COMMUNICATIONS SERVICES.”

ATTACHMENTS:

None



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OLCC ADDITIONAL LICENSE THE FOX DEN EATERY LOCATED AT 838 NW GARDEN VALLEY BLVD

Meeting Date: May 8, 2023

Department: Administration

www.cityofroseburg.org

Agenda Section: Consent

Staff Contact: Autumn David, Management Assistant

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

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

BACKGROUND

OLCC has received an application from James E. Fox and Lorraine D. Fox, owners of The Fox Den Eatery located at 838 NW Garden Valley Blvd to add a "Full On-Premises Commercial" license. The Fox Den Eatery current has a "Limited 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 conducted a background investigation on the applicant and found no reason to deny the application.

C. Financial/Resource Considerations.

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

D. Timing Considerations.

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

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

“I MOVE TO RECOMMEND APPROVAL OF THE OLCC ADDITIONAL LICENSE APPLICATION FOR THE FOX DEN EATERY LOCATED AT 838 NW GARDEN VALLEY BLVD., IN ROSEBURG, OREGON.”

ATTACHMENTS:

Attachment #1 – Subject Application

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

LIQUOR LICENSE APPLICATION

Page 1 of 3

Check the appropriate license request option:

- [New Outlet](#) | [Change of Ownership](#) | [Greater Privilege](#) | [Lesser Privilege](#)

Select the license type you are applying for.

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

Full On-Premises

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

Winery

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

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

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

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:

Minimum documents acquired:

LOCAL GOVERNING BODY USE ONLY

City/County name:

Date application received:

Optional: Date Stamp

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

Printed Name

Date

Return this form to:

Investigator name:

Email:

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: James E Fox	Name of entity or individual applicant #2: Lorraine D Fox
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): The Fox Den Eatery		
Business phone number: 5416736678	Business email: jlrenard@yahoo.com	
Premises street address (The physical location of the business and where the liquor license will be posted): 838 NW Garden Valley BLVD		
City: Roseburg	Zip Code: 97471	County: Douglas
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]): 2166 NW Andrea St.		
City: Roseburg	State: Oregon	Zip Code: 97471
Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICATION CONTACT INFORMATION		
Contact Name: James E Fox		
Phone number: 5416436096	Email: jlrenard@yahoo.com	
Mailing address: 2166 NW Andrea St.		
City: Roseburg	Zip Code: 97471	County: Douglas

Please note: liquor license applications are public records.

LIQUOR LICENSE APPLICATION

Page 3 of 3

ATTESTATIONS

By signing this form, you attest that each of the following statements are true. I understand the Commission may require a licensee to provide proof of any of the below or below referenced documents at any time.

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.

James Fox



4/10/2023
~~10/10/2022~~

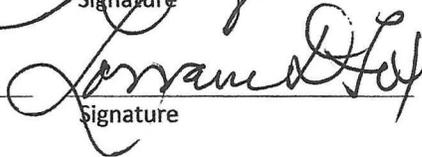
Print name

Signature

Date

Atty. Bar Info (if applicable)

Lorraine Fox



4/10/2023
~~10/10/2022~~

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

OLCC NEW OUTLET ABRAHAM INC. DBA CASS MARKET & DELI LOCATED AT 831 SE CASS AVENUE

Meeting Date: May 8, 2023

Department: Administration

www.cityofroseburg.org

Agenda Section: Consent

Staff Contact: Autumn David, Management Assistant

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

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

BACKGROUND

OLCC has received an application from Zahir Abrahime, Abraham Inc. dba Cass Market & Deli, as a new outlet granted for "Off Premises" sales.

A. Council Action History.

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

B. Analysis.

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

C. Financial/Resource Considerations.

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

D. Timing Considerations.

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

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends Council approval of the application as submitted.

SUGGESTED MOTION

“I MOVE TO RECOMMEND APPROVAL OF THE OLCC NEW OUTLET APPLICATION FOR THE ABRAHAM INC. DBA CASS MARKET & DELI LOCATED AT 831 SE CASS AVE., IN ROSEBURG, OREGON.”

ATTACHMENTS:

Attachment #1 – Subject Application

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



OREGON LIQUOR & CANNABIS COMMISSION
LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. **Email the application** to OLCC.LiquorLicenseApplication@Oregon.Gov.
3. **Do not** include any license fees with your application packet (fees will be collected at a later time).

When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

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

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

Additional Information

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

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

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

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

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

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

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

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

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

[New Outlet](#) | [Change of Ownership](#) | [Greater Privilege](#) | [Lesser Privilege](#) | [Additional Privilege](#)

Select the license type you are applying for.

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

Full On-Premises

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

Winery

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

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

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

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Local Governing Body: After providing your recommendation, return this application to the applicant.

LOCAL GOVERNING BODY USE ONLY

City/County name:

Optional: Date Stamp

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

Printed Name

Date

APPLICANT INFORMATION	
<p>Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.</p>	
Name of entity or individual applicant #1:	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see):		
Premises street address (The physical location of the business and where the liquor license will be posted):		
City:	Zip Code:	County:
Business phone number:		Business email:
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]):		
City:	State:	Zip Code:
Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input type="checkbox"/> No	

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.		
<p>I give permission for the below named representative to:</p> <p><input type="checkbox"/> Make changes regarding this license/application on my behalf.</p> <p><input type="checkbox"/> Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.</p>		
Representative Name:		
Phone number:	Email:	
Mailing address:		
City:	State:	Zip Code:

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is <u>not</u> an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.	
Application Contact Name:	
Phone number:	Email:

TERMS

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

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

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

• Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-006-0362](#) and attests that:

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

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

_____	<i>Zahir Abrahime</i>	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)
_____	_____	_____	_____
Print name	Signature	Date	Atty. Bar Info (if applicable)

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ORDINANCE NO. 3586 REPEALING AND REPLACING ROSEBURG MUNICIPAL CODE SECTION 7.02.100 PROHIBITED CAMPING

Meeting Date: May 8, 2023
Department: Administration
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

The City has until June 30, 2023, to adopt updated ordinances regulating time, place and manner as it relates to camping on public property. The issue for the Council is whether to proceed with first reading of the proposed ordinance updating the Roseburg Municipal Code (RMC) Section 7.02.100.

BACKGROUND

A. Council Action History.

Council held a work-study session on April 17, 2023, to discuss concepts related to time, place and manner regulations.

B. Analysis.

Cities are allowed to impose citywide prohibitions against persons sitting, sleeping or lying in public, if the city has a shelter that is accessible to the person experiencing homelessness against whom the prohibition is being enforced. Even if a city lacks enough shelter space to accommodate the specific person experiencing homelessness against whom the prohibition is being enforced, it is still allowed to limit sitting, sleeping and lying in public places through reasonable restrictions on the time, place and manner of these acts (“where, when and how”).

House Bill 3115 requires any city or county law regulating the acts of sitting, lying, sleeping or keeping warm and dry outside on public property must be “objectively reasonable” based on the totality of the circumstances as applied to all stakeholders, including persons experiencing homelessness. What is objectively reasonable may look different in different communities. The Bill retains cities’ ability to enact reasonable time, place and manner regulations, aiming to preserve the ability of cities to manage public spaces effectively for the benefit of the entire community.

The City conducted an online survey to collect public input related to camping in public spaces within the City of Roseburg. Based on that and other public input, staff presented

draft time, place and manner concepts to the Homeless Commission at their March 27 meeting and to the City Council at an April 17 work-study session. Staff continued to refine the concepts and language and presented a draft ordinance to the Homeless Commission at their April 24 meeting. The Homeless Commission recommended the Council adopt the concepts outlined in the draft ordinance. A draft of the proposed ordinance was finalized on May 1 and posted to the City's website.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

The new ordinance needs to be in place prior to July 1, 2023.

COUNCIL OPTIONS

The Council has the following options:

1. Proceed with first reading of Ordinance No. 3586; or
2. Make minor changes to the ordinance and proceed with first reading; or
3. Direct staff to make changes to the ordinance and bring it back at a future meeting.

STAFF RECOMMENDATION

Staff recommends the Council proceed with first reading of Ordinance No. 3586.

SUGGESTED MOTION

No motion needed. First Reading Only.

ATTACHMENTS:

Attachment #1 – Ordinance No. 3586, “An Ordinance Repealing and Replacing Section 7.02.100 of the Roseburg Municipal Code”

ORDINANCE NO. 3586

**AN ORDINANCE REPEALING AND REPLACING SECTION 7.02.100 OF THE
ROSEBURG MUNICIPAL CODE**

WHEREAS, Oregon Revised Statute 195.530 requires, “Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness; and

WHEREAS, ORS 195.530 becomes effective on July 1, 2023; and

WHEREAS, the City of Roseburg desires to update the Roseburg Municipal Code Section 7.02.100 to meet the statutory requirements outlined in ORS 195.530 by balancing the basic human need to sit, sleep and lie with the public’s expectation to be able to utilize public property for its intended use.

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

SECTION 1. Roseburg Municipal Code Section 7.02.100, titled “Prohibited Camping” is hereby repealed and replaced to read as follows:

7.02.100 Prohibited camping.

A. As used in this Section:

1. “Camp” or “Camping” means to pitch, erect, create, use, or occupy campsites for the purpose of habitation, as evidenced by the use of camp materials.
2. "Campsite" means a location upon City Property where Camping Materials are placed.
3. "Camp Materials" include, but are not limited to, personal property, tarpaulins, cots, sleeping bags, blankets, mattresses, hammocks, or outdoor cooking devices and/or similar items that are, or reasonably appear to be, used as living accommodations.
4. “City Property” means any real property or structures owned, leased, or managed by the City, including Public Ways.
5. “Involuntarily Homeless” means a person who lacks access to adequate temporary shelter.
6. “Public Way” means any street, road, alley, right-of-way, pedestrian or bicycle easement, or utility easement for public use which is controlled by the City.
7. “Personal Property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

B. Camping on public or private property is prohibited. Involuntarily Homeless individuals are not prohibited from sleeping and resting on city property, provided camping is occurring in compliance with the following time, place and manner regulations. Camping on private property within the City limits is prohibited unless a permit is obtained through the Community Development department.

1. Time.
 - a. Unless otherwise specified, any camping or camp, where not prohibited, may only occur between the following hours:
 - i. Between November 1 and February 28 – 5 PM to 8 AM
 - ii. During the months of March and October - 6 PM to 8 AM
 - iii. Between April 1 and September 30 – 8 PM to 8 AM
 - b. Enforcement of time restrictions may be suspended by City Manager, Police Chief, or designee, for severe weather events or when an individual is engaged in case management or behavioral health services, or when necessary or appropriate to respond to an individual's disability or unique circumstances.
2. Place.
 - a. Camping is prohibited at all times in the following locations:
 - i. In or adjacent to any Residentially zoned area or any properties legally residentially used regardless of zoning, and anywhere within 100 feet of a school or day care facility.
 - ii. Anywhere between the Umpqua River Path and the South Umpqua River in that portion of the path east of Interstate 5 to Flint Street and any location within 10 feet of either edge of any multi-use path.
 - iii. Anywhere between the edge of the water and 100 feet beyond the top of the stream bank of waterway excluding those portions of the South Umpqua River discussed above.
 - iv. Any place where camping, a camp, or camp materials create a physical impediment to emergency or nonemergency ingress, egress or access to property, whether private or public, or on public sidewalks or other public rights-of-way, including but not limited to driveways providing access to vehicles, and entrances or exits from buildings and/or other real property.
 - v. Any vehicle lane, bicycle lane, or roundabout within any public right-of-way.
 - vi. Immediately adjacent to any city owned buildings, anywhere on Airport Property, or anywhere on or adjacent to water reservoir sites.

vii. The Stewart Park natural area, encompassing that area of Stewart Park south of Garden Valley Boulevard south to the south end of the storm drainage detention ponds and wetland mitigation areas.

viii. Sport complexes and adjacent structures associated with those sports, including parking lots, within 20 feet of any play structure or playground equipment located on public property, or any park area being used with a park permit.

ix. Any City owned properties leased to others, unless camping is the intended purpose of the lease, including but not limited to the Roseburg Area Chamber of Commerce building, Umpqua Valley Arts Center, Betty Long Unruh Theater, Umpqua United building, Stewart Park Golf Course and the adjacent grounds including parking lots.

x. The Downtown Parking Structure, the area between the parking structure and the adjacent buildings to the east and the walkway area between the parking structure and Jackson Street

xi. Any location that has been determined by the Fire Chief, Fire Marshal, or designee to constitute an elevated threat of fire at a particular time of the year.

3. Manner.

a. Camping, when and where not prohibited, is subject to all of the following:

i. Individuals, camp materials, camps, or personal property may not obstruct sidewalk accessibility or passage, clear vision areas, fire hydrants, City or other public utility infrastructure, or otherwise interfere with the use of the right-of-way for vehicular, pedestrian, bicycle, or other passage.

ii. A camp or camping must be limited within a spatial footprint of 10 feet by 10 feet, or 100 square feet. The intent of this section is to allow a person to sleep protected from the elements and maintain the essentials for living, while still allowing the use of public spaces as designed and intended.

iii. Individuals may not build or erect structures, whether by using plywood, wood materials, pallets, or other materials. Items such as free standing tents and similar items used for shelter that are readily portable are not structures for purposes of this section.

iv. Obstruction or attachment of camp materials or personal property to fire hydrants, utility poles or other utility or public infrastructure, fences, trees, vegetation, vehicles, buildings, or pavilions is prohibited.

ORDINANCES A
ATTACHMENT #1

v. All camp materials and personal property must be contained within the tent or tent like structure except for one mobility device (bike, wheelchair, and etc.) per person may be stored outside. For the purpose of this section, a bike with an attached bike trailer is considered one mobility device.

vi. Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.

vii. Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating deemed unsafe by the Roseburg Fire Department are prohibited.

viii. Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, directly into waterways or onto the ground, which are not intended for disposal of gray water or black water.

ix. Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards, are prohibited.

x. Digging, excavation, terracing of soil, alteration of ground or infrastructure, or damage to vegetation or trees is prohibited.

xi. All animals must be leashed or crated at all times.

xii. All noise ordinances must be abided by at all times.

C. No recreational vehicle (RV) or vehicle shall be used or occupied on any tract of ground within the corporate limits of the City except as provided in this Section.

D. No person shall use or occupy any RV or campsite for more than forty-eight hours on the premises of any occupied dwelling or on any lot which is not part of the premises of any occupied dwelling, unless a permit therefor shall have been first obtained as prescribed in the Land Use and Development Regulations, nor shall any person permit such use or occupancy unless the occupant of the RV or camp has obtained a permit therefor.

E. Exception. Overnight use of a camping vehicle or RV as defined in ORS 446.310 (2) shall be allowed outside of a permitted or authorized campground, without a permit, provided the following conditions exist and are complied with:

1. The subject location is within a General Commercial (C-3) zoning district and contains a developed permitted use pursuant to Roseburg Municipal Code Subsection 12.04 010.

2. The property owner or lessee registers the subject location with the community development department and no fee is charged to the users;
3. The subject location is not within 500 feet of a residential structure;
4. The length of stay is limited to 48 hours;
5. The camping vehicle or RV unit is self-contained;
6. Generators shall not be used between the hours of 10:00 p.m. and 6:00 a.m.;
7. The area designated for overnight use is paved with an asphalt or concrete surface;
8. The owner of the property where the overnight parking occurs has obtained the necessary permits or licenses, if any are required, from other governmental agencies.

F. Violation of this chapter shall be classified as a violation subject to a civil penalty. The remedies described in this section shall not be the exclusive remedies of the City for violations of this chapter. This chapter is to be interpreted consistent with the applicable state statutes and providing the protections required by state statutes.

(Ord. 2936 §1 (part), 1996; Ord. 3093 § 1, 2001; Ord. No. 3513, § 1, 10-8-2018; Ord. No. 3547, § 1, 125-2021)

SECTION 2. All other sections and subsections of Chapter 7.02 of the Roseburg Municipal Code shall remain in full force and effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 20__.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 20__.

LARRY RICH, MAYOR

ATTEST:

PATTY HITT, CITY RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ORDINANCE NO. 3587 GRANTING RENEWAL OF A TELECOMMUNICATIONS FRANCHISE TO DOUGLAS SERVICES, INC. DBA DOUGLAS FAST NET

Meeting Date: May 8, 2023
Department: Administration
www.cityofroseburg.org

Agenda Section: Ordinances
Staff Contact: Patty Hitt
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City has received an application for renewal of a telecommunications franchise from Douglas Services, Inc. dba Douglas Fast Net located in Roseburg, Oregon.

BACKGROUND

A. Council Action History.

January 26, 2009: Council adopted Ordinance No. 3303 granting a telecommunications franchise agreement with Douglas Services, Inc. dba Douglas Fast Net.

B. Analysis.

The subject application and application processing fee were received on April 25, 2023. The provider has requested a new franchise agreement effective January 1, 2024.

C. Financial/Resource Considerations.

Under our definitions of telecommunications “provider” and telecommunication “service,” Douglas Services, Inc. dba Douglas Fast Net is required to pay a franchise fee of 5% of the gross revenues derived from customers within the City.

D. Timing Considerations.

Douglas Services, Inc. dba Douglas Fast Net began serving Roseburg in January of 2009 under their original franchise agreement. The fifth and final term of the original agreement expires December 31, 2023. Per Roseburg Municipal Code 9.25.100(D), after the term of the initial franchise and maximum renewals, a grantee must apply for a new franchise under the same terms and conditions as are currently in place. The application must be received not less than 180 days prior to expiration of the existing franchise. The final term of the franchise agreement with Douglas Fast Net expires December 31, 2023; therefore, the deadline for the application is June 30, 2023. The effective date of the new franchise agreement will be January 1, 2024, and the initial term of the franchise is three years, with an expiration date of December 31, 2026. 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; or
- Request additional information; or
- Do nothing.

STAFF RECOMMENDATION

Staff recommends that Council proceed with first reading of the ordinance.

SUGGESTED MOTION

No action required, just first reading of the ordinance.

ATTACHMENTS:

Attachment #1 – Proposed Ordinance

Cc: Douglas Services, Inc. dba Douglas Fast Net
Subject Franchise File

ORDINANCE NO. 3587

**AN ORDINANCE GRANTING RENEWAL OF A TELECOMMUNICATION
FRANCHISE TO DOUGLAS SERVICES, INC. DBA DOUGLAS FAST NET
EFFECTIVE JANUARY 1, 2024**

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City,” hereby grants Douglas Services Inc. dba Douglas Fast Net, 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, beginning January 1, 2024, and ending December 31, 2026, following Franchisee’s acceptance of the Franchise as provided in Section 11 of this Ordinance.

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

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

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

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

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

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

B. Payment. All payments due hereunder shall be paid to the City of

Roseburg by check or money order delivered to the address of the City for notices as set forth herein.

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

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

SECTION 7. Notices and Authorized Representatives.

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

If to City:

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

If to Franchisee:

Douglas Services Inc. dba Douglas Fast Net
ATTN: Todd Way
2350 NW Aviation Drive
Roseburg, OR 97470
E-mail: tway@dfn.net
Phone: 541-673-4242

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: Todd Way

Mailing Address: 2350 NW Aviation Drive, Roseburg, OR 97470

Telephone: 541-673-4242

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 renewal of their existing telecommunications franchise and paid the application processing fee on April 25, 2023. The original franchise agreement began January 1, 2009 and will terminate December 31, 2023. The Roseburg City Council approved such request at its meeting on May 8, 2023; and hereby authorizes this Franchise to take effect January 1, 2024 and expire on December 31, 2026, 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 ____ DAY OF _____, 2023.

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

MAYOR

Larry Rich

ATTEST:

Patty Hitt, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE'S ACCEPTANCE OF ORDINANCE NO. _____. This Ordinance is hereby accepted by First Communications, LLC on this ____ day of _____, 2023.

By: _____
(Signature)

Name: _____
(Printed)

Title: _____

Date: _____

State of _____)

) **ss.**

County of _____)

This acceptance was signed before me on _____, 2023 by,
_____ as _____ of First
Communications, LLC.

Notary Public for _____

Name: _____

My commission expires on: _____

Acceptance received by City Recorder on _____, 2023.

Patty Hitt, City Recorder

ORDINANCE NO. 3584

**AN ORDINANCE GRANTING RENEWAL OF A TELECOMMUNICATION
FRANCHISE TO FIRST COMMUNICATIONS, LLC EFFECTIVE
JANUARY 1, 2024**

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City”, hereby grants First Communications, LLC., 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, beginning January 1, 2024 and ending December 31, 2026 following Franchisee’s acceptance of the Franchise as provided in Section 11 of this Ordinance.

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

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

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

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

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

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

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

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

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

SECTION 7. Notices and Authorized Representatives.

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

If to City:

City of Roseburg
ATTN: Patty Hitt, City Recorder
900 SE Douglas
Roseburg, OR 97470
E-mail: PHitt@cityofroseburg.org

Phone: 541-492-6866

If to Franchisee:

First Communications, LLC
Parker Royster, Attorney
3575 Piedmont Rd NE Bldg 15-1550
Atlanta, GA 30305
E-mail:

parker.royster@claconnect.com

Phone: 404-835-6358

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: Parker Royster, Attorney In Fact

Mailing Address: 3575 Piedmont Rd NE Bldg 15-1550, Atlanta, GA 30305

Telephone: 404-835-6358

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 renewal of their existing telecommunications franchise and paid the application processing fee on April 4, 2023. The original franchise agreement began January 1, 2009 and will terminate December 31, 2023. The Roseburg City Council approved such request at its meeting on April 24, 2023; and hereby authorizes this Franchise to take effect January 1, 2024 and expire on December 31, 2026, 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 ____ DAY OF _____, 2023.

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

MAYOR

Larry Rich

ATTEST:

Patty Hitt, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE’S ACCEPTANCE OF ORDINANCE NO._____. This Ordinance is hereby accepted by First Communications, LLC on this ____ day of _____, 2023.

By: _____
(Signature)

Name: _____
(Printed)

Title: _____

Date: _____

State of _____)

) **ss.**

County of _____)

This acceptance was signed before me on _____, 2023 by,
_____ as _____ of First
Communications, LLC.

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

.....
Acceptance received by City Recorder on _____, 2023.

Patty Hitt, City Recorder

ORDINANCE NO. 3585

**AN ORDINANCE GRANTING RENEWAL OF A TELECOMMUNICATION
FRANCHISE TO LIGHTSPEED NETWORKS, INC. dba LS NETWORKS EFFECTIVE
JANUARY 1, 2024**

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City”, hereby grants Lightspeed Networks, Inc., an Oregon corporation dba LS Networks, 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, beginning January 1, 2024 and ending December 31, 2026 following Franchisee’s acceptance of the Franchise as provided in Section 11 of this Ordinance.

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

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

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

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

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

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

B. Payment. All payments due hereunder shall be paid to the City of

Roseburg by check or money order delivered to the address of the City for notices as set forth herein.

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

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

SECTION 7. Notices and Authorized Representatives.

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

If to City:

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

If to Franchisee:

Lightspeed Networks, Inc.
ATTN: Leslie Boro
921 SW Washington St., Suite 210
Portland, OR 97205
E-mail: contracts@lsnetworks.net
Phone: 503-294-5300

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: Leslie Boro

Mailing Address: 921 SW Washington St., Suite 210, Portland, OR 97205

Telephone: 503-294-5300

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 renewal of their existing telecommunications franchise and paid the application processing fee on April 6, 2023. The original franchise agreement began January 1, 2009 and will terminate December 31, 2023. The Roseburg City Council approved such request at its meeting on April 24, 2023; and hereby authorizes this Franchise to take effect January 1, 2024 and expire on December 31, 2026, 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 ___ DAY OF _____, 2023.

APPROVED BY THE MAYOR ON THIS ___ DAY OF _____, 2023.

MAYOR

Larry Rich

ATTEST:

Patty Hitt, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE’S ACCEPTANCE OF ORDINANCE NO.____. This Ordinance is hereby accepted by Lightspeed Networks, Inc. on this ____ day of _____, 2023.

By: _____
(Signature)

Name: _____
(Printed)

Title: _____

Date: _____

State of _____)

) ss.

County of _____)

This acceptance was signed before me on _____, 2023 by,
_____ as _____ of Lightspeed
Networks, Inc.

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



Acceptance received by City Recorder on _____, 2023.

Patty Hitt, City Recorder

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



CITY MANAGER ACTIVITY REPORT

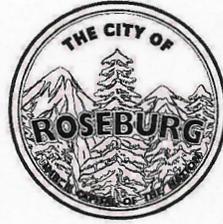
Meeting Date: May 8, 2023
Department: Administration
www.cityofroseburg.org

Agenda Section: Informational
Staff Contact: Nikki Messenger, City Manager
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

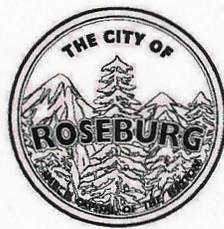
At each meeting, the City Manager provides the City Council with a report on the activities of the City, along with an update on operational/personnel related issues which may be of interest to the Council. These reports shall be strictly informational and will not require any action on the Council's part. The reports are intended to provide a mechanism to solicit feedback and enhance communication between the Council, City Manager and City Staff. For your May 8, 2023, meeting, the following items are included:

- Department Head Meeting Agendas
- Tentative Future Council Agenda Items



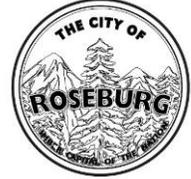
Agenda
Department Head Meeting
Public Safety Center Umpqua Room
April 26, 2023 - 2:00 p.m.

1. April 24, 2023, City Council Meeting Synopsis
2. May 8, 2023, City Council Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
 - A. Loudspeaker Permit: JBCC 1st Annual Hope Springs Eternal Friendraiser – May 6, 2023
 - B. Outdoor Event Permit: The Wine Destination – Monthly Wine Tasting Event – May 19, 2023
5. Discussion Items



Agenda
Department Head Meeting
Public Safety Center Umpqua Room
May 1, 2023 - 10:00 a.m.

1. May 8, 2023, City Council Meeting Agenda
2. May 9, 2023, Budget Committee Meeting Agenda
3. Review Tentative Future Council Meeting Agendas
4. Documents, Events, or Grants to review and/or sign
A.
5. Discussion Items



TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- 2023-2025 Council Goals
- Labor Negotiations – IAFF/IBEW
- Urban Growth Boundary Swap
- Umpqua Basin Urban Services Agreement
- ARPA Quarterly Reports
- Highway 138 Water Line Replacement, Project No. 22WA16

May 8, 2023

Mayor Reports

- A. Pride Month Proclamation
- B. 2022 Roseburg Optimist Club Officer of the Year –

Consent Agenda

- A. May 8, 2023 Meeting Minutes

Public Hearings

- A. CDBG Grant Closeout
- B. Sale of Real Property - 481 Leland
- C. Sale of Real Property – 1410 SE Micelli

Resolutions

- A. Resolution No. 2023-12 - General Fees
- B. Resolution No. 2023-13 - Water Related Fees
- C. Resolution No. 2023-14 - Park Rules & Regulations
- D. Resolution No. 2023-15 - Radio Purchase RPD

Ordinances

- A. Ordinance No. 3586: Amending RMC Section 7.02.100, Prohibited Camping, Second Reading
- B. Ordinance No. 3587: Granting Renewal of a Telecommunications Franchise to Douglas Services, Inc. dba Douglas Fast Net, Second Reading

Department Items

- A. Intergovernmental Agreement - ODOT Flexible Service Maintenance Agreement
- B. Intergovernmental Agreement - ODOT Right of Way Acquisition for Deer Creek Bridge

June 12, 2023

Mayor Reports

- A. Camp Millennium Week Proclamation
- B. Juneteenth Independence Day Proclamation

Consent Agenda

- A. May 22, 2023 Meeting Minutes

Public Hearing

- A. Resolution No. 2023-16: 2023-2024 Budget Adoption
- B. Ordinance No. 3588: 2023 Bike Routes Plan Adoption, File No. CPA-23-001

Department Items

- A. Bid Award – Slurry Seal, Project No. – 23PW02

Informational

- A. City Manager Activity Report

Roseburg Urban Renewal Agency Board Meeting

Consent Agenda

- A. Minutes of previous meeting

June 26, 2023

Mayor Reports

- A. 2023 Election Results

Special Presentation

- A. Anvil NW, Experience Roseburg, Destination Marketing Annual Report

Consent Agenda

- A. June 12, 2023 Meeting Minutes

Department Items

- A. Stewart Parkway & Pine Street Pavement Improvements – 23PW01
- B. Kline Street ADA Ramps – 23PW13
- C. Flood Insurance Synopsis

Informational

- A. City Manager Activity Report
-

July 10, 2023

Mayor Reports

- A. Parks and Recreation Month Proclamation

Special Presentation

- A. Gary Leif Navigation Center One-Year Report

Consent Agenda

- A. June 26, 2023 Meeting Minutes

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

Informational

- A. City Manager Activity Report
-

July 24, 2023

Consent Agenda

- A. July 10, 2023 Meeting Minutes

Department Items

- A. Bid Award – 24-inch Transmission Main Isabell Avenue to Newton Creek Road,
if budget is approved

Informational

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

August 14, 2023

Consent Agenda

- A. July 24, 2023 Meeting Minutes

Informational

- A. City Manager Activity Report
 - B. Quarterly Financial Report
-

August 28, 2023

Consent Agenda

- A. August 14, 2023 Meeting Minutes

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

Informational

- A. City Manager Activity Report
-

September 11, 2023

- Mayor Reports
 - A. Constitution Day and Week Proclamation
 - Consent Agenda
 - A. August 28, 2023 Meeting Minutes
 - Informational
 - A. City Manager Activity Report
-

September 25, 2023

- Consent Agenda
 - A. September 11, 2023 Meeting Minutes
 - Informational
 - A. City Manager Activity Report
-

October 9, 2023

- Consent Agenda
 - A. September 25, 2023 Meeting Minutes
 - Informational
 - A. City Manager Activity Report
-

October 23, 2023

- Mayor Reports
 - A. Veterans Day Proclamation
 - Consent Agenda
 - A. October 9, 2023 Meeting Minutes
 - Informational
 - A. City Manager Activity Report
-

November 13, 2023

- Consent Agenda
 - A. October 23, 2023 Meeting Minutes
 - Informational
 - A. City Manager Activity Report
-

December 11, 2023

- Consent Agenda
 - A. November 13, 2023 Meeting Minutes
- Informational
 - A. City Manager Activity Report