

ROSEBURG CITY COUNCIL AGENDA – OCTOBER 27, 2025

City Council Chambers, City Hall

900 SE Douglas Avenue, Roseburg, Oregon 97470



Public Online Access:

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

Facebook Live at www.Facebook.com/CityofRoseburg

See Audience Participation Information for instructions on how to participate in meetings.

6:00 p.m. Executive Session

- A. ORS192.660(2)(i) – City Manager Evaluation

7:00 p.m. Regular Meeting

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

2. **Pledge of Allegiance**

Roll Call

Tom Michalek

Andrea Zielinski

Jason Tate

Ruth Smith

Ellen Porter

Katie Williams

Zack Weiss

Shelley Briggs Loosley

3. **Mayor Reports**

- A. Municipal Judge Compensation

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

5. **Audience Participation – In Person or via Zoom/See Information on the Reverse**

6. **Consent Agenda**

- A. October 13, 2025 Regular Meeting Minutes

7. **Ordinances**

- A. Ordinance No. 3615 Granting a Telecommunications Franchise to thinQ Technologies, Inc. (First and Second Reading)

- B. Ordinance No. 3616 Annexation and Zone Change – 1058 Greenley St. – File Nos. AN-24-002 & ZC-24-002 – First Reading

8. **Department Items**

- A. Task Order No. 5 Authorization – 2026 Pavement Management Program Design Services, Project No. 26PW01, SE Stephens

- B. Downtown / Laurelwood Parking Enforcement

9. **Items from Mayor, City Council and City Manager**

10. **Adjourn**

11. **Executive Session ORS 192.660**

Informational

- A. Future Tentative Council Agendas

***** AMERICANS WITH DISABILITIES ACT NOTICE *****

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation.

TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

AUDIENCE PARTICIPATION INFORMATION

The Roseburg City Council welcomes and encourages citizen participation at all of our regular 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.
 - Each speaker must provide their name, address, phone number and topic on the Audience Participation Sign-In Sheet.
 - **VIA EMAIL** by sending an email by 12:00 p.m. the day of the meeting to info@roseburgor.gov.
 - These will be provided to the Council but will not be read out loud during the meeting. Please include your name, address and phone number within the email.
 - **VIRTUALLY** during the meeting. Contact the City Recorder by phone (541) 492-6866 or email (info@roseburgor.gov) by 12:00 p.m. the day of the meeting to get a link to the meeting.
 - Each speaker must provide their name, address, phone number and topic in the email. Speakers will need to 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. All attendees will be held in a "waiting room" until called on to speak. It is helpful if the speaker can provide a summary of their comments via email to ensure technology/sound challenges do not limit Council's understanding.
- 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."
 1. Speakers will be called by the Mayor in the order in which they signed up. The Mayor will generally call in-person speakers prior to calling speakers participating via Zoom. Each virtual speaker will be transferred from the "waiting room" into the meeting to provide comments, then moved back to the "waiting room" upon completion of their comments.
 2. Persons addressing the Council in person or virtually must state their name and city of residence for the record.

TIME LIMITATIONS - A total of 30 minutes shall be allocated for the "Audience Participation" portion of the meeting. With the exception of public hearings, each speaker will be allotted a total of 6 minutes, unless the number of speakers will exceed the maximum time. In this case, the Mayor may choose to decrease the allotted time for each speaker in order to hear from a wider audience. All testimony given shall be new and not have been previously presented to Council.

Audience Participation is a time for the Mayor and Council to receive input from the public. The Council may respond to audience comments after "Audience Participation" has been closed or during "Items from Mayor, Councilors or City Manager" after completion of the Council's business agenda. The Council reserves the right to delay any action requested until they are fully informed on the matter.

ORDER AND DECORUM

Councilors and citizens shall maintain order and decorum at Council meetings. Any audience member may be directed to leave the meeting if they use unreasonably loud, disruptive, or threatening language, make loud or disruptive noise, engage in violent or distracting action, willfully damage furnishings, refuse to obey the rules of conduct, or refuse to obey an order of the Mayor or majority of Council. No signs, posters or placards are allowed in the meeting room.

All speakers and audience members should treat everyone with respect and maintain a welcoming environment. Please avoid actions that could be distracting such as cheering, booing, or applause. Please turn cell phones to silent and enter and exit the Council Chambers quietly if the meeting is in progress and take any conversations outside the Chambers.

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

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



MUNICIPAL JUDGE COMPENSATION

Meeting Date: October 27, 2025
Department: Administration
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

The Municipal Judge is under contract for services with the City. Council reviews the Judge's performance and compensation level on an annual basis, unless otherwise decided. The issue for Council is whether to adjust the Judge's salary.

BACKGROUND

A. Council Action History.

Council's annual evaluation with the Municipal Judge occurred at the October 13, 2025, Council meeting in executive session. At the conclusion of each annual performance evaluation, City Council has the opportunity to adjust the Municipal Judge's salary.

B. Analysis.

The Municipal Judge has historically received the same salary adjustment granted to non-represented management employees, which is 5% for 2025-26.

C. Financial/Resource Considerations.

A 5% adjustment would increase the Municipal Judge's salary from \$6,267 to \$6,580 per month, effective on his November 1, 2025, anniversary date.

D. Timing Considerations.

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

COUNCIL OPTIONS

Council has the following options:

- Adjust compensation for the Municipal Judge; or
- Make no changes to compensation for the Municipal Judge; or
- Request additional information before making a determination regarding the Municipal Judge's compensation.

STAFF RECOMMENDATION

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

SUGGESTED MOTION

“I MOVE TO INCREASE THE MUNICIPAL JUDGE’S MONTHLY SALARY BY 5% TO \$6,580, EFFECTIVE NOVEMBER 1, 2025.”

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL MEETING
October 13, 2025**

Mayor Rich called the regular meeting of the Roseburg City Council to order at 7:04 p.m. on October 13, 2025, in the City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

1. Pledge of Allegiance

Councilor Weiss led the pledge of allegiance.

2. ROLL CALL

Present: Mayor Larry Rich, Councilors Shelley Briggs Loosley, Tom Michalek, Ellen Porter, Ruth Smith, Jason Tate, Zack Weiss, and Katie Williams

Absent: Andrea Zielinski

Others: City Manager Nikki Messenger, City Attorney Jim Forrester, Police Chief Gary Klopfenstein, Fire Chief Tyler Christopherson, Finance Director Ron Harker, Community Development Director Stu Cowie, Public Works Director Ryan Herinckx, Human Resources Director John VanWinkle, Library Director Kris Wiley, Special Projects Coordinator Jennifer Bragg, City Recorder Amy Nytes, Management Assistant Grace Jelks, Peace at Home Advocacy Center Youth and Housing Project Manager Thomas McGregor, Roseburg Disposal Company President Dori John, Former Director of Government Relations and Regulations for Rogue Disposal Gary Penning, Douglas County Baseball Association Executive Director Jacob Whisler, and The News Review Reporter Patrick Moore

3. Mayor Reports

A. Mayor Rich proclaimed November as Homeless Youth Awareness Month. Peace at Home Advocacy Center Youth and Housing Project Manager Thomas McGregor accepted the proclamation and thanked Council for their recognition.

B. Mayor Rich presented the Urban Campground Next Steps.

Councilors had questions about scheduling another discussion during a regular Council meeting or work study session (Weiss, Michalek).

Mayor Rich clarified that the work study was suggested to allow for more focused time to discuss this issue.

Messenger clarified that staff could begin sending out a survey to find the best date for Councilors to hold a work study.

Public Comments:

Cherri Herrman, resident, shared concerns about considering Deer Creek Park for an urban campground as it is in an area that does not meet the Council's

criteria and feels that the homelessness problem is too complex to be solved by a one-size-fits-all approach.

Bernie Woodard, Elk Island Trading Group, shared concerns about what he called “collateral damage” caused by Ordinance No. 3586, commonly known as Time-Place-Manner, and having an unmanaged camp at Deer Creek Park.

Received one written comment that was provided to the Council prior to the meeting.

Councilor Weiss moved to direct staff to schedule a work study session to discuss the opportunities and challenges around establishing an urban campground to establish a shared understanding and provide direction to staff. The motion was seconded by Council President Smith.

Councilor comments reflected concerns about continuing the process without making progress, costs associated with pursuing potential properties, needing more officers for enforcement of city ordinance violations, operating and managing a campground, creating a plan to address community discourse, realizing that there are federal protections for certain disorders, lack of funding sources, and there will continue to be community disagreements about the location (Porter, Michalek, Weiss, Smith, Mayor Rich).

The motion was approved with the following vote: Councilors Briggs Loosley, Michalek, Porter, Smith, Tate, Weiss, and Williams voted yes. No Councilors voted no. The motion passed unanimously.

C. Mayor Rich presented the Investigation Discussion.

Councilors had questions about the cost of the investigation and whether the local City Attorney’s time was part of the overall cost. (Michalek, Porter).

Mayor Rich clarified the fees for the investigation were approximately \$60,000,

Forrester clarified that his time was not included in the invoice for the investigator’s services and estimated his costs to be approximately \$4000 - \$5000.

Council Michalek moved to do nothing. The motion was seconded by Councilor Porter.

Councilor comments reflected concerns that bullying behavior that should be dealt with directly, elected officials should expect and anticipate public discourse, adding too many rules and regulations will hinder robust expression of opposing viewpoints, and possible consequences of violating an anti-bullying policy (Michalek, Smith, Porter, Weiss).

Mayor Rich shared his experience working with high school students that experienced bullying behavior.

Some Councilors supported asking staff to research anti-bullying policies (Williams, Tate, Mayor Rich).

The motion was approved with the following vote: Councilors Michalek, Porter, Smith, and Weiss voted yes. Councilors Briggs Loosley, Tate, and Williams voted no. The motion passed (4- 3).

4. Commission Reports/Council Ward Reports

Councilor Porter spoke about the October 9, 2025, Public Works Commission meeting that was cancelled due to lack of a quorum and gave her resignation as Chair from the Commission.

Councilor Briggs Loosley moved to accept Councilor Porter's resignation as Chair of the Public Works Commission. The motion was seconded by Councilor Michalek and approved with the following vote: Councilors Briggs Loosley, Michalek, Porter, Smith, Tate, Weiss, and Williams. The motion passed unanimously.

Mayor Rich and staff will work on next steps to fill the vacancy.

Councilor Michalek spoke about the October 16, 2025, Airport Commission meeting that was cancelled due to a lack of agenda items, and ongoing construction to improve Brown Park and the Veteran's Bridge.

Council President Smith spoke about attending the League of Oregon Cities Annual Business meeting on October 4th, 2025 as the City of Roseburg's voting delegate, a new Board of Directors was voted in, and stated that the Roseburg Fire Department was recognized for excellent service and the work that has been done to reduce back injuries.

Christopherson explained that they have been working with senior centers and private individuals to connect them with appropriate resources, provide staff training on proper lifting techniques, and demonstrated equipment to assist when staffing is limited, which has helped reduce call volume and firefighter injuries.

Councilor President Smith spoke about the October 1, 2025, Parks and Recreation Commission meeting that was cancelled due to a lack of agenda items, and that construction at the tennis and pickleball courts is almost complete.

5. Audience Participation

None.

6. Consent Agenda

A. September 22, 2025 Regular Meeting Minutes.

Council President Smith moved to approve the consent agenda. The motion was seconded by Councilor Briggs Loosley and approved with following vote: Councilors Briggs Loosley, Michalek, Porter, Smith, Tate, Weiss, and Williams voted yes. No Councilors voted no. The motion passed unanimously.

7. Resolution

A. Bragg presented ODEM Emergency Communications – Grant Submission – Resolution No. 2025-14.

Councilors had questions about the source of the funding for the equipment (Michalek).

Messenger clarified that money is transferred from the General Fund to the Equipment Fund to meet the equipment needs approved in the 2025-2026 Adopted Budget, and that getting this grant will help minimize the overall purchase amount paid by the city.

Council President Smith moved to adopt Resolution No. 2025-14 authorizing submission of a grant application requesting \$300,000 for Tri-Band Police Radios. The motion was seconded by Councilor Tate and approved with the following vote: Councilors Briggs Loosley, Michalek, Porter, Smith, Tate, Weiss, and Williams voted yes. No Councilors voted no. The motion passed unanimously.

8. Department Items

A. Nytes presented Solid Waste Management License.

Councilors asked questions regarding staff time and the process involved during an audit of the company, whether there is a difference in services based on fees, existing franchise agreements or licenses for services, total number of applications for a license received annually, clarification of types of materials considered solid waste, whether the proposal is to give Roseburg Disposal Company an exclusive license and to increase the fee, potential impact to customers for the fee increase option, and increased fee for disposal at the county dump (Michalek, Weiss, Porter, Smith).

Nytes clarified that auditing the company is an annual requirement outlined in our municipal code, Roseburg Disposal has been good to work with and very responsive to requests for more information. Staff time is similar for both options, but the proposed changes would codify an exclusive license and simplify the process. She explained that the City of Roseburg previously had a franchise agreement for solid waste; Roseburg Disposal is the sole license holder and the only license applicant received in the last year and half. Definitions of solid waste and service options not provided by the company are outlined in the municipal code. Clarification was given about the possible options of keeping the license requirement with and without a fee increase versus collecting a percentage for a franchise agreement.

Roseburg Disposal Company President Dori John and Former Director of Government Relations and Regulations for Rogue Disposal Gary Penning clarified that services remain the same whether the municipal code requires a license or franchise agreement, increased fees will cover staff time and road repairs, increasing the fee would not have a huge impact, there is not a plan at this time to increase fees for customers, requests for fee increases would be scheduled for discussion at a future meeting, Douglas County increased the fees citizens for services at the Douglas County Disposal & Recycling Center, and we asked for a rate increase in 2023.

Council President Smith moved to direct staff to prepare draft ordinance language that would amend RMC 9.20 to establish an exclusive solid waste management license with Roseburg Disposal. The motion was seconded by Councilor Briggs Loosley.

Councilors shared their appreciation for the tour of Roseburg Disposal Company, thanked Dori John and her staff for sharing information about the facility and services (Tate, Smith, Weiss, Porter).

Dori John thanked the Council for their time and coming to tour the facility.

Councilor comments reflected concerns about limiting competition (Weiss).

Messenger clarified that providing solid waste removal and disposal is necessary for core infrastructure, our city does not provide this service, this proposal would ensure stability for a necessary service, and there is the potential for bigger companies to take over areas of their choosing or have too many providers in the same area if we don't have an exclusive license.

The motion was approved with the following vote: Councilors Briggs Loosley, Michalek, Porter, Smith, Tate, and Williams voted yes. Councilor Weiss voted no. The motion passed (6-1).

B. Wiley presented the 2025 Oregon Public Library Statistical Report.

Councilors had questions about Grab-N-Go craft kits, elimination of the AmeriCorps Vista program that provided volunteers to serve at the library, and whether the total number of library visits includes digital visits (Porter, Smith, Tate).

Wiley clarified craft kits vary by theme, with all of the materials provided. Past kits have included canvases and paintbrushes, a mini purse project, and a popular catapult kit. Approximately thirty-five different kit ideas are offered every year, some with STEAM (Science, Technology, Engineering, Arts, and Mathematics) components, and additional adult craft kits will be added this year. Wiley also noted that AmeriCorps VISTA program volunteers through UCAN and Rare AmeriCorps through the University of Oregon provided valuable add-on services for our community. Digital users are tracked separately through online checkouts and website statistics.

Council shared their appreciation for Wiley's great work at the library.

C. Herinckx presented the Douglas County Baseball Association Request for Amendment to Legion Field Management and Operation Agreement to Allow Beer Sales at Legion Field.

Councilors had questions about trash pickup, age range of players that belong to the association, OSAA regulations pertaining to alcohol, prohibited sales during high school events, number of DCBA games, projected beer sales during the season, DCBA mission statement, revenue collected from beer sales and drink restrictions in Medford, artificial turf maintenance, three beer cutoff and reusable wristbands, security during games, and the number of beers it takes to put someone over the legal limit (Porter, Mayor Rich, Smith, Michalek, Weiss).

Herinckx clarified there are already garbage receptacles and trash services, and three drinks per day limit was a request that was approved at the Parks & Recreation Commission meeting.

Douglas County Baseball Association Executive Director Jacob Whisler clarified they will continue cleaning up and taking care of the garbage after games, ages range of players is 14 – 18 years and can include college aged kids that are still

eligible to play during their freshman year, DCBA is a non-profit, players still participate in American Legion baseball, these are not OSAA regulated events, alcohol is not prohibited by DCBA regulations, players are not allowed to drink, there were approximately 140 games this year, alcohol sales were allowed at two games this summer, projections of \$250 in sales per game, there will be approximately 120 games next year, our mission is to engage the community and develop players, beer sales allows us to create an event that more people will attend and enjoy, money collected goes towards maintaining the field, beer sales at the Medford Rogue facility is their biggest revenue source, plans to purchase and install crumb rubber artificial turf materials will be approximately \$15,000, there are mandates in place to limit the number of beers daily so patrons are not overserved, he indicated they are open to prohibiting the use of glass bottles and using paper cups, there are no limitations on the number of drinks served in Medford, wristbands are not reusable, and we are working on expanding the security team so that we can provide more security during games.

Messenger clarified the 2025 end of season beer sales were for two games and limiting the number of drinks per day is a way to limit liability for the organization.

Councilor Michalek requested to amend the suggested motion to prohibit the use of glass bottles and plastic cups.

Council President Smith shared that the Parks & Recreation Commission worked out the details with DCBA before approving the one-year trial basis.

Forrester clarified that alcohol affects everyone differently and there are too many variables that impact levels of intoxication from person to person.

Councilor Briggs Loosley declared a conflict of interest because her husband is the President of DCBA.

Council President Smith moved to approve an amendment to the Legion Field Management and Operation Agreement authorizing Douglas County Baseball Association to sell beer in paper cups, prohibiting the use of glass bottles and plastic cups, at Legion Field on a one-year trial basis. The motion was seconded by Councilor Tate.

Councilor Porter asked that the motion be amended to include prohibiting the use of glass bottles and plastic cups. Councilors Smith and Tate agreed to the amended motion.

Councilor Weiss asked if paper cups would negatively impact DCBA and appreciated the one-year trial basis.

Jacob Whisler clarified that using paper cups will not be a problem.

The amended motion was approved with the following vote: Councilors Michalek, Porter, Smith, Tate, Weiss, and Williams voted yes. No Councilors voted no. The motion passed (6-0-1). Councilor Briggs Loosley abstained.

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

Mayor Rich read the Executive Session Disclaimer into the record.

10. Adjourn

Mayor Rich adjourned the regular meeting at 9:28 p.m.

Grace Jelks

Grace Jelks

Management Staff Assistant

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



ORDINANCE NO. 3615 GRANTING A TELECOMMUNICATIONS FRANCHISE TO THINQ TECHNOLOGIES, INC.

Meeting Date: October 27, 2025
Department: Administration
www.cityofroseburg.org

Agenda Section: Ordinances
Staff Contact: Amy Nytes, City Recorder
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City has received an application for a telecommunications franchise from thinQ Technologies, Inc. located in Maitland, Florida.

BACKGROUND

A. Council Action History.

Council has not acted on this particular application.

B. Analysis.

The subject application was received on September 15, 2025, and the application processing fee was receipted on October 1, 2025. Service to Roseburg customers began on July 1, 2025. Therefore, the provider has requested that the franchise agreement be granted retroactively to July 1, 2025.

C. Financial/Resource Considerations.

Under our definitions of telecommunication “provider” and telecommunications “service,” thinQ Technologies, Inc. is required to pay a franchise fee of 5% of the gross revenues derived from customers within the City. thinQ Technologies, Inc. has been remitting franchise fee payments since July 2025.

D. Timing Considerations.

As noted above, thinQ Technologies, Inc. began serving Roseburg in July of 2025; therefore, the franchise needs to be made effective retroactively to that date. Such effective date will make the initial term of the franchise 2 years and 6 months, with an expiration date of December 31, 2027. The ordinance will also allow for up to four renewal terms of three years each, for a total of five possible terms.

COUNCIL OPTIONS

Council has the following options:

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

- Take no action at this time.

STAFF RECOMMENDATION

Staff recommends that Council proceed with first reading of the ordinance, followed by suspension of the rules, second reading and adoption at the October 27, 2025, meeting to ensure timely authorization of the franchise agreement.

SUGGESTED MOTION

If Council concurs with Staff's recommendation, Council will need to request first reading of the ordinance granting a telecommunications franchise to thinQ Technologies, Inc. effective July 1, 2025, after which the following motion would be appropriate.

"I MOVE TO SUSPEND THE RULES AND PROCEED WITH SECOND READING OF ORDINANCE NO. 3615, GRANTING A TELECOMMUNICATIONS FRANCHISE TO THINQ TECHNOLOGIES, INC., RETROACTIVE TO JULY 1, 2025."

"I MOVE TO ADOPT ORDINANCE NO. 3615."

ATTACHMENTS:

Attachment #1 – Proposed Ordinance

Cc: thinQ Technologies, Inc. 151 Southhall Lane, Suite 450, Maitland, FL 32751
Subject Franchise File

ORDINANCE NO. 3615

AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO THINQ TECHNOLOGIES, INC., EFFECTIVE RETROACTIVELY ON JULY 1, 2025

SECTION 1. Grant of Franchise. The City of Roseburg, hereinafter called “City”, hereby grants thinQ Technologies, Inc., hereinafter called “Franchisee”, the non-exclusive right to use and occupy all public ways within the Franchise Territory, solely for the purposes described herein, for a period of three years, retroactively beginning July 1, 2025 and ending December 31, 2027 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: Amy Nytes, City Recorder
900 SE Douglas
Roseburg, OR 97470
E-mail: anytes@roseburgor.gov
Phone: 541-492-6866

If to Franchisee:

thinQ Technologies, Inc.
ATTN: Kristen Broome
151 Southhall Lane, Suite 450
Maitland, FL 32751
E-mail: thinq@jsitel.com
Phone: 678-672-2800

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: Kristen Broome

Mailing Address: 5420 Wade Park Blvd, Suite 100, Raleigh, NC 27607

Telephone: 678-672-2800

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

SECTION 9. Representation and Warranty of Franchisee. By executing this

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

SECTION 10. Franchise Effective Date. Franchisee submitted an application requesting a new telecommunications franchise and paid the application processing fee on October 1, 2025. Franchisee has been serving Roseburg customers since July 1, 2025. The Roseburg City Council approved the request for a new franchise agreement at its meeting on October 27, 2025; and hereby authorizes this Franchise effective July 1, 2025, and expiring on December 31, 2027, 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 27th DAY OF OCTOBER 2025.

APPROVED BY THE MAYOR PRO-TEM ON THIS 27th DAY OF OCTOBER 2025.

MAYOR PRO-TEM

Ruth Smith, Council President

ATTEST:

Amy Nytes, City Recorder

(Franchisee's Acceptance on Following Page)

FRANCHISEE'S ACCEPTANCE OF ORDINANCE NO.____. This Ordinance is hereby
accepted by _____. on this ____ day of _____, 20__.

By: _____
(Signature)

Name: _____
(Printed)

Title: _____

Date: _____

State of _____)
County of _____) ss.

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

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

.....
Acceptance received by City Recorder on _____, 20__.

Amy Nytes, City Recorder

ORDINANCE NO. 3615 – EXHIBIT “A”

ROSEBURG MUNICIPAL CODE CHAPTER 9.25 - TELECOMMUNICATIONS PROVIDERS

Sections:

- 9.25.005 Definitions.**
- 9.25.010 Purpose.**
- 9.25.020 Jurisdiction and management of the public way.**
- 9.25.030 Regulatory fees and compensation not a tax.**
- 9.25.040 Overview of franchise requirements.**
- 9.25.050 Reserved.**
- 9.25.060 Application.**
- 9.25.070 Application review fee.**
- 9.25.080 Determination by the City.**
- 9.25.090 Rights granted.**
- 9.25.100 Term and renewal of franchises.**
- 9.25.110 Franchise Fee.**
- 9.25.115 Operation without a franchise.**
- 9.25.120 Amendment of franchise.**
- 9.25.130 Reserved.**
- 9.25.140 Reserved.**
- 9.25.150 Obligation to cure as a condition of renewal.**
- 9.25.160 Assignments or transfers of system or franchise.**
- 9.25.170 Revocation or termination of franchise.**
- 9.25.180 Notice and duty to cure.**
- 9.25.190 Hearing.**
- 9.25.200 Standards for revocation or lesser sanctions.**
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- 9.25.470 Severability and preemption.**
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- 9.25.490 Compliance with laws.**

9.25.500 Application to existing ordinances and agreements.

9.25.005 Definitions. For the purpose of this Chapter, the following terms, phrases, words and their derivations, shall have the meanings given herein. Terms not defined in this Section shall be interpreted in accordance with Chapter 1.04 of this Code. Terms not defined in this Section or in Chapter 1.04 of this Code, shall be given the meaning set forth in the Communications Policy Act of 1934, as amended, the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996. If not defined there, the words shall be given their common and ordinary meaning. Definitions for this Chapter are as follows:

"Cable service" means the one-way transmission to subscribers of video programming, or other video, audio or data service using the same means of transmission as used to transmit video programming; and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

"City property" means and includes all real property owned by the City, other than the public way and utility easements as those are defined herein.

"Conduit" means any structure, or portion thereof, containing one or more ducts, conduits, manholes, handholds, bolts or other facilities used for any telegraph, telephone, cable television, electrical or communications conductors or cable facilities.

"Construction" means any activity in the public way resulting in physical change thereto, including excavation or placement of structures, but excluding routine maintenance or repair of existing facilities.

"Control" means actual working control in whatever manner exercised.

"Customer" means both the end user of telecommunications services in the City and any person that acquires telecommunications services, bandwidth or other form of capacity for its own to use or for resale in the City.

"Duct" means a single enclosed raceway for conductors or cable.

"Emergency" has the meaning provided in ORS 401.025.

"Franchise" means a license from the City which grants a privilege to occupy the public way and utility easements within the City for a dedicated purpose, for specific compensation and for a specified period of time.

"Grantee" means the person to whom or the entity to which a telecommunications franchise is granted by the City, including both telecommunication carriers and non-carrier providers.

"Gross revenue" means all revenue earned by a telecommunications provider from operations within the City, including but not limited to service to customers located within the City and other persons who use the grantee's facilities within the City to provide service to customers. A person that sells capacity or bandwidth to another telecommunications provider, as described in section 9.25.380, may deduct the income received in that transaction from its gross revenue for purposes of calculating the franchise fee described in section 9.25.110

"Non-carrier provider" means a telecommunications provider that is not also classified as a telecommunications carrier. It includes but is not limited to providers that install, own or lease facilities in the public way and providers that acquire bandwidth or other capacity to resell or provide service directly to customers in the City. "Non-carrier provider" includes several different types of telecommunications providers, including but is not limited to providers often known as competitive local exchange carriers, resellers and long-haul providers.

"Person" means an individual, corporation, company, association, joint stock company or association, firm, partnership or limited liability company.

"Private telecommunications network" means a system, including the construction, maintenance or operation of the system, for the provision of a service or any portion of a service which is owned or operated exclusively by a person for their use and not for resale, directly or indirectly. "Private telecommunications network" includes services provided by the State of Oregon pursuant to ORS 190.240 and 283.140.

"Public way" includes, but is not limited to, any street, road, bridge, alley, sidewalk, trail, path and utility easement, including the subsurface under and air space over these areas. This definition applies only to the extent of the City's right or authority to grant a franchise to occupy and use such areas for telecommunications facilities. "Public way" does not include City-owned buildings, parks or other property.

"Small Cells" means low-powered radio access nodes that operate in licensed and unlicensed spectrum with a range of 10 meters to 1 or 2 kilometers and can be deployed relatively easily on utility poles, street lamps, water towers, or rooftops.

"Telecommunications Act" means the Communication Policy Act of 1934, as amended by subsequent enactments including the Telecommunications Act of 1996 (47 U.S.C. sec. 151 et seq.) and as hereafter amended.

"Telecommunications carrier" means a telecommunications provider that is a telecommunication utility as defined in ORS 759.005 or successor statutes or a cooperative corporation formed under ORS Chapter 62 that provides telecommunications service as defined in ORS 759.005 or successor statutes. It is often known as the incumbent local exchange carrier.

"Telecommunications facilities" means the plant and equipment, other than customer premises equipment, including but not limited to line, pipe, wire cable, fiber, etc. occupying the public way, used, designed or intended for use by a telecommunications provider to provide telecommunications services.

"Telecommunications provider" means: (1) any person that provides telecommunications services to any person or premises within the City, including both telecommunication carriers and non-carrier providers; (2) any person that directly or indirectly owns, leases, operates, manages, or otherwise controls telecommunications facilities which occupy public way within the City; (3) any person that is directly or indirectly owned or controlled by any person described in this definition; and includes every person that directly or indirectly owns, controls, operates or manages plant, equipment or property within the City which is used, or to be used for the purpose of offering telecommunication services. For purposes of this definition, "owns" or "controls" means that one person or entity owns more than 25% of the stock or assets or has more than 25% common partners, directors or owners with another entity. In addition, any person that leases, purchases or otherwise receives telecommunications service or use of a telecommunications facility for less than a reasonable price, so as to create a reasonable inference that the two parties did not deal at arm's length, shall be deemed to be owned or controlled by the second party.

"Telecommunications service" means the providing or offering for rent, sale or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic and video programming or any other information between or among points by wire, cable, fiber optics, or by laser, microwave, radio, satellite or similar wireless facilities, with or without benefit of any closed transmission medium and without regard to the nature of the transmission protocol employed, but does not include: (1) cable television services; (2) private telecommunications network services; (3) over-the-air radio or television broadcasting to the public-at-large from facilities licensed by the Federal Communications Commission or any successor thereto; (4) direct-to-home satellite service within the meaning of Section 602 of the Telecommunications Act of 1996; (5) services provided solely for the purpose of providing internet service to the customer; (6) public safety radio systems; (7) mobile service within the meaning of 47 U.S.C. Section 153(33) (2012); and services to devices exclusively utilizing electromagnetic spectrum unlicensed by the Federal Communications Commission.

"Telecommunications System" see "Telecommunication facilities" above.

"Telecommunications Utility" has the same meaning as given in ORS 759.005(9).

"Utility easement" means any easement granted to or owned by the City and acquired, established, dedicated or devoted for public utility purposes.

"Utility facilities" means the plant, equipment and property, including but not limited to the poles, pipes, mains, conduits, ducts, cable, wires, plant and equipment located under, on, or above the surface of the ground within the public right of way of the City and used or to be used for the purpose of providing utility or telecommunication services.

9.25.010 Purpose. The purpose and intent of this Chapter are to:

- A.** Respond to increased use of the public way by telecommunication providers and to technological advances in the telecommunications industry;
- B.** Comply with the 1996 Telecommunications Act as it applies to local governments, telecommunications providers and the services those providers offer;
- C.** Encourage the provision of advanced and competitive telecommunications services on the widest possible basis to businesses, institutions and residents of the City on a competitively neutral basis;
- D.** Permit and manage reasonable access to the public way of the City for telecommunications purposes on a competitively neutral basis and conserve the limited physical capacity of the public way held in trust by the City;
- E.** Assure that the City's current and ongoing costs of granting and regulating private access to and the use of the public way are fully compensated by the persons seeking such access and causing such costs;
- F.** Recognize the public way as a valuable City asset and secure fair and reasonable compensation to the City and its residents for permitting private use of the public way and for physical damage and aesthetic harm to the public way from construction and installation of facilities in the public way;
- G.** Assure that all telecommunications providers occupying the public way with telecommunication facilities obtain a franchise and comply with the ordinances, rules and regulations of the City;
- H.** Enable the City to discharge its public trust consistent with the rapidly evolving federal and state regulatory policies, industry competition and technological development; and
- I.** Assure telecommunications providers that investing in infrastructure in the City is a secure and wise investment, while reserving to the City the ability to respond to new developments in the industry at the time of franchise renewal and by amending its ordinances.
- J.** Recognize that the City's grant of a franchise is in the nature of a license in exchange for a fee, rather than a contract.

(Ord. 3133 § 2, 2003; Ord. 3063 § 2, 2000) (Ord. 3294, § 2, 12-8-2008)

9.25.020 Jurisdiction and management of the public way.

- A.** The City has jurisdiction and exercises regulatory management over the public way whether the City has a fee, easement or other legal interest in the public way and whether the legal interest was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.
- B.** No person may occupy or encroach on a public way or other City property without the permission of the City. The City grants permission to use public way by franchises and permits.
- C.** The City retains the right and privilege to cut or move any telecommunications facilities located within the public way as the City may determine to be necessary, appropriate or useful in response to a public health or safety emergency.

(Ord. 3063 § 2, 2000)

9.25.030 Regulatory fees and compensation not a tax. The fees provided for in this chapter and any compensation charged and paid for use of the public way provided for in this Chapter are not a tax and are separate from, and in addition to, any and all federal, state, local and City charges as may be levied, imposed or due from a telecommunications provider, its customers or subscribers, or on account of the lease, sale, delivery or transmission of telecommunications services. (Ord. 3063 § 2, 2000)

9.25.040 Overview of franchise requirements.

A. All telecommunications providers who occupy the public way in the City or provide telecommunications services to customers in the City must obtain a franchise from the City. For purposes of this Section, "occupy" the public way means to own, lease, rent or possess the right to make physical changes to a telecommunications facility in the public way

B. A telecommunications provider that holds a current, valid franchise from the City may continue to provide the services authorized by its franchise for the duration of the current term of the franchise.

C. Nothing in this Chapter is intended to override state or federal law, and any provision that would conflict with state or federal law if applied to a particular grantee shall be unenforceable to the extent of the conflict and only to that extent.

(Ord. 3294, § 3, 12-8-2008) (Ord. 3133 § 3, 2003: Ord. 3063 § 2, 2000)

9.25.050 Reserved.

Editor's note: Ord. No. 3294, § 4, adopted Dec. 8, 2008, repealed § 9.25.050, which pertained to Telecommunications franchise and derived from Ord. 3063 § 2, 2000 and Ord. 3133 § 5, 2003. See also the Code Comparative Table and Disposition List.

9.25.060 Application. Any person that desires a telecommunications franchise shall file with the City Recorder an application which includes the following information:

A. The identity and legal status of the applicant, including the name, address and telephone number of the duly authorized officer, agent or employee responsible for the accuracy of the information required on the application and the duly authorized officer, agent or employee to be contacted in case of an emergency.

B. A description of the type of telecommunications services that are to be offered or provided by the applicant to customers within the City; a description of the general types and locations of telecommunication facilities that the applicant currently owns or leases within the City; and a description of the general types and locations of telecommunication facilities that the applicant intends to construct within the City within two years of obtaining a franchise.

C. Engineering plans, specifications and a network map of the facilities located within the public rights of way in the City, including the location and route requested for applicant's proposed telecommunications facilities. The City may require the information to be provided in electronic form readable by City computers or may specify another format.

D. The area or areas of the City the applicant desires to serve and a preliminary construction schedule for build-out to the entire franchise area.

E. Information to establish that the applicant has obtained all other governmental approvals and permits to construct and operate the facilities and to offer or provide the telecommunications services proposed including, but not limited to, the appropriate license from the Oregon Public Utility Commission (PUC) or the Federal Communication Commission (FCC).

F. An accurate map showing the location of any existing telecommunications facilities, if any, in the City that applicant intends to use or lease.

(Ord. 3294, § 5, 12-8-2008) (Ord. 3133 § 6, 2003: Ord. 3070 § 2, 2000)

9.25.070 Application review fee. An application review fee as set by Council resolution shall be paid to the City as part of the application filed pursuant to the above Section 9.25.060. (Ord. 3133 § 7, 2003: Ord. 3070 § 3, 2000)

9.25.080 Determination by the City. The City shall issue a written determination granting or denying the application in whole or in part. If the application is denied, the written determination shall include the reasons for denial. A denial may be appealed to the City Council which shall resolve the appeal in the manner provided in Section 9.25.190. (Ord. 3133 § 8, 2003: Ord. 3063 § 2, 2000)

9.25.090 Rights granted. No franchise granted pursuant to this Chapter shall convey any right, title or interest in the public way, but shall be deemed a grant to use and occupy the public way for the limited purposes and term and upon the conditions stated in the franchise agreement. (Ord. 3133 § 9, 2003: Ord. 3063 § 2, 2000)

9.25.100 Term and renewal of franchises.

A. Unless otherwise specified in a franchise agreement, a telecommunications franchise granted hereunder shall be in effect for an initial term of three years. Subject to conditions stated in this Code and unless otherwise specified in a franchise agreement, telecommunication franchises shall be automatically renewed for additional three-year terms, running from the anniversary of the grant of the initial franchise, up to a total of five terms including the initial term. A grantee desiring termination of a franchise after the initial term, but prior to any such renewal(s), must provide the City with written notice of such intent to terminate certifying that it will no longer be providing telecommunication services within the City of Roseburg at least 30 days prior to the date of renewal of said franchise.

B. A grantee shall be entitled to automatic renewal of its franchise for additional three-year terms, up to a total of five terms including the initial term, subject to and contingent upon the following conditions:

1. In the City's judgment, the public way has sufficient capacity to accommodate the grantee's existing and proposed facilities;
2. The grantee continues to meet the legal requirements for providing service in the City;
3. The grantee has complied with all the requirements of this Chapter and its franchise;
4. Applicable federal, state and local laws, rules and policies allow the grantee to continue its operations in the City;
5. The grantee agrees to comply with such additional requirements as may be imposed under Subsection C. of this Section.

C. As a condition of each automatic renewal of a franchise, the City, upon written notice provided to the grantee at least sixty (60) days prior to the renewal date, may require the grantee to:

1. Pay additional compensation, or pay compensation calculated in a different manner, for the rights granted by the franchise. Any additional or new compensation requirement shall be consistent with the requirements imposed on other similarly situated grantees at the time of renewal.
2. Comply with any amendments to this Chapter or other applicable provisions of this Code that the City has adopted since the franchise was granted.
3. Agree to amendments to the franchise based on changes to state or federal law; and
4. Execute a modification agreement setting forth all such amended terms of the franchise.

D. After the term of the initial franchise and maximum renewals provided for in this Section have expired, a grantee must apply for a new franchise under the same terms and conditions as apply to new franchise applications at the time and pay a fee as set by Council resolution to cover the cost of the City's review of the application. An application for a new franchise must be submitted not less than 180 days prior to expiration of the existing franchise and must contain the following information:

1. The information required pursuant to Section 9.25.060 of this Chapter; and
2. Any information required pursuant to the franchise agreement between the City and the grantee.

(Ord. No. 3353, § 1, 7-26-2010) (Ord. 3133 § 12, 2003; Ord. 3063 § 2, 2000)

9.25.110 Franchise Fee. Each grantee shall pay to the City a franchise fee as follows:

A. A telecommunications carrier shall pay seven percent (7%) of its gross revenue derived from exchange access services, as defined in ORS 403.105 or a successor statute, less net uncollectibles from such revenue. The fee 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 the quarter.

B. A non-carrier provider that serves customers in the City shall pay five per cent (5%) of its gross revenue. The fee shall be paid to the City on a quarterly basis, based on the revenues derived from the quarter just passed, not more than thirty (30) days following the end of the quarter.

C. A non-carrier provider that occupies the public way but has no customers in the City shall pay an annual fee for each linear foot of the public way occupied by its facilities. The fee shall be set by Council resolution and adjusted annually in accordance with the Consumer Price Index (CPI-U West). The fee shall be paid by January 31 of each year, based on the linear feet of public way occupied by grantees facilities as of December 31 of the prior year. For the year in which grantee first obtains a franchise, the fee may be

prorated on a monthly basis from the date of issuance of a permit to construct facilities in the public way, to December 31 of said year. Such proration shall not be applied in subsequent years.

D. A person that holds a franchise for a private communications network shall pay an annual fee for each linear foot of the public way occupied by its facilities. The fee shall be adjusted annually in accordance with the Consumer Price Index (CPI-U West). The fee shall be paid by January 31 of each year, based on the linear feet of public way occupied by grantee's facilities as of December 31 of the prior year. For the year in which grantee first obtains a franchise, the fee may be prorated on a monthly basis from the date of issuance of a permit to construct facilities in the public way, to December 31 of said year.

E. A telecommunications provider that serves customers in the City and, on the effective date of this ordinance, holds a valid franchise authorizing it to occupy the public way and pay a fee by the linear foot, may, until the expiration of the current term of such franchise, continue to pay at the per-foot fee set by Council resolution in effect at the time this Ordinance is adopted, as adjusted for inflation, or may elect to pay a fee calculated according to Paragraph B of this section

F. The fee for each small cell installed within the city limits of the City of Roseburg shall be set by Council resolution. The fee shall be paid on an annual basis, not more than 30 days following the end of each calendar year.

G. Any grantee that fails to pay the franchise fee when due, shall be charged a penalty of ten percent and the legal rate of interest established by state statute, on such unpaid balance.
(Ord. 3294, § 6, 12-8-2008)

9.25.115 Operation without a franchise. A telecommunications provider that occupies the public way without a franchise, provides services to customers in the City without a franchise or provides services not authorized by its franchise shall pay the City a fee of six per cent (6%) of gross revenues, plus interest and penalties as described in section 9.25.110F. (Ord. 3294, § 7, 12-8-2008)

9.25.120 Amendment of franchise. Conditions for amending a franchise are as follows:

A. If any grantee desires to extend or locate its telecommunications facilities in a public way of the City which is not included in a franchise previously granted by the City, an amendment to the franchise will be required.

B. If the City orders a grantee to locate or relocate its telecommunications facilities in a public way not included in a previously granted franchise, the City shall grant an automatic amendment without an additional fee.

C. An amended franchise shall be required of any grantee that desires to provide a different type of a service (e.g., cable, telephony) which was not included in a franchise previously granted by the City. An amendment to a franchise will not be required if a grantee adds new or enhanced services of the same type authorized by its existing franchise - e.g., a cable service provider offers digital music service as well as video, or a telephonic service provider adds features like call waiting, call forwarding or caller i.d.

(Ord. 3133 § 13, 2003; Ord. 3063 § 2, 2000)

9.25.130 Reserved.

Editor's note: Ord. No. 3353, § 2, adopted July 26, 2010, repealed § 9.25.130, which pertained to renewal applications and derived from Ord. 3133 § 14, 2003; Ord. 3063 § 2, 2000.

9.25.140 Reserved.

Editor's note: Ord. No. 3353, § 2, adopted July 26, 2010, repealed § 9.25.140, which pertained to renewal of franchise and derived from Ord. 3133 § 15, 2003; Ord. 3063 § 2, 2000.

9.25.150 Obligation to cure as a condition of renewal. No franchise shall be renewed until any and all ongoing violations or defaults in the grantee's performance of the franchise, or of the requirements of this Chapter, have been cured, or a plan detailing the corrective action to be taken by the grantee has been approved by the City. (Ord. 3133 § 16, 2003; Ord. 3063 § 2, 2000)

9.25.160 Assignments or transfers of system or franchise. Ownership or control of a majority interest in a telecommunications franchise may not, directly or indirectly, be transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the grantee, by operation of law or otherwise, without the prior consent of the City, which consent shall not be unreasonably withheld or delayed. The City may attach reasonable conditions to its consent, such as, but not limited to:

- A. Grantee and the proposed assignee or transferee of the franchise or system shall agree, in writing, to assume and abide by all of the provisions of the franchise.
- B. The approval shall be effective only when the assignee or transferee has demonstrated that it has the legal, technical, financial and other qualifications required by law to own, hold and operate the telecommunications system pursuant to this Chapter.
- C. Unless otherwise provided in a franchise agreement, the grantee shall reimburse the City for all direct and indirect fees, costs and expenses reasonably incurred by the City in considering a request to transfer or assign a telecommunications franchise, including the reasonable cost of the professional consultation on legal, technical or financial issues related to the transfer or assignment.
(Ord. 3133 § 17, 2003; Ord. 3063 § 2, 2000)

9.25.170 Revocation or termination of franchise. A franchise to use or occupy public way of the City may be revoked or terminated for any of the following reasons:

- A. Construction or operation in the City or in the public way of the City without a construction permit.
- B. Construction or operation at an unauthorized location.
- C. Failure to comply with Section 9.25.160 herein with respect to sale, transfer or assignment of a telecommunications system or franchise.
- D. Misrepresentation by or on behalf of a grantee in any application to the City.
- E. Abandonment of telecommunications facilities in the public way.
- F. Failure to relocate or remove facilities as required in this Chapter.
- G. Failure to pay taxes, compensation, fees or costs when and as due the City under this Chapter.
- H. Insolvency or bankruptcy of the grantee.
- I. Violation of a material provision of this Chapter.
- J. Violation of a material term of a franchise agreement.
- K. No longer providing telecommunications services in the City of Roseburg.
(Ord. 3133 § 18, 2003; Ord. 3063 § 2, 2000)

9.25.180 Notice and duty to cure. In the event that the City believes that grounds exist for revocation or termination of a franchise, the City shall give the grantee written notice of the apparent violation or noncompliance, providing a short and concise statement of the nature and general facts of the violation or noncompliance, and providing the grantee a reasonable period of time, not exceeding thirty (30) days, to furnish evidence that:

- A. Corrective action has been, or is being actively and expeditiously pursued, to remedy the violation or noncompliance;
- B. The allegation of a violation or noncompliance is incorrect; and/or
- C. It would be in the public interest to impose some penalty or sanction less than revocation.
(Ord. 3133 § 19, 2003; Ord. 3063 § 2, 2000)

9.25.190 Hearing. In the event that a grantee fails to provide evidence reasonably satisfactory to the City as provided in Section 9.25.180, the City Manager shall refer the apparent violation or noncompliance to the City Council. The City Council shall provide the grantee with notice and a reasonable opportunity to be heard concerning the matter. The hearing may be before the City Council, or at its discretion, the Council may appoint a hearings official to receive evidence and arguments and to prepare a report to the Council.
(Ord. 3133 § 20, 2003; Ord. 3063 § 2, 2000)

9.25.200 Standards for revocation or lesser sanctions. If persuaded that the grantee has violated or failed to comply with material provisions of this Chapter or a franchise agreement, the City Council shall determine whether to revoke the franchise, or to establish some lesser sanction and cure, considering the nature, circumstances, extent and gravity of the violation as reflected by one or more of the following factors:

- A. The misconduct was egregious.
- B. Substantial harm resulted.

- C. The violation was intentional.
 - D. There is a history of prior violations of the same or other requirements.
 - E. There is a history of overall compliance.
 - F. The violation was voluntarily disclosed, admitted or cured.
 - G. Any other fact or circumstance that, in the City Council's judgment, is relevant to the severity of the violations.
- (Ord. 3133 § 21, 2003: Ord. 3063 § 2, 2000)

9.25.210 General construction and location of facilities in the public way. No person, telecommunications provider or grantee shall commence or continue with the construction, installation or operation of telecommunication facilities in a public way except as provided in Sections 9.25.220 through 9.25.320, and in compliance with Chapter 4.02 of this Code and the applicable rules of the City. (Ord. 3133 § 22, 2003: Ord. 3063 § 2, 2000)

9.25.220 Construction codes. Telecommunications facilities shall be constructed, installed, operated and maintained in accordance with all applicable federal, state and local codes, rules and regulations, including the National Electrical Code and the National Electrical Safety Code. (Ord. 3133 § 23, 2003: Ord. 3063 § 2, 2000)

9.25.230 Construction permits. No person, telecommunications provider or grantee shall construct or install any telecommunications facilities in a public way without first obtaining a permit and paying the fees required by Chapter 4.02 of this Code. No permit shall be issued for the construction or installation of telecommunications facilities in a public way unless the person or telecommunications provider has first applied for and received a franchise pursuant to this Chapter. (Ord. 3133 § 24, 2003: Ord. 3063 § 2, 2000)

9.25.240 Applicant's verification. All construction permit applications shall be accompanied by the verification of a registered professional engineer, or other qualified and duly authorized representative of the applicant, that the drawings, plans and specifications submitted with the application comply with applicable technical codes, rules and regulations. (Ord. 3133 § 25, 2003: Ord. 3063 § 2, 2000)

9.25.250 Construction schedule. All construction permit applications shall be accompanied by a written construction schedule, which shall include a deadline for completion of construction. The construction schedule is subject to approval by the City's Public Works Director. The grantee shall promptly complete all construction activities so as to minimize disruption of the public way and other public and private property. All construction work within the public way, including restoration, must be completed within 90 days of the date of issuance of the construction permit unless an extension or an alternate schedule has been approved by the City's Public Works Director. (Ord. 3133 § 26, 2003: Ord. 3063 § 2, 2000)

9.25.260 Coordination of construction activities. All grantees are required to make a good faith effort to cooperate with the City, including, but not limited to the following:

- A. By January 1 of each year, grantees shall provide the City with a schedule of their proposed construction activities in, around, or that may affect, the public way;
 - B. Non-carrier providers shall also provide the City with a written statement certifying the number of linear feet of public way occupied by their facilities as of December 31st of the prior year;
 - C. If requested by the City, each grantee shall meet with the City annually or as determined by the City, to schedule and coordinate construction in the public way. At that time, the City will provide available information on plans for local, state and/or federal construction projects; and
 - D. All construction locations, activities and schedules shall be coordinated, as ordered by the Public Works Director or his designee, to minimize public inconvenience, disruption or damage.
- (Ord. 3133 § 27, 2003: Ord. 3063 § 2, 2000)

9.25.270 Noncomplying work. Within sixty (60) days following written notice from the City to remove the facilities, which notice shall not be issued until the grantee has had a reasonable opportunity, not to exceed sixty (60) days, to correct noncomplying conditions, all work which does not comply with the construction permit, the approved or corrected plans and specifications for the work, or the requirements of this Chapter, shall be removed at the sole expense of the grantee. (Ord. 3133 § 28, 2003: Ord. 3063 § 2, 2000)

9.25.280 As-built drawings. If requested by the city, the grantee shall furnish the City with two (2) complete sets of plans drawn to scale and certified to the City as accurately depicting the location of all telecommunications facilities constructed pursuant to the construction permit. These plans shall be submitted to the City's Public Works Director or designee within sixty (60) days after completion of construction, in a format acceptable to the City. (Ord. 3133 § 29, 2003; Ord. 3063 § 2, 2000)

9.25.290 Location of facilities. All facilities located within the public way shall be constructed, installed and located in accordance with the following terms and conditions, unless otherwise specified in a franchise agreement:

A. Wherever existing electric utilities, cable facilities and telecommunication facilities are located underground within a public way of the City, a grantee with permission to occupy the same public way must also locate its telecommunications facilities underground.

B. Whenever all new or existing electric utilities, cable facilities or telecommunications facilities are located or relocated underground within a public way of the City, a grantee that currently occupies the same public way shall relocate its facilities underground concurrently with the other affected utilities to minimize disruption of the public way, absent extraordinary circumstances or undue hardship as determined by the City's Public Works Director and consistent with applicable state and federal law.

C. The Public Works Director may require grantees to coordinate construction schedules and to co-locate facilities in the public way where the coordination or co-location requirements do not unreasonably interfere with any of the grantees' operations. The Public Works Director shall require a co-locating grantee to provide reasonable compensation to another grantee whose facilities it shares if necessary or appropriate to prevent unjust enrichment of the co-locating grantee.

(Ord. 3133 § 30, 2003; Ord. 3063 § 2, 2000)

9.25.300 Interference with the public way. No grantee may locate or maintain its telecommunications facilities so as to unreasonably interfere with the use of the public way by the City, by the general public or by other persons authorized to use or be present in or upon the public way. All use of the public way shall be consistent with Chapter 4.02 of this Code and applicable rules and policies. (Ord. 3133 § 31, 2003; Ord. 3063 § 2, 2000)

9.25.310 Relocation or removal of facilities. Within sixty (60) days following written notice from the City or such shorter time as the City may prescribe because of an emergency, a grantee shall, at no expense to the City, temporarily or permanently remove, relocate, change or alter the position of any telecommunications facilities within the public way whenever the City shall have determined that such removal, relocation, change or alteration is reasonably necessary for:

A. The construction, repair, maintenance or installation of any City or other public improvements in the public way regardless of whether part of a private development or a publicly funded project.

B. The operations of the City or other governmental entity in the public way.

C. The public interest.

(Ord. 3133 § 32, 2003; Ord. 3063 § 2, 2000)

9.25.320 Removal of unauthorized facilities. Within sixty (60) days following written notice from the City, any grantee, telecommunications provider, or other person that owns, controls or maintains any unauthorized telecommunications system, facility, or related appurtenances within the public way of the City shall, at its own expense, remove such facilities or appurtenances from the public way of the City. A telecommunications system or facility is unauthorized and subject to removal in the following circumstances:

A. One year after the expiration or termination of a telecommunications franchise previously granted to this Chapter.

B. Upon abandonment of a telecommunications facility within the public way of the City. A telecommunications facility will be considered abandoned when it is deactivated, out of service, or not used for its intended and authorized purpose for a period of ninety (90) days or longer. Such facility will not be considered abandoned if it is temporarily out of service for repairs, upgrading or replacement or is an addition to or expansion of a telecommunications facility in use, which addition or expansion has been installed to provide excess capacity to serve future needs.

C. If the telecommunications system or facility was constructed or installed without the appropriate prior authority at the time of installation.

D. If the telecommunications system or facility was constructed or installed at a location not permitted by the grantee's telecommunications franchise or other legally sufficient permit.
(Ord. 3133 § 33, 2003: Ord. 3063 § 2, 2000)

9.25.330 General franchise provisions--Facilities. Upon request, each grantee shall provide the City with an accurate map or maps certifying the location of all of the grantee's telecommunications facilities within the public way. Each grantee shall provide updated maps annually. Non-carrier providers shall also provide a written certification of the total linear feet of public way occupied by its facilities as of December 31st of the prior year, or as of any date requested by the City. (Ord. 3133 § 34, 2003: Ord. 3063 § 2, 2000)

9.25.340 Damage to grantee's facilities. Unless directly and proximately caused by willful, intentional or malicious acts by the City, the City shall not be liable for any damage to or loss of any telecommunications facility within the public way of the City as a result of or in connection with any public works, public improvements, construction, excavation, grading, filling, or work of any kind in the public way by or on behalf of the City, or for any consequential losses resulting directly or indirectly therefrom.
(Ord. 3133 § 35, 2003: Ord. 3063 § 2, 2000)

9.25.350 Duty to provide information. Within ten (10) business days of a written request from the City, each grantee shall furnish the City with information sufficient to demonstrate that grantee has complied with all requirements of this Chapter. All books, records, maps and other documents, maintained by the grantee with respect to its facilities within the public way shall be made available for inspection by the City at reasonable times and intervals. (Ord. 3133 § 36, 2003: Ord. 3063 § 2, 2000)

9.25.360 Service to the City. If the City contracts with the grantee for the use of telecommunications facilities, telecommunication services, installation or maintenance, the grantee shall charge the grantee's most favorable rate offered at the time of the request charged to similar users within Oregon for a similar volume of service, subject to any grantee's tariffs or price lists on file with the Oregon Public Utilities Commission. With the City's permission, the grantee may deduct the applicable charges from fee payments. Other terms and conditions of such services may be specified in a separate agreement between the City and the grantee. (Ord. 3133 § 37, 2003: Ord. 3063 § 2, 2000)

9.25.370 Cable franchise. Any person, persons or entity providing cable service exclusively shall be subject to the cable franchise requirements in Chapter 9.10 of this Code rather than the requirements of this Chapter. (Ord. 3133 § 38, 2003: Ord. 3063 § 2, 2000)

9.25.380 Leased capacity. A grantee shall have the right, without prior City approval, to offer or provide capacity or bandwidth to another telecommunications provider for resale or service to end-user customers; provided that the grantee shall notify the City that such lease or agreement has been granted to a customer or lessee. The person who acquires capacity or bandwidth in such arrangement also must obtain a franchise and pay franchise fees as provided in this Chapter. (Ord. 3133 § 39, 2003: Ord. 3063 § 2, 2000) (Ord. 3294, § 8, 12-8-2008)

9.25.390 Grantee insurance. Unless otherwise provided in a franchise agreement, each grantee shall, as a condition of the franchise, secure and maintain the following liability insurance policies insuring both the grantee and the City, and its elected and appointed officers, officials, agents and employees as coinsured:

A. (1) Comprehensive general liability insurance with limits not less than three million dollars (\$3,000,000) for bodily injury or death to each person; **(2)** three million dollars (\$3,000,000) for property damage resulting from any one accident; and **(3)** three million dollars (\$3,000,000) for all other types of liability.

B. Automobile liability for owned, non-owned and hired vehicles with a limit of one million dollars (\$1,000,000) for each person and three million dollars (\$3,000,000) for each accident.

C. Workers' compensation within statutory limits and employer's liability insurance with limits of not less than one million dollars (\$1,000,000).

D. Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than three million dollars (\$3,000,000).

E. The liability insurance policies required by this Section shall be maintained by the grantee throughout the term of the telecommunications franchise, and such other period of time during which the grantee is operating without a franchise hereunder, or is engaged in the removal of its telecommunications facilities. Each such insurance policy shall contain the following endorsement:

"It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until ninety (90) days after receipt by the City of Roseburg, by registered mail, of a written notice addressed to the City Recorder of such intent to cancel or not to renew."

F. Within sixty (60) days after receipt by the City of said notice, and in no event later than thirty (30) days prior to said cancellation, the grantee shall obtain and furnish to the City evidence that grantee meets requirements of this Section.

G. As an alternative to the insurance requirements contained herein, a grantee may provide evidence of self-insurance subject to review and acceptance by the City.

(Ord. 3133 § 40, 2003: Ord. 3063 § 2, 2000)

9.25.400 General indemnification. To the extent permitted by law, each grantee shall defend, indemnify and hold the City and its officers, employees, agents and representatives harmless from and against any and all damages, losses and expenses, including reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the grantee or its affiliates, officers, employees, agents, contractors or subcontractors in the construction, operation, maintenance, repair or removal of its telecommunication facilities, and in providing or offering telecommunications services over the facilities or network, whether such acts or omissions are authorized, allowed or prohibited by this Chapter or by a franchise agreement made or entered into pursuant to this Chapter. (Ord. 3133 § 41, 2003: Ord. 3063 § 2, 2000)

9.25.410 Performance surety. Before a franchise granted pursuant to this Chapter is effective, and as necessary thereafter, the grantee shall provide a performance bond, in form and substance acceptable to the City, as security for the full and complete performance of a franchise granted under this Chapter, including any costs, expenses, damages or loss the City pays or incurs because of any failure attributable to the grantee to comply with the codes, ordinances, rules, regulations or permits of the City. This obligation is in addition to the performance surety required by Chapter 4.02 of this Code. (Ord. 3133 § 42, 2003: Ord. 3063 § 2, 2000)

9.25.420 Consent. Wherever the consent of either the City or of the grantee is specifically required by this Chapter, or in a franchise granted, such consent will not be unreasonably withheld. (Ord. 3133 § 43, 2003: Ord. 3063 § 2, 2000)

9.25.430 Confidentiality. The City agrees to use its best efforts to preserve the confidentiality of trade secrets or other information that reasonably may be deemed confidential, as requested by a grantee, to the extent permitted by the Oregon Public Records Law and to the extent consistent with other provisions of this Chapter. (Ord. 3133 § 44, 2003: Ord. 3063 § 2, 2000)

9.25.440 Governing law--Venue. Any franchise granted under this Chapter is subject to the provisions of the Constitution and laws of the United States, and the State of Oregon and the ordinances and Charter of the City. Any action or suit pertaining to rights and obligations arising from this Chapter or any franchise or permit granted pursuant to this Chapter or Chapter 4.02 of this Code shall be filed in the Circuit Court of Douglas County, Oregon. (Ord. 3133 § 45, 2003: Ord. 3063 § 2, 2000)

9.25.450 Written agreement. No franchise shall be granted hereunder unless the agreement is in writing. (Ord. 3133 § 46, 2003: Ord. 3063 § 2, 2000)

9.25.46 Nonexclusive grant. No franchise granted under this Chapter shall confer any exclusive right, privilege, license or franchise to occupy or use the public rights of way of the City for delivery of telecommunications services or any other purposes. (Ord. 3133 § 47, 2003: Ord. 3063 § 2, 2000)

9.25.470 Severability and preemption. If any article, section, subsection, sentence, clause, phrase, term, provision, condition, covenant or portion of this Chapter is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, or superseded by state or federal legislation, rules, regulations or decisions, the remainder of the Chapter shall not be affected thereby but shall be deemed as a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof, and each remaining section, subsection, sentence, clause, phrase, provision, condition, covenant and portion of this Chapter shall be valid and enforceable to the fullest extent permitted by law. In the event that federal or state laws, rules or regulations preempt a provision or limit the enforceability of a provision of this Chapter, then the provision shall be read to be preempted to the extent and/or the time required by law. In the event such federal or state law, rule or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision hereof that had been preempted is no long preempted, such provision shall thereupon return to full force and effect, and shall thereafter be binding, without the requirement of further action on the part of the City, and any amendments hereto. (Ord. 3133 § 48, 2003: Ord. 3063 § 2, 2000)

9.25.480 Other remedies. Nothing in this Chapter shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this Chapter, including citation in compliance with Chapter 1.06 of this Code. (Ord. 3133 § 49, 2003: Ord. 3063 § 2, 2000)

9.25.490 Compliance with laws. Any grantee under this Chapter shall comply with all federal and state laws and regulations, including regulations of any administrative agency thereof, as well as all ordinances, resolutions, rules and regulations of the City heretofore or hereafter adopted or established during the entire term any franchise granted under this Chapter, which are relevant and relate to the construction, maintenance and operation of a telecommunications system. (Ord. 3133 § 50, 2003: Ord. 3063 § 2, 2000)

9.25.500 Application to existing ordinances and agreements. To the extent that this chapter is not in conflict with and can be implemented with existing ordinances and franchise agreements, this Chapter shall apply to all existing ordinances and franchise agreements for use of the public right of way for telecommunications. (Ord. 3133 § 51, 2003: Ord. 3063 § 2, 2000)

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



**ORDINANCE NO. 3616
ANNEXATION AND ZONE CHANGE – 1058 GREENLEY ST.
FILE NOS. AN-24-002 & ZC-24-002**

Meeting Date: October 27, 2025
Department: Community Development
www.cityofroseburg.org

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

ISSUE STATEMENT AND SUMMARY

Ben Tatone, on behalf of Tabor Building Projects L.L.C., the property owner, has submitted applications requesting approval of an annexation and zone change for a ±2.12-acre parcel. The issue for Council is whether to take the necessary steps to approve the annexation and zone change.

BACKGROUND

A. Council Action History.
None.

B. Analysis.

The proposed annexation would incorporate the subject 2.12-acre property into the Roseburg City Limits and amend its zoning designation from County R1 (Single-Family Residential) to MR14 (Limited Multi-Family Residential). The property has a Medium-Density Residential (MDR) designation under the City of Roseburg Comprehensive Plan and is currently vacant. It is located at 1058 Greenley Street and is further identified on the Douglas County Assessor's Map as Township 27 South, Range 06 West, Willamette Meridian, Section 15AD, Tax Lot 02400 (R14297).

The purpose of the zone change is to facilitate construction of a single-family residence, which is a permitted use within the MR14 zone and will benefit from access to municipal water and sewer services. While the property has potential for higher-density residential development consistent with its zoning and Comprehensive Plan designation, the applicant is currently proposing to construct only one home. Following approval of the annexation and zone change, the applicant will submit a Site Plan Review application for the proposed residence. As part of that review, a redevelopment plan will be required to ensure the placement and design of the home does not preclude future development of the site in accordance with City standards. The annexation/zone change is a quasi-judicial land use action, as listed within Section 12.10.010(R) of the Roseburg Municipal Code (RMC). The annexation and zone change are required to meet the criteria contained in

ORS 222.125, Roseburg Comprehensive Plan and Roseburg Land Use and Development Regulations, specifically RMC 12.10.040 – Zone Change.

The proposal went before the Planning Commission at a public hearing on October 6, 2025. At that meeting, the Planning Commission approved a motion to adopt the attached Findings of Fact and Order and referred the request to City Council recommending that Council approve the proposed annexation and zone change.

C. Financial/Resource Considerations.

None.

D. Timing Considerations.

The annexation and zone change application was submitted to the City on December 31, 2024. An incomplete letter was issued to the applicant on January 28, 2025, indicating the need to amend the submitted map to satisfy the requirements identified by the Department of Revenue (DOR) for annexation. The revised map was submitted by the applicant on July 15, 2025. On July 21, 2025, the DOR was provided with a copy of the revised map. On July 31, 2025, DOR provided their preliminary approval to the City. On August 18, 2025, the City provided the Oregon Department of Land Conservation and Development with the required 35-day Post Acknowledgment Plan Amendment (PAPA) notice indicating the first evidentiary hearing concerning the application would be held October 6, 2025, before the Planning Commission. Land use decisions must be made within 150 days of deeming an application complete. In this situation, the application was made complete on July 15, 2025. This means that Council has 46 days from the date of Council's first public hearing, October 27, 2025 to issue a decision concerning the application.

COUNCIL OPTIONS

1. Adopt the Planning Commission's Findings of Fact and Order for File No. AN-24-002 & ZC-24-002 followed by first reading of Ordinance 3616; or
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council adopt Planning Commission's Findings of Fact and Order for File No. AN-24-002 & ZC-24-002 and proceed with the first reading of Ordinance 3616.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. AN-24-002 & ZC-24-002."

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

ATTACHMENTS:

Attachment #1 Ordinance No. 3616

ORDINANCE NO. 3616

AN ORDINANCE ANNEXING 2.12 ACRES OF PROPERTY ADDRESSED AS 1058 GREENLEY ST., WITHDRAWING THE PROPERTY FROM THE CENTRAL DOUGLAS FIRE & RESCUE AUTHORITY, AND AMENDING THE ROSEBURG ZONING MAP

WHEREAS, the subject property is addressed as 1058 Greenley St. and further identified as Tax Lot 2400 on Douglas County Assessors Map Township 27 South, Range 06 West, Willamette Meridian, Section 15AD or by Property ID #R14297. The subject property is also identified on the map attached hereto as Exhibit A; and

WHEREAS, the proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals; and

WHEREAS, this proposal includes annexation of land and a zone change which came before the Roseburg Planning Commission as a quasi-judicial matter and was considered at a public hearing after due and timely notice; and

WHEREAS, the annexation complies with provisions of ORS 222.120 and ORS 222.125, annexation by consent; and

WHEREAS, the owner of the subject property consents to annexation into the City as a logical extension of the city boundary; and

WHEREAS, the annexation and withdrawal of the property from the Central Douglas Fire & Rescue Authority is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives, and Policy Statements, and other adopted City policies; and

WHEREAS, City Council finds the request is consistent with the Roseburg Urban Area Comprehensive Plan and Land Use Development Regulations; and

WHEREAS, the subject property is zoned County Single-Family Residential (R1) and annexation will cause a zone change to a City designation of Limited Multi-Family Residential (MR14); and

WHEREAS, the existing Comprehensive Plan Designation of Medium-Density Residential (MDR) will remain the same; and

WHEREAS, all public facilities and services are within distance to serve the subject property, or are currently serving the property; and

WHEREAS, upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177; and

WHEREAS, within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor, and Oregon Department of Revenue a detailed legal description of the new boundaries established by the City in accordance with ORS 222.010.

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

SECTION 1. The City Council hereby adopts as its own the Findings of Fact and Decision of the Planning Commission dated October 6, 2025, attached as Exhibit B.

SECTION 2. This annexation is made pursuant to the provisions of ORS 222.120, and 222.125, annexation by consent, for which a public hearing was conducted.

SECTION 3. The subject property shall be withdrawn from the Central Douglas Fire & Rescue Authority on the effective date of the annexation.

SECTION 4. Upon adoption of the ordinance, the City Recorder shall file a copy of the annexation ordinance with the Secretary of State as required by ORS 222.177.

SECTION 5. The City Recorder shall submit the legal description of the territory annexed and accurate map showing the annexed territory (attached hereto as Exhibit A) to the Douglas County Assessor and the Oregon Department of Revenue as required by ORS 308.225.

SECTION 6. On the effective date of the annexation, the City shall amend the Roseburg Zoning Map by applying the Limited Multi-Family Residential (MR14) zoning designation to the subject property, as shown by the list herein made part of this ordinance.

SECTION 7. Within 10 days from the effective date of the annexation, the City shall submit to the Douglas County Clerk, County Assessor, and Oregon Department of Revenue a detailed legal description of the new boundaries established by the City in accordance with ORS 222.010.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF _____, 2025.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2025.

LARRY RICH, MAYOR

ATTEST:

AMY NYTES, CITY RECORDER

Exhibit "A"**Legal Description of Annexation Area**

A tract of land being Instrument No. 2020-07216, Deed Records of Douglas County, located in the Northeast Quarter of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the Southeast Corner of Lot 3, Block 2, Greenley Tracts, Volume 12, Page 28, Plat Records of Douglas County, said point also being located on the Northerly Right-of-Way Boundary of Troost Street;

Thence leaving said Northerly Right-of-Way Boundary along the East Boundary of said Greenley Tracts, North 00°43'18" West, 438.96 feet, to the Northeast corner of Tract "A" of said Greenley Tracts, said point also being on the South boundary of that dedicated strip of land per Instrument Number 1982-00770, Deed Records of Douglas County;

Thence Easterly along said South boundary, and along the South Boundary of Instrument Number 2011-05279, Deed Records of Douglas County, and the South Boundary of Parcel 1 of Instrument Number 2003-09522, Deed Records of Douglas County, North 89°12'17" East, 280.50 feet, to the Southeast Corner of said Instrument Number 2003-09522, said point also being on the West Boundary of Instrument Number 2005-03758, Deed Records of Douglas County;

Thence Southerly along said West Boundary of Instrument Number 2005-03758, South 00°02'23" East, 190.16 feet, to the most-southerly corner of said Instrument Number 2005-03758, said point also being the Northeast corner of Instrument Number 2022-14001, Deed Records of Douglas County, and said point also being on the Westerly Right-of-Way Boundary of said Troost Street;

Thence leaving said Westerly Right-of-Way Boundary along the North Boundary of said Instrument Number 2022-14001, South 59°16'17" West, 142.80 feet, to the Northwest corner of said Instrument Number 2022-14001;

Thence Southerly along the West Boundary of said Instrument Number 2022-14001, South 00°03'43" East, 125.00 feet, to the Southwest corner of said Instrument 2022-14001, said point also being on the aforementioned Northerly Right-of-Way Boundary of Troost Street;

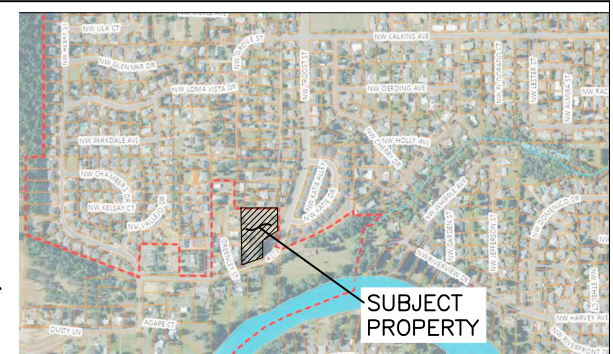
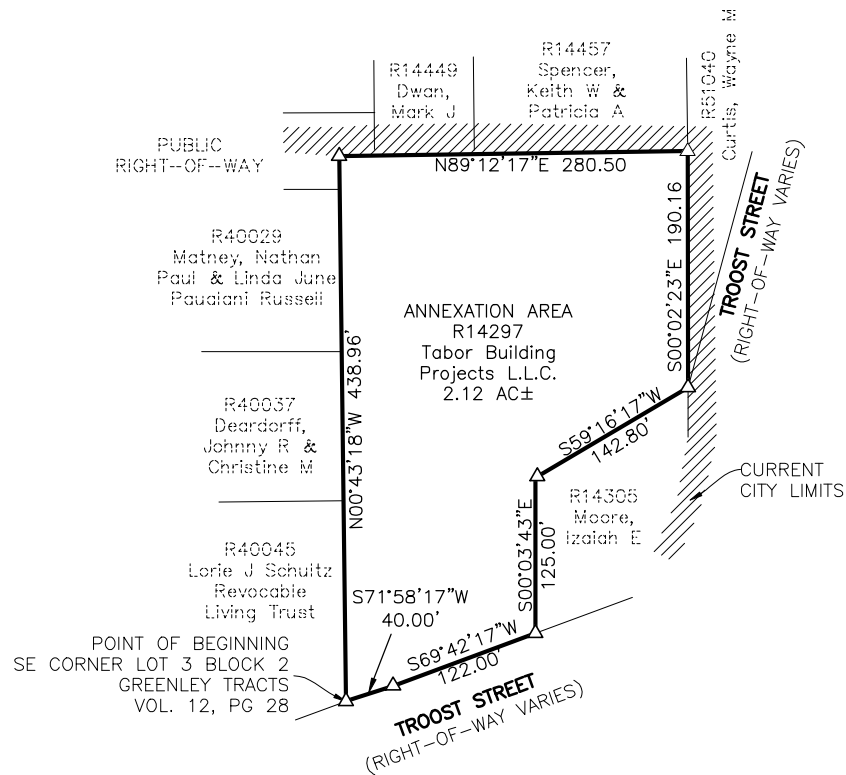
Thence Westerly along said Northerly Right-of-Way Boundary, South 69°42'17" West, 122.00 feet;

Thence continuing along said Northerly Right-of-Way Boundary, South 71°58'17" West, 40.00 feet, to the point of beginning and there terminating.

The above-described tract contains 2.12 acres (92,347 square feet), more or less.

PROPOSED ANNEXATION TO CITY OF ROSEBURG, OREGON

LOCATED IN THE NE QUARTER OF SECTION 15,
TOWNSHIP 27 SOUTH, RANGE 06 WEST,
WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON
JUNE 26, 2025



VICINITY MAP
(NOT TO SCALE)

PROPERTY INFORMATION

OWNERS: TABOR BUILDING PROJECTS LLC
1058 GREENLEY ST
ROSEBURG, OR 97471

TRACT: OVERALL - 2.12 ± ACRES

TAX ACCOUNT NO.: R14297
TAX ID: 2706W15AD02400

ORDINANCE NO.: _____

SCALE: 1" = 100'

SHEET 1 OF 1
0859-56

CLIENT:
TABOR BUILDING PROJECTS LLC
1058 GREENLEY ST
ROSEBURG, OR 97471



809 SE Pine Street
Roseburg, Oregon 97470
PHONE (541) 673-0166
FAX (541) 440-9392
email@ieengineering.com

0' 50' 100' 200'
SCALE: 1" = 100'

In the matter of the
Annexation & Zone Change
request by Ben Tatone

)
) Annexation & Zone Change
) File No's. AN-24-002 & ZC-24-002

BEFORE THE ROSEBURG PLANNING COMMISSION FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

Ben Tatone, on behalf of Tabor Building Projects L.L.C., the property owner, has submitted applications for the annexation and rezoning of a 2.12± acre parcel of land. The proposed annexation would bring the property into the Roseburg City Limits and change its zoning designation from County R1 (Single-Family Residential) to City MR14 (Limited Multi-Family Residential). The subject property has a Comprehensive Plan designation of Medium-Density Residential (MDR), is currently vacant, and is located at 1058 Greenley Street. It is further identified by the Douglas County Assessor's Map as Township 27 South, Range 06 West, Willamette Meridian, Section 15AD, Tax Lot 02400; R14297.

The purpose of the proposed zone change is to permit the construction of a single-family dwelling that will have access to City services, an allowed use within the MR14 zoning district. While additional development potential exists on the site, no further development is proposed at this time. The annexation and zone change request will be evaluated based on the criteria outlined in Chapter 12.10.040 of the Roseburg Land Use and Development Regulations, as well as all other applicable provisions of the Roseburg Municipal Code.

II. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The subject property is described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 15AD, Tax Lot 02400; R14297.
4. The subject property is 2.12+/- acres, is designated by the Comprehensive Plan as (MDR) Medium-Density Residential and is currently zoned County (R1) Single Family Residential.

5. Ben Tatone on behalf of the property owner Tabor Building Projects L.L.C. applied for an annexation and zone change to bring the property into Roseburg City Limits and change the zone of the subject property from Douglas County zoned Single-Family Residential (R1) to Limited Multi-Family Residential (MR14).

B. AGENCY COMMENTS

Comments regarding the zone change request were solicited from the Fire Department, Public Works Department, Douglas County Planning Department, ODOT, and the Roseburg Urban Sanitary Authority.

No comments have been received at this time.

C. PUBLIC COMMENTS

The Community Development Department notified all owners of adjacent and neighboring properties per ORS 197.610 and RMC 12.10.030.

Two emails of remonstrance were received raising concerns about potential traffic impacts resulting from the proposed annexation and zone change. Both complainants expressed concerns regarding increased traffic, work trucks, and the safety of children in the area, specifically along Troost and Katie Drive.

Finding: Staff acknowledge the concerns raised regarding potential traffic volumes and safety impacts. However, it is important to note that the proposed annexation and zone change will allow for the development of a single-family dwelling in an area already designated as Medium Density Residential (MDR) in the Comprehensive Plan. The MR14 zoning district, which permits single-family residences, is consistent with surrounding land uses and zoning designations.

The proposed development will be subject to the City's traffic and safety standards as outlined in the Roseburg Municipal Code and the Transportation System Plan. It will also be required to meet applicable access, improvement, and infrastructure requirements, ensuring that the project does not create significant adverse impacts on the surrounding area. Access will be taken from Greenley Street via the existing right-of-way and frontage. No public improvements are required for the construction of a single home following annexation and zoning approval. However, should additional development be proposed in the future, further improvements may be required at that time.

Future traffic impacts will be evaluated during the site plan review and building permit process. If necessary, the applicant may be required to implement mitigation measures to address identified impacts. These may include, but are not limited to, signage, road improvements, or traffic calming measures.

Staff recognize the importance of community concerns related to traffic and safety. Based on the current proposal, the development of one single-family dwelling is not expected to generate adverse impacts to public health, safety, or welfare. Should the property be further developed or subdivided in the future, the City may require a Traffic Impact Study to ensure safe and efficient ingress and egress and to evaluate the need for additional mitigation.

Staff find that the proposed annexation and zone change are consistent with City standards and will not result in significant negative impacts on traffic or public safety. Any necessary mitigations will be addressed during the appropriate phases of development review.

D. PUBLIC HEARING

A public hearing was held on October 6, 2025 regarding the matter of the annexation and zone change request.

E. APPLICABLE CRITERIA

The applicable approval criteria for the subject annexation and zone change is contained within the following:

1. ORS 222.125, "Annexation by consent to allow owners of land," the following criteria must be demonstrated:

A) Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Finding: The subject property is contiguous with the Roseburg city limits. The applicant has provided written consent to annexation by submitting an application for annexation. A legal description of the property was submitted by the applicant in the form of a location map referencing Deed Document No. 2020-007216.

The recorded deed document describes the property as follows;

Beginning at a 5/8" iron rod set at the Northwest corner of the above said lot 3; thence along the North line of said lot 3 South 88° 50' East 634.79 feet to a 5/8" iron rod; thence South 00° 58' 17" West 361.06 feet to a 5/8" iron rod as set in the North line of General Avenue; thence along said North line North 88° 50' West 636.40 feet to a 3/4" iron rod; thence along the West line of the above said lot 3 North 01° 13' 30" East 361.06 feet to the place of beginning.

EXCEPTING THEREFROM the following described property:

That portion of the Southeast quarter of the Northeast quarter of Section 15, Township 27 South, Range 6 West of the Willamette Meridian, Douglas County, Oregon, described as follows:

Beginning at an iron pipe which is 408.8 feet South and 39.0 feet East of the Southeast corner of Lot 9, Umpqua Fruit Ranch in Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, and North 89° 3' East 280.5 feet and South 0° 14' West, 230.2 feet to the TRUE POINT OF BEGINNING of this description; thence along the Westerly side of Calkins Road, South 0° 14' West 34.0 feet; thence South 0° 45' West 50.0 feet; thence South 28° 45' West 25.0 feet; thence South 54° 55' West 40.0 feet; thence South 70° 00' West 83.0 feet; thence leaving Calkins Road, North 0° 14' East 125.0 feet; thence North 59° 34' East 142.8 feet to an iron pipe in the East line parallel described in Contract Lewis Webb and wife, Recorder's No. 98487, Deed Records Douglas County, Oregon; thence South 0° 14' West 40 feet to the true

point of beginning.

ALSO EXCEPTING THEREFROM any portion thereof lying within the boundaries of the County Road.

2. Pursuant to City of Roseburg Resolution 2006-04, "Annexation Policies," the following Policies shall be adhered to:

A) ANNEXATION ENCOURAGED. *Over time, the City of Roseburg shall be the primary provider of municipal water service and other urban services within the UGB, provided the City can offer these services in an efficient and cost-effective manner.*

Annexation to the City should be encouraged:

- For unincorporated areas that are now receiving some City services, are urban in character, or are logically served by the City because of geographic factors such as drainage basins, boundaries, or environmental constraints;

- Where the availability of infrastructure and services allows for the development of urban densities.

Finding: The subject property can logically be served by the City, as it is surrounded by properties that are already receiving City services. The necessary infrastructure and urban services can be extended to the property in a manner consistent with efficient service delivery. Additionally, the availability of these services will support development at urban densities, in accordance with the proposed MR14 zoning designation.

B) CITY INITIATED ANNEXATION. *If the City initiates an annexation, then the City shall analyze the financial impacts of the annexation including a calculation of revenues derived from a proposed annexation and the expenses to provide services in the area to be annexed.*

Finding: This annexation is not City-initiated; therefore, a financial impact analysis is not required under this policy.

C) FULL RANGE OF CITY SERVICES IN TIMELY MANNER. *The City shall not initiate annexation proceedings on any property if it cannot provide a full range of City services within approximately a three-year period of time. A full range of City services means a level of urban services approximately similar to that enjoyed by residents currently living in the City of Roseburg.*

Finding: Surrounding properties are currently served by municipal water and sanitary sewer services. Extension of these City services to the subject property is both feasible and anticipated to occur in a timely manner following annexation. City water service is mandatory and will be provided in accordance with applicable City standards, ensuring the subject property receives a level of service consistent with that provided to existing City residents.

Access to the property is currently provided via an existing gravel driveway located within a named and dedicated public right-of-way, which remains under County jurisdiction. Although this access is currently unimproved, its condition does not impede the delivery of urban services. The City has a well-established history of serving similarly situated properties, where necessary roadway improvements were completed post-annexation or required as conditions of future development approvals.

Any future redevelopment or intensification of use will be subject to all applicable access, roadway improvement, and public infrastructure standards at that time. The one proposed residence does not, by itself, trigger City roadway improvement standards; therefore, Greenley will remain a gravel road for the time being. However, future development could necessitate roadway improvements to meet City standards.

Based on these factors, the City finds that a full range of urban services—including municipal water, sanitary sewer, and adequate access for emergency response and maintenance—can be provided within the required timeframe. As such, the proposal satisfies the policy requirements for the timely provision of City services.

D) PREFERENCE FOR ANNEXATION AREAS. *Highest preference for annexation shall be given to those areas that best meet annexation policies and where revenues derived from the annexed areas exceed City expenses. Lowest preference shall be given to those annexation requests that exhibit a negative financial situation for the City of Roseburg or only minimally meet City annexation policies. Fiscal impacts are only one of many criteria to be evaluated, and must be balanced with other annexation policies and goals.*

Finding: The subject property is located adjacent to the existing City boundary and either currently has, or can feasibly be provided with, urban services in a cost-effective manner. Its location supports logical and contiguous City growth, aligning with the City's annexation policies and priorities.

E) UNINCORPORATED ISLANDS. *Property that is currently surrounded by land within the City limits (unincorporated islands) shall be discouraged. As soon as practical, the City shall initiate annexation proceedings for such islands.*

Finding: The subject property is directly adjacent to the Roseburg City Limits and does not constitute an unincorporated island. Therefore, this policy does not apply to the current request.

F) PROPERTIES NOW SERVED BY MUNICIPAL WATER BUT LOCATED OUTSIDE EXISTING CITY LIMITS. *Property owners now receiving municipal water service from the City of Roseburg are encouraged to initiate annexation proceedings on their property consistent with these policies.*

Finding: The subject property and surrounding properties are, or can be, served by municipal water. Although the property is not currently connected to City water, the applicant will be required to obtain a City water meter upon applying for development. The City will provide water service to the property upon request, consistent with applicable standards.

G) NEW CONSENT TO ANNEXATION AGREEMENTS PROHIBITED. After Council adoption of a change to Roseburg Municipal Code 5.04.060, no new municipal water service shall be provided unless the property is annexed to the City of Roseburg.

Finding: The property owners have requested annexation of the subject property to enable future development and the extension of City services to the site. Consistent with Roseburg Municipal Code 5.04.060, provision of new municipal water service requires annexation; therefore, the property must be annexed into the Roseburg City Limits to receive such services.

3. Roseburg Municipal Code Criteria For A Zone Change 12.10.040(D):

A) The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

Findings: The property is located within the Roseburg Urban Growth Boundary and is designated Medium-Density Residential in the Comprehensive Plan. The current zoning is County Single-Family Residential (R1), with adjacent parcels zoned R1 to the west and south, and City Single-Family Residential (R7.5) to the north and east. The proposed MR14 zoning is consistent with the Medium-Density Residential Comprehensive Plan designation and therefore does not require an amendment to the Comprehensive Plan.

Staff finds that the rezoning meets this criterion.

B) The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area.

Findings: The site is suitable for the proposed zone change as it is surrounded by similar zoning and land uses. All necessary utilities are available to the property, ensuring that public health, safety, and welfare standards will continue to be met with any future development. The proposed zoning district is compatible with both existing adjacent development and anticipated future uses, and is therefore at least as suitable as the current zoning designation.

Staff finds that the rezoning meets this criterion.

C) The zone change is consistent with the safety and performance measures of the transportation system.

Findings: The locally classified street network serving the subject property meets the safety and performance standards outlined in the City's transportation system. The property has direct access to Greenley Street, which will continue to serve as the primary access point for any future development.

The proposed zone change to MR14 will not negatively impact the functionality or safety of the existing roadway network. All future development on the property will be required to comply with access standards as established in the City's Transportation System Plan, the Roseburg Municipal Code, and applicable Public Works regulations.

While this proposal does not, in itself, trigger requirements for roadway paving, sidewalks, or other frontage improvements, any future development or land division may be subject to upgrading the existing right-of-way to current City standards. These improvements could include paved surfacing, curbs, gutters, ADA-compliant sidewalks, and stormwater system upgrades.

Based on these considerations, staff finds that the proposed zone change is consistent with the safety and performance measures of the transportation system, and this criterion is met.

III. CONCLUSION

Upon review of the application, and other materials referenced as File AN-24-002 & ZC-24-002, and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Ben Tatone on behalf of the property owner Tabor Building Projects L.L.C. satisfies the approval criteria, therefore warranting the approval of the zone change as requested.

IV. ORDER

Based on the Findings and Conclusions above, the Planning Commission refers the annexation and zone change request to the City Council recommending **APPROVAL** of the annexation and zone change, as contained within file AN-24-002 & ZC-24-002 and subject to the conditions as follows:

1. The applicant shall obtain Site Plan Review approval and all required Building Permits prior to the commencement of any construction on the subject property. Due to the property's large size and the low-density nature of the proposed use, future development shall include a redevelopment plan demonstrating how the site can accommodate additional development consistent with applicable zoning and land use policies.
2. Any future development of the property shall fully conform to all the applicable standards and requirements of the Roseburg Municipal Code.


Jaime Yraguen, Planning Commission Chair

10-6-2025
Date


Stuart Cowie, Community Development Director

10/6/2025
Date

Planning Commission Members:

Jaime Yraguen, Chair

Shelby Osborn, Vice Chair

Matthew Brady

Jarrett Nielsen

David Bolhuis

Attachments:

Attachment 1: Current Zoning Map

Attachment 2: Proposed Zoning Map

Attachment 3: Property Line Survey Map

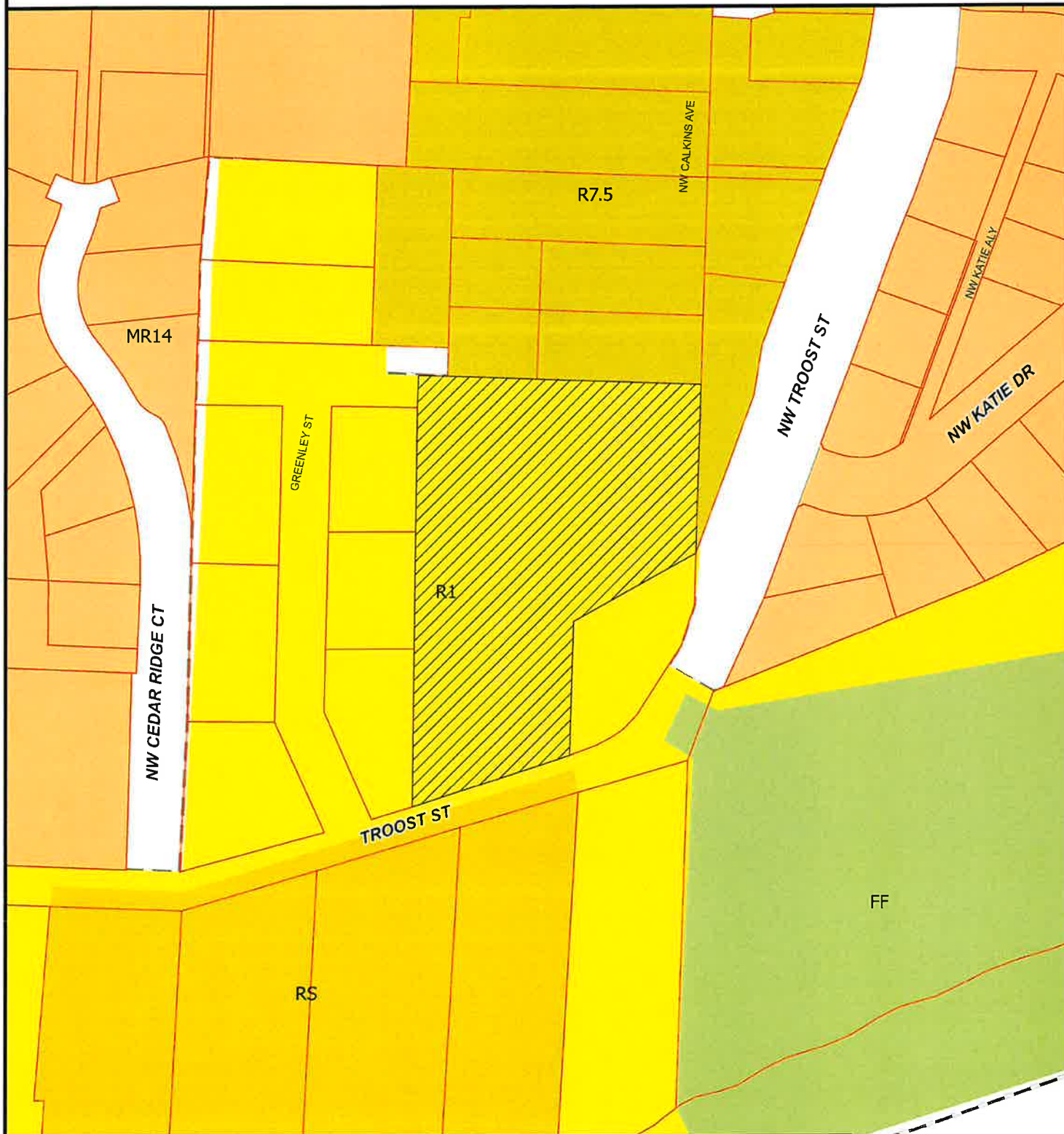
Attachment 4: Applicant's Findings

Attachment 5: Remonstrance Emails

Current Zoning
AN/ZC-25-002
1058 Greenley Street

T27S R06W SEC15AD TL02400 R14297

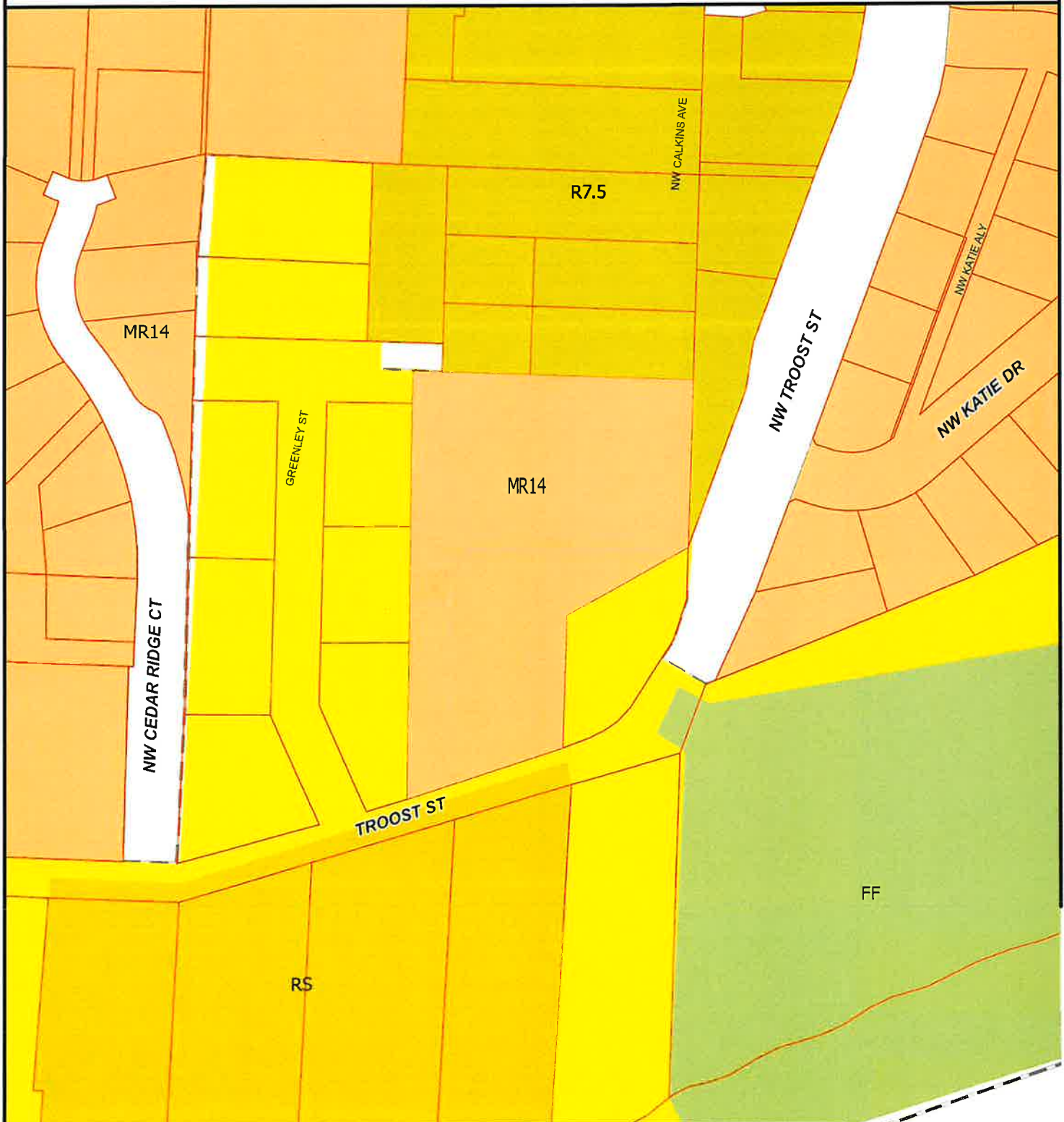
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



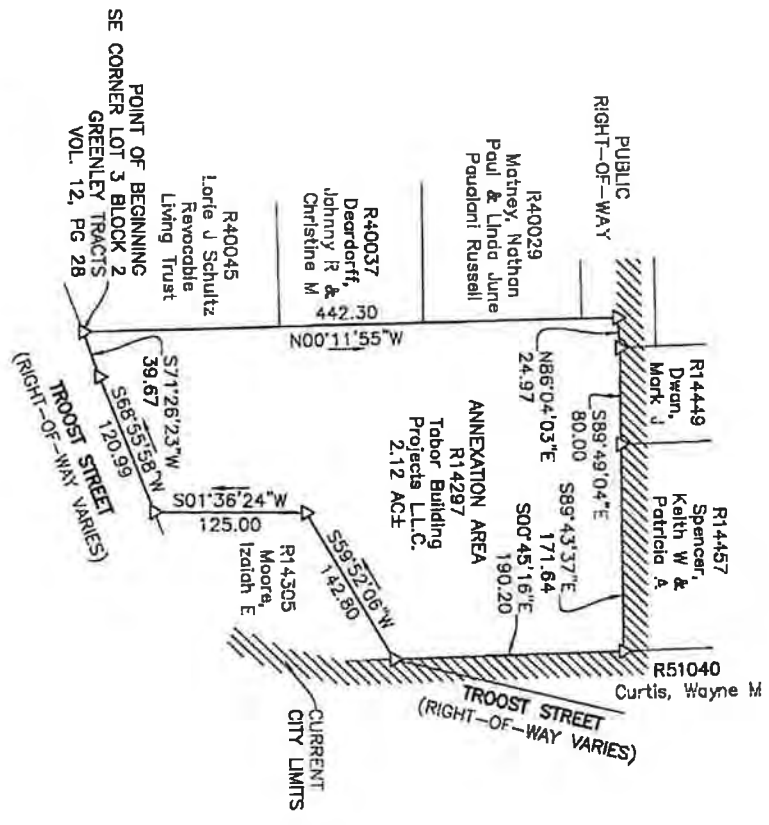
Proposed Zoning
AN/ZC-25-002
1058 Greenley Street

T27S R06W SEC15AD TL02400 R14297

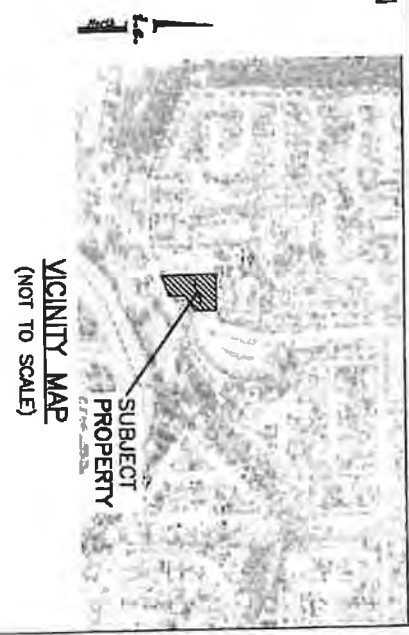
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



PROPOSED ANNEXATION TO CITY OF ROSEBURG, OREGON
LOCATED IN THE NE QUARTER
OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 06 WEST,
WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON
DECEMBER 23, 2024



PROPERTY INFORMATION
OWNERS: TABOR BUILDING PROJECTS LLC
1058 GREENLEY ST
ROSEBURG, OR 97471
TRACT: OVERALL - 2.12 ± ACRES
TAX ACCOUNT NO.: R14297
TAX ID: 2706W15AD02400
ORDINANCE NO.:

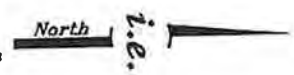


REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
KATHLEEN H. KNAAPP
8116
EXPIRES: 6/30/2025
SCALE: 1" = 100'

i.e.
ENGINEERING

CLIENT:
Tabor Building Projects LLC
1058 Greenley St
Roseburg, OR 97471
809 SE Pine Street
Roseburg, Oregon 97470
PHONE (541) 673-0166
FAX (541) 440-9392
lenmol@ieengineering.com

SCALE: 1" = 100'
SHEET 1 OF 1





TO City of Roseburg Community Development Department
FROM Hailey Sheldon on behalf of Ben Tatone, Tabor Building Projects LLC
SUBJECT Applications for Annexation and Zone Change
SUBJECT PROPERTY Map ID 270615AD02400; Tax ID R14297
DATE December 20, 2024; Revised January 30, 2025
ENCLOSED Completed City of Roseburg Annexation Application Form
City of Roseburg Zone Change Review Approval Criteria Form
Completed Land Use Action Owner Authorization Form
Annexation Maps
Property Description
Deed (Document 2020-007216)
City of Roseburg Pre-Application Comments PRE-24-032

The applicant proposes the City of Roseburg annex subject property and assign it City zoning classification MR14 Limited Multiple Family Residential.

Annexation

See enclosed completed City of Roseburg Annexation Application form.

Subject property is within the City of Roseburg’s Urban Growth Boundary; therefore the annexation of subject property is consistent with the City’s Comprehensive Plan.

Roseburg Planning Department’s pre-application comments suggest subject property be assigned MR14 Limited Multiple Family Residential zoning concurrently with its annexation.

Zone Change

Zoning subject property MR14 would be consistent with the City’s standards; specifically those contained in Chapter 12.10 Development Approval Procedures: Section 12.10.040 Zone Change: C. Criteria for Zone Change, as follows (code standards in grey font):

Chapter 12.10 Development Approval Procedures: Section 12.10.040 Zone Change: C. Criteria for Zone Change

The Approving Authority may grant a zone change only if the following circumstances are found to exist:

- 1. The rezoning will conform to the Roseburg Urban Area Comprehensive Plan including the land use map and written policies.

Subject property is designated by Roseburg’s Urban Area Comprehensive Plan as Urban Medium Density Residential – meaning it is planned for urban (inside City limits) medium density residential development.

The properties adjoining subject property are zoned Limited Multifamily Residential (MR14) and Single Family Residential (R7.5).

Of Roseburg’s seven residential zoning designations, MR14 is the best fit for subject property because:

- (a) it is consistent with adjoining properties and (b) it is a medium density residential zone (allowing for a density of residential development consistent with its Comprehensive Plan designation).

Note: the applicant's preliminary plan is to develop one single family dwelling on subject property; doing so will not preclude subject property from being developed for higher-density/multifamily residential use in the future.

2. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

Subject property is suitable for medium residential development, as evidenced by the existing surrounding medium residential development and the City's long-term plans to serve medium density residential development in the vicinity.

The site can be served by urban public utilities; there exists a City of Roseburg water main and a Roseburg Urban Sanitary Authority wastewater main adjacent to subject property, in Troost Street. Roseburg Public Works and RUSA's pre-application comments suggest no objection to serving subject property.

The site is served by Roseburg Fire Department; their pre-application comments also suggest no objection to the proposed development.

3. The rezone is consistent with the safety and performance measures of the transportation system.

The rezone is consistent with the Roseburg Transportation System Plan, which plans for medium residential development in the vicinity of subject property.

Subject property fronts Greenly Street (Douglas County Local Street) and Troost Street (City of Roseburg Major Collector)

The applicant understands access shall be from Greenly Street, the lower-classification adjacent street, and acknowledges these pre-application comments:

Pre-Application Comment from Planning Department:

Access shall be from Greenley Street. Additionally, the applicant will not be required to improve Greenly Street as it is outside of city limits. Note that the standards of RMC 12.06.030(S) - having a durable dust free surfacing will still be required for applicants driveway located within this parcel.

Pre-Application Comment from Fire Department:

Depending on the location of the proposed dwelling, the driveway or a portion of the driveway, may need to meet fire department access road requirements. Also, depending on the length of the driveway, a fire truck turnaround may need to be incorporated into the construction of the driveway.

Andy Blondell

From: Jill Winter <jkmwinter@gmail.com>
Sent: Sunday, September 21, 2025 1:58 PM
To: Andy Blondell
Subject: Fwd: Tabor building project

You don't often get email from jkmwinter@gmail.com. [Learn why this is important](#)

----- Forwarded message -----

From: **Jill Winter** <jkmwinter@gmail.com>
Date: Sun, Sep 21, 2025 at 11:51 AM
Subject: Tabor building project
To: <ablondell@roseburg.gov>

To Whom it may concern:

I think adding a new development on Troost is an awful idea. The traffic, work trucks etc will cause additional traffic on Troost and Katie Drive already has people with no business in our area race down the street. We have kids in the area more traffic is not recommended.

Thank you

Jill Winter

Andy Blondell

From: mari,lyn jones <cocorusty9@yahoo.com>
Sent: Monday, September 22, 2025 6:48 PM
To: Andy Blondell
Subject: land use action

You don't often get email from cocorusty9@yahoo.com. [Learn why this is important](#)

Tabor building projects property owner request to annex 1058 Greenley street to Troost st. It will cause more traffic on Troost which is already a problem with noise and heavy traffic.
Plus it will cause more traffic coming through Katie Dr. Lots of little kids on there toys and pets being outside. We already have cars flying through Katie.
I vote no on more traffic and heavy equipment.

thanks 1397 Katie Dr.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



TASK ORDER NO. 5 AUTHORIZATION – 2026 PAVEMENT MANAGEMENT PROGRAM DESIGN SERVICES, PROJECT 26PW01, SE STEPHENS

Meeting Date: October 27, 2025
Department: Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Ryan Herinckx, Director
Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

Staff recently negotiated a proposed scope and fee for curb ramp and road rehabilitation design services for the 2026 Pavement Management Program with Century West Engineering. The issue for the Council is whether to authorize a task order for these design services.

BACKGROUND

A. Council Action History.

On August 23, 2021, Council adopted the Five-Year Pavement Maintenance Plan.

On January 27, 2025, Council awarded a Five-Year Pavement Management Program engineering contract to Century West Engineering.

B. Analysis.

The City of Roseburg adopted a Pavement Maintenance Plan in 2021, and as a part of that plan, annual improvement projects were identified. The plan identified SE Stephens Street as the annual project for 2026. Due to fund constraints, this project will be completed in two phases. Phase I will begin at the southern City limits and continue north to about SE Brockway Avenue, to be constructed in 2026. Phase II will begin at SE Brockway Avenue and continue north to SE Oak Avenue, to be constructed in 2027. The design services will identify and design curb ramps to meet ADA requirements and improve the pavement section and driving surface.

Each task order under the master contract is individually negotiated, based on an agreed upon scope of work. Task Order No. 5 for the current Pavement Management Program has been negotiated with Century West Engineering and includes design and bidding services at a cost not to exceed \$115,119.00.

C. Financial/Resource Considerations.

The FY 2025-26 adopted Street Light and Sidewalk Fund includes \$130,000 for curb ramp design, and the Transportation Fund includes \$40,000 for the pavement

maintenance design. Funds are available in the current year budget to proceed with this task order.

D. Timing Considerations.

If the Council authorizes this task order, design work will begin in November with the intent of receiving construction bids in the spring of 2026.

COUNCIL OPTIONS

The Council has the following options:

1. Authorize Task Order No. 5 for design services with Century West Engineering for an amount not to exceed \$115,119.00; or
2. Request more information; or
3. Not authorize the task order, which would delay the project.

STAFF RECOMMENDATION

The adopted FY 25-26 budget includes funding for this task order. Staff recommends that Council authorize Task Order No. 5 with Century West Engineering for the 2026 Pavement Management Program design services for SE Stephens Street.

SUGGESTED MOTION

"I MOVE TO AUTHORIZE TASK ORDER NO. 5 WITH CENTURY WEST ENGINEERING FOR THE 2026 PAVEMENT MANAGEMENT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$115,119.00."

ATTACHMENTS:

None

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



DOWNTOWN/LAURELWOOD PARKING ENFORCEMENT

Meeting Date: October 27, 2025

Agenda Section: Department Items

Department: Multiple Staff Contact: Nikki Messenger, Stuart Cowie, Ron Harker

www.cityofroseburg.org

Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

At the direction of Council, staff has presented several options for changes to the downtown parking program over the past three years. At the August 25, 2025 meeting, Council requested information regarding how other like-size cities fund parking programs and how much revenue a part-time program may cost. Staff is seeking direction from Council on whether to continue the enforcement program, and if so, how to fund it.

BACKGROUND

A. Council Action History.

Staff has attached a list of previous Council meetings that included scheduled discussions related to downtown parking, starting with the presentation of the Rick Williams Report on March 22, 2021. There are twenty-four dates listed. The list includes time marks indicating the beginning of the discussion on the video, which can be found here: <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>.

B. Analysis.

At the August 25, 2025 meeting, Council requested information regarding what other cities are doing to support their parking programs. A considerable amount of time has been dedicated to gathering this information. Each community operates under different circumstances; there is no true “apples-to-apples” comparison.

As part of the data gathered, staff not only talked to city staff, we also studied the budget documents and gathered data related to external fees each city may charge unrelated to parking. In other words, staff asked the question – if they are paying for parking with general fund, are they able to pay for all their core services or have they had to enact fees to raise revenues to cover some of those costs? Below is a synopsis of the information collected.

Information is presented in two formats: a summary chart and detailed narratives based on staff interviews. Different members of the Roseburg team spoke with counterparts from each city; therefore, specific details may vary slightly between sources. In some cases, supplemental data was obtained from municipal budget documents to provide additional context.

DEPARTMENT ITEMS B
10/27/2025

Community	Off-Street Parking Revenue Types	Off-Street Parking Subsidized?	Subsidy Known?	Utility Bill Xtra Fees?	Additional Comments
Albany	Permits, Fines (collected by Parkwise and they keep)	Yes, minimally, capital improvements performed by redevelopment	No	City Service Fee (Police, Fire, Park & Library)	Contracts with a third party vendor. Parkwise is a downtown parking management program operated under the umbrella of the Albany Downtown Association. 6 free parking lots (2 free all day, 4 time limited 4hrs.) 4 Parking lots for leased spaces. Parkwise is responsible for routine maintenance. Two lots were just redone as part of redevelopment.
Milwaukie	Permits	Yes	No	Public Safety Services Fee (Plan to adopt), Safe Access For Everyone (SAFE) - Street Maintenance Fee.	Decentralized. Multiple Departments play roles. Code Enforcement issues citations, Admin staff manages permits, Court manages cases and collections, Policy decisions shared by Community Development Director and City Manager. Code Compliance budget is \$425k for FY 25-26 (3 FTE).
Newport	Permits, Meters, Fines	Yes, minimally, central services charges insufficient to cover administrative costs.	No	No	An interfund loan of \$225,000 was made in 2023-24. The loan is budget to be repaid. Additional transfers from the GF of \$50,000 was made in 2023-24. Transfer of \$51,184 from the Capital Project Fund was made in 2024-25. A token payment of a Central Services Charge is budgeted at \$5,400 but does not realistically cover these expenses but it is unknown how much it should be.
Forest Grove	Fines	Yes	No	Street lighting fee, CIP fee	Parking regulated by free time limited signed areas downtown and near Pacific University. Free permits issued only for residences close to the University. Enforced by Code Enforcement Officer (Police Department). Their Finance Director recently passed away so more detail information is not currently available.
Sherwood	Fines	Yes	No	Street Lights, Street Maintenance, Sidewalks	City CSO officer enforces parking downtown. Regulated by free time limited signs. 12-15 hours of enforcement/week.
Lebanon	Fines (not currently enforced)	Yes	No	City Services	2 Downtown public parking lots regulated by free time limited signs (2 or 3 hours). Code Enforcement officer (Police Dept.) enforces but do to staffing shortage not currently enforced. Parking lots maintained by Public Works but related expenses are not tracked.
Klamath Falls	Permits, Fines	Yes	No	Right of Way Maintenance fee (lighting, sidewalks, etc.)	Public parking lots with free 2 hour limited parking. Downtown parking is free. Enforcement and permit issuance in house. CSO (Police Dept.) full-time enforcement. Court manages all parking citation cases. Community Development issues permits and fields complaints. Lots maintained by Public Works. Parking Fund budget without capital is \$167,000 for biennium, capital \$662,500. There is a Downtown Maintenance budget in General Fund \$300,850 for biennium - contracts, utilities, maintenance, insurance, etc. paid from general fund.

DEPARTMENT ITEMS B
10/27/2025

Community	Off-Street Parking Revenue Types	Off-Street Parking Subsidized?	Subsidy Known?	Utility Bill Xtra Fees?	Additional Comments
Ashland	Violations, DCR, LAZGO, Parking garage is ticketed.	Historically, yes; one year subsidized the contract by \$18,884. Currently, no. Violation revenues are up 170 - 250% Year over Year, and DCR Revenue is up significantly resulting in surplus revenue.	Yes for the contract portion. Other costs such as capital improvements, maintenance, etc. are subsidized but is unknown.	Public Safety support fee, Wildfire risk reduction fee, Park Maintenance	Downtown public parking managed and enforced by a third-party contractor. Maintains a parking garage and several surface parking lots. On street parking and surface parking lots are free and time restricted (most 2 hours for street. 4 hours for surface lots). Demand generated by Shakespeare festival
Tualatin	Business Tax, Fines	No	n/a	Road Utility Fee (sidewalks/trees), Parks Utility Fee	Core Area Parking District in downtown with its own Board (CAPDB) Board serves in an advisory capacity. Fees raise approx. \$85k per year plus interest earnings. Maintenance budgeted at \$39k. Additional transfer out to General Fund \$31k. Parking lots provide variety of short or long-term parking. Supported by a Core Area Tax on businesses within the District. Taxes assessed annually. No ongoing enforcement - stopped active enforcement a number of years ago.
Newberg	None	Yes	No	Public Safety Fee, 9-11 Communications Officer Fee, Transportation utility Fee	Three parking lots with free parking. Downtown parking is time limited and is regulated by police officers on a complaint driven basis. Municipal Courts handle complaints. Complaints rarely received.
West Linn	Fines	Yes	No	Street maintenance, Parks Maintenance,	Residential parking program on city streets near West Linn High School. No time limited parking or meters in the downtown area. CSO (Police Department) enforces parking around High School. PD issues free permits and fields calls and complaints. Subsidized out of the Police Department budget.
McMinnville	Fines	Yes	No	City Services Fee	Parking enforcement staffed with 1 FTE from the Police Department. Parking enforcement budget \$170,682 plus \$3.5k for parking citation software. Parking ticket revenue budgeted at \$12k. Muni court budgets .05 FTE to Parking Tickets and budgets \$6.6k. E-electronic ticketing system paid by the Courts and PD. PD issues residential parking permits in the downtown area. City maintains public parking lots and contracts with two churches downtown to utilize their parking lots for additional free parking. Parking downtown is limited. From General Fund: FY 23 to FY 25 Downtown Lighting \$29k-\$40k, FY 26 budgeted at \$0, Annual contribution to Downtown Association of \$14k, Budget \$10k for Downtown Art, Parking lot repairs & maintenance budget \$19,950, janitorial and parking lot sweeping \$9k. There is a Downtown Economic Improvement District that collects \$60k annually and passes it thru to the Downtown Association. Street Fund contracts for street sweeping downtown - \$35k per year and Street Tree program \$30k.

Albany

Population 57k. Contracts w/ a third party vendor, Parkwise, which operates the downtown parking management program under the umbrella of the Albany Downtown Association.

Milwaukie

Population 22k. Program is not financially self-sustaining and not “wholly” run by any one department. The City plans to improve management of the program in the coming year. Internally managed by code enforcement (issues citations), the city hall admin team (distributes parking permits) and court (administers citation cases). For systemwide and policy level decisions, the Community Development Director and City Manager provide oversight and direction.

Newport

Population 10k. Newport operates a functioning, self-sustaining parking program, though an initial subsidy was required to establish it. Daily cash collections/coinage was interesting. Staff wanted to go digital only, but council mandated machines that took coins/cash. It had an online credit card payment option/app portal. In addition, residents/business owners could purchase an annual pass. It was internal enforcement via the PD, with a license plate reading vehicle for parking enforcement. The Parking Enforcement Officer: enforces the laws and ordinances of the City and State; issues summons to persons in violation; handles citizen's complaints; prepares reports; patrols City in a preventive manner; reports violations and hazardous conditions, takes corrective action when necessary; testifies in court; issues citations for parking violations; and deals with abandoned vehicles.

There was a separate parking taskforce created, which involved local businesses/residents in the impacted area, before it got off the ground. There were a lot of complaints and confusion, mostly from the general public and business owners who swore it was impacting their business. Workers also hated the fact they had to pay to park to go to work, although there were nonpaid parking areas reasonably close. Some of the businesses bought parking passes for employees. The City maintains several parking lots.

Forest Grove

Population 27k. Parking is regulated by free, time limited, signed areas downtown and near Pacific University. No permits are issued except for residential areas adjacent to the university, and those permits are free. The program generates revenue solely through parking citations. A Code Enforcement Officer within the Police Department performs parking enforcement, spending approximately 50–75% of their time on related activities. This officer also fields complaints and prepares evidence files for municipal court.

The City subsidizes all remaining program costs, including enforcement, appeals, and court time, as citation revenue does not cover expenses. To improve cost recovery, citation fees were increased from \$15 to \$30, effective September 2025.

Sherwood

Population 20k. City CSO officer provides general code enforcement for the City and is primarily responsible for parking enforcement downtown. Downtown parking is regulated by free time limited signs. This person spends 12 to 15 hours a week in this capacity. No permits are issued. The only source of revenue is through citations. Revenue from citations is not enough to subsidize the cost of the time in which the CSO provides patrols or the costs of

the free downtown parking lots. These costs are subsidized by city budget. Council has recently been discussing doing away with time limits within the downtown district. The City maintains several parking lots designated for free parking.

Lebanon

Population 20k. The city maintains two public parking lots downtown. Downtown parking is regulated by free, time limited signage designating two and three hour parking zones. Program has been regulated by code enforcement officer through the PD. Currently it is unenforced based on a lack of manpower to enforce. Spoke with gentleman who has been working with the City for 26 years. Started as a compliance officer with PD part-time regulating parking when City had meters. People didn't like the meters so they were removed and the area went to a time limit approach. After time the City used a volunteer system, but that stopped working when the volunteer started making disparaging comments on social media. Compliance officer used the term that currently it is a free for all, even though the signs have not been removed and the signs still may act as a deterrent. Lebanon has free time limited parking within two public parking lots the City owns. These lots are rarely full as there is enough on-street parking that is convenient enough for businesses, employees, customers, etc. The City had a permit program for residents to park downtown after proof of residency, but that program no longer is operating. PW maintains the parking lots. Parking lots are used for special events like a public market at times through a permit process done with administration.

Klamath Falls

Population 22k. The city operates a functioning parking program and maintains several public parking lots that provide free, two-hour time limited parking in the downtown area. There are no meters or apps. Enforcement and issuing of permit administration are handled in house. PD has one CSO officer devoted to full-time parking enforcement downtown. CSO prepares evidence file for court and works with courts when appeals occur. They also testify in court. Community Development Dept. issues parking permits and fields complaints. Permits issued enable parking for business owners, employees or residents downtown. Downtown Association acts as a quasi-parking advisory committee. It doesn't appear that the system pays for itself but is instead subsidized by the City budget.

Ashland

Population 21k. Has a functioning parking program. Downtown public parking in Ashland is managed and enforced by a third-party parking vendor, LAZ Parking. Ashland maintains a parking garage and several surface parking lots. Parking garage is located next to the Oregon Shakespeare Festival. \$2.75 for all day parking 6am-6pm. \$2.75 per hour after 6pm. \$40 a month. Payments for tickets are done through the City via online, or at the PD with cash or check. On-street parking and surface parking lots are free and time-restricted. Most streets are limited to two hours. Parking lots are limited to four hours. Vehicles re-parking within the same day must park at least one block away to avoid an overtime parking ticket. Ashland struggles with the same issue as Roseburg concerning business owners and employees finding the right parking spaces. Their website indicates the following reminder, *"Timed parking downtown maximize the available spaces for people to shop, eat, work and enjoy downtown Ashland. When employees, business owners and visitors use parking spaces in the downtown area for longer than the designated allotted time, it limits the number of spaces available for both our residents and visiting guests."*

Tualatin

Population 28k. The City established the Core Area Parking District in downtown Tualatin in 1979. Since its inception, the Core Area Parking District Board (CAPDB) has been active in many aspects of the District, including construction of parking lots, managing parking lots, performing parking analysis, and other functions that have proven vital in ensuring adequate public parking within the District. The Board consists of seven members comprised of downtown businesses and property owners with one being a council member. The Board meets quarterly.

The (CAPDB) serves in an advisory capacity to the City Council on policy matters affecting the Core Area Parking District. These include location and design of new lots, existing lot improvements, regulations and maintenance, and capital outlays. The CAPDB continues to work with staff and a parking consultant on researching options for the operation and maintenance of the Core Area Parking District as well as reviewing information to assess parking demand.

Five parking lots are in the Core Area Parking District and provide a variety of short- and long-term parking based on location and the type of businesses in the immediate vicinity. Enforcement of time zones is done to ensure the short-term spaces are available for customers. Violators are subject to fines, or in the event of multiple violations without payment of the citation, possible booting of their vehicle.

Finances for the District are generated through the Core Area Tax on businesses within the District. Funds collected are applied to maintenance of parking lots, landscaping, and staff to enforce parking regulations. Parking Taxes are assessed on an annual basis to every business in the Core Area Parking District. Businesses are taxed according to use (office, retail, service, medical office etc.) and the Gross Leasable Area. Certain land uses – such as restaurants – typically use more parking than others – such as offices. The tax rates incorporate these differences into determining the tax rates for various uses. A business is taxed according to type and square footage and not by how many spaces the individual business owner states is needed to support the business. The annual tax rate is determined by the Council on recommendation of the Board before the beginning of each tax year (July 1). The City sends a tax assessment form to those conducting a business in the District. Users are provided an option of paying the tax in three equal payments or in one payment. If the user selects the single payment, a discount of five percent is given if the taxes are paid in full by the due date. Those businesses who select the payment plan are sent reminders before the second and third payments are due. Buildings that have multiple tenants and share parking spaces pose a special problem to the District. In order to fairly tax the various users within the building, the building manager is required to submit a form indicating the Gross Leasable Area of each user as well as the private parking spaces (if any) allocated to each user. Staff then submits statements to individual business owners within the building indicating their tax according to the information provided by the building owner/manager.

Newberg

Population 27k. City maintains three parking lots. Allows free parking within the parking lots. In downtown area time limited signs exist. Traffic officers would typically regulate these areas with citations if they receive a complaint. If traffic officers could not handle it then it would be next officer up. Complaints about tickets go to the municipal courts office. Officer

I spoke to indicated that he'd worked for the City for 20 years and only received about 5 complaints or so in that time frame for people parking beyond the time limit. Parking is not a big issue for their city.

West Linn

Population 27k. Has a residential parking program on city streets near West Linn High School. Does not have time limited parking or meters in their downtown area. CSO through PD enforces parking within the parking district around the high school. PD employees issue free permits and receive daily calls and complaints from neighbors within the district. CSO could spend full school day enforcing, but has other responsibilities. City subsidizes costs for program. Appears to come out of the PD budget (staff time, parking permit decals, etc.). A Residential Parking District was established by city ordinance in 1995 and revised most recently in 2017.

Only residents, WITH PERMITS, living within the designated parking district, are allowed to park on public streets within the parking district between 8:00 a.m. – 3:00 p.m., when school is in session.

Parking by non-residents is prohibited. Officers will routinely patrol those streets. They will cite or tow vehicles that do not have the required decals or temporary permits displayed. Procedures and standards for the issuance of permanent and temporary permits are as follows.

All residents within the district upon their request will be issued:

1. Up to three decal permits to be affixed to the **inside lower left rear window** of the specific vehicle for which it was issued. **The vehicle must be registered at your address.**
2. One temporary permit (to be hung on the mirror inside the vehicle facing out) so visitors, friends, relatives, service providers can legally park on your street during restricted hours.
3. Guest permits are for persons only **while visiting at your home.**
4. The Residential Parking Permits are NOT for use by friends or relatives attending West Linn High School.
5. Proof of residency within the parking district is required.
6. Your Oregon Driver's License and all vehicles for which a permit is requested must be registered to the residence address within the parking district.
7. The Residential Parking Permit Decals and temporary permits remain the property of the West Linn Police Department and their use may be revoked if improper use is demonstrated.
8. The permit decals are assigned to a specific vehicle by the police department and to be used only on that specific vehicle.

If you sell, trade, or give away a vehicle a permit has been issued to, REMOVE THE PERMIT and contact our office so we can transfer the information of your new vehicle.

If you move from the district address, you must immediately return all permits, decal(s) and hangers to the police department.

McMinnville

Population 35k. The Parking Enforcement Section is staffed by one full-time PD enforcement officer. The Parking Enforcement Section is responsible for enforcement of timed parking in the downtown area as well as residential enforcement areas around the high school and college as well as handling abandoned vehicle complaints. The parking officer is responsible for issuing parking permits and enforcing bicycle and skateboard violations in the downtown area. The parking enforcement officer works with local business to provide a cohesive downtown business district. PD issues residential parking permits in the downtown area. \$40 for 6 months and \$60 for a year. No other permit revenue occurs within the City. The City maintains public parking lots, but they are free time limited. The City contracts with two churches downtown to utilize their parking lots for additional free parking. Parking enforcement does occur around the high school for up to two-hour time limits. Residence may obtain permit immediately around the high school area. Those permits are free. City utilizes an e-electronic ticketing system. The costs associated for that ticketing system come from the Courts and PD budget. The full time PD officer assigned to parking comes from the PD budget. The PD enforcement officer also helps with camp clean-up (10% of time) and abandoned vehicles in the right-of-way. They dealt with over 1,000 vehicles last year.

Part-Time Enforcement Program

Staff has spent less time on evaluating this option. It is something the parking advisory committee deliberated, but did not pursue further. It is difficult to quantify what the revenue impacts may be. For instance, if the current time limited parking zones were maintained (2-hr, 3-hr, 4-hr) and parking enforcement worked four hours per day, the number of citations would drop drastically. In a perfect world, if the enforcement person began at 11 am and made a loop, the first citation could be written at 1 pm in a 2-hour zone, even if the vehicle had been parked since 8 am (5 hours). No violations could be written for the 4-hour zones, since the shift would not be long enough to document a violation. This would include the free parking in the parking garage and the Rose Street lot. With less enforcement, there may be fewer people purchasing permits.

Much of the overhead associated with enforcement is not necessarily reduced for part-time enforcement. Examples include space rent for a public facing office, insurance (liability, auto, etc.), software/technology expenses, uniforms, supplies and some utility fees may not directly correlate to the number of hours enforcement occurs.

For a thorough evaluation of this option, staff would recommend enlisting consultant help.

C. Financial/Resource Considerations.

For fiscal year 24-25, the financials for the Ace Parking contract, non-enforcement-related overhead, and combined totals are outlined below. These numbers do not include needed upgrades to the elevator and fire system at the parking garage.

FY 24-25 ACE FINANCIALS		
Revenue		
Meters	\$ 13,241.02	8.5%
Permits	\$ 66,114.25	42.4%
Citations	\$ 76,484.19	49.1%
Subtotal Ace Revenue	\$ 155,839.46	
Expense		
ACE Operating Cost	\$ 242,496.31	
Loss on Ace Contract	\$ (86,656.85)	

FY 24-25 TOTALS	
Revenue	
Ace Revenue	\$ 155,839.46
U-Haul Lot	\$ 18,000.00
Interest	\$ 879.08
Total Revenue	\$ 174,718.54
Expense	
Ace Contract	\$ 242,496.31
Non-enforcement Expense	\$ 94,463.69
Total Expense	\$ 336,960.00
Total Loss	\$ (162,241.46)

FY 24-25 Off Street Parking Overhead		
Overhead Category	Budget	Actual
<i>Central Services</i>		
City Services	\$ 6,000	\$ 6,000
Audit	\$ 2,600	\$ 2,106
Subtotal	\$ 8,600	\$ 8,106
<i>Utilities & Insurance</i>		
Power	\$ 20,000	\$ 17,012
Water	\$ 1,000	\$ 972
Sewer	\$ 110	\$ 60
Storm	\$ 1,570	\$ 1,542
Property Insurance	\$ 8,400	\$ 8,290
Communications	\$ 1,600	\$ 1,558
Buildings & Grounds Maint.	\$ 20,000	\$ 6,937
Subtotal	\$ 52,680	\$ 36,369
Overhead w/o contracts	\$ 61,280	\$ 44,475
<i>Non-enforcement contracts</i>	<i>ARPA Funding</i>	
Cleaning Contract	\$ 26,460	\$ 26,272
Security Contract	\$ 24,003	\$ 23,717
Subtotal	\$ 50,463	\$ 49,988
Overhead w/o enforcement	\$ 111,743	\$ 94,464

The parking program continues to operate at a significant loss. Staff has presented a number of options for Council consideration over the past two years or more. At one point, it appeared Council was leaning towards a model in which 25% of the needed costs would be paid by the downtown property and/or business owners, with adjustments to the system to generate the other 75% needed. More recently, at Council's direction, an advisory committee was convened to bring forth recommendations, which were presented to Council in August. These recommendations have been attached as Attachment #2. While these recommendations did not solve the entirety of the funding issue, they did try to begin to bridge the gap. Council has taken no action related to those recommendations.

It is anticipated that the program will continue to lose money until significant changes are made. A tremendous amount of staff resources has gone into bringing different options forward to Council which has not been captured in the economic analysis.

D. Timing Considerations.

Staff will begin the budget process for FY 26-27 in early February. In order to know how to budget, staff will need clear direction from Council by the end of January 2025.

E. Conclusion

The City's downtown parking program continues to operate at a deficit despite multiple evaluations and community discussions. Staff have provided the council with comparative information from other Oregon cities, financial context, and a summary of prior recommendations to assist in determining a sustainable path forward. Clear direction from the Council will allow staff to develop an actionable plan and incorporate funding decisions into the upcoming budget season.

COUNCIL OPTIONS

The Council has several options but really needs to answer a few overarching questions.

1. Do you want parking enforcement?
 - a. If yes, decisions need to be made on how to fund the system. Options may involve one or more of the following:
 - i. Customers pay
 - ii. Business/property owners pay
 - iii. Taxpayers pay
 - b. If yes, is Council willing to implement some, none, or all of the parking committee's recommendations?
 - c. If no, decisions need to be made on how to cut costs, as revenues will be reduced significantly.
 - i. Should staff cancel/not execute new contracts for security and cleaning services at the parking garage?
 - d. If no, should the parking meters be removed from all areas? This takes Council action.

STAFF RECOMMENDATION

Staff recommends that Council provide direction on the preferred approach for funding and managing the downtown parking program, including whether to continue enforcement and whether to renew contracts for security and cleaning services. Direction at this stage will ensure the program's financial assumptions are accurately reflected in the upcoming budget cycle.

SUGGESTED MOTION

Staff is seeking clear direction from Council.

ATTACHMENTS:

Attachment #1 – Council Meeting History

Attachment #2 – Downtown Parking Committee Draft Recommendations

COUNCIL MEETING HISTORY

The following is a list of meetings that included scheduled discussions related to downtown parking since 2021. The list does not include every meeting where public comment may have occurred during audience participation. The numbers immediately following the date are the approximate time in the video when the topic begins. Work study sessions and special meetings do not include a time as the entirety of the meeting was devoted to the topic.

March 22, 2021 – 17:05 – Rick Williams report presentation and acceptance

December 13, 2021 - 36:10 – award of contract to Ace Parking

January 24, 2022 – 32:20 – supplemental budget

May 9, 2022 – 33:15 – Interim cash flow

August 22, 2022 – 30:30 – advised Ace was not generating enough revenue. Approved converting free parking to time limited in parking structure and Penney's lot. Authorized use of ARPA funding for janitorial and security service contracts in parking structure.

September 26, 2022 – 35:20 Interim cash flow

November 14, 2022 – add Rose Street parking lot to fee schedule (on consent agenda – no discussion)

January 23, 2023 – 1:51:20 – Interim cash flow

June 12, 2023 – 1:12:40 – Interim cash flow

October 23, 2023 – 1:52:50 – Interim cash flow (GF)

November 1, 2023 – Work study session on downtown parking

November 13, 2023 – 55:30 – Interim cash flow

December 6, 2023 – Special meeting on downtown parking - consensus to establish a Council-led committee to work with stakeholders and discuss solutions.

February 26, 2024 – 1:14:10 – Interim cash flow

On April 22, 2024 – 1:01:35 – directed staff to review options submitted by ACE Parking, whether water meters outside city limits can be assessed a fee, identify groups that will be charged a fee, equitable fees based on water meter sizes, and to schedule a work session to discuss these options.

June 24, 2024 – 1:00:35 – Interim cash flow

On July 29, 2024 – work study session - directed staff to bring back comparison charts for 75/25, 70/30, and 65/35 revenue splits.

October 14, 2024 – 33:40 – directed staff to renew Ace contract and evaluate revenue parameters for 75/25 split. (4-3 vote)

March 10, 2025 – 50:15 – interim funding and directed staff to establish parking committee instead of bringing back proposals for 75/25 revenue funding split or obtaining bids for changes needed to convert from free to paid parking

March 24, 2025 – 4:12 -- direction given on membership makeup of parking advisory committee

April 14, 2025 – 2:14:14 -- public hearing to adopt supplemental budget for off street parking fund

June 9, 2025 – 3:46:05 – appropriation for off street parking fund

August 11, 2025 – 2:28:20 -- discussed parking committee recommendations and directed staff to bring back info on unintended consequences if ACE contract is terminated

August 25, 2025 – 59:20 -- Discussed parking committee recommendations and directed staff to bring back information for cost of part time parking enforcement and information from similar size cities on whether they subsidize parking

Downtown Parking Committee Draft Recommendations

1. The Committee recommends that City Council maintain the parking enforcement contract with ACE.
2. The Committee recommends that ACE continue to provide parking enforcement services Monday-Saturday from 9:00am to 5:00pm, excluding holidays.
3. The Committee recommends that all existing parking meters be removed, and that all on-street parking spaces located within the parking district not marked with a free time limit be marked to indicate a two-hour free parking limit with the option to pay for additional time utilizing scannable pay signs or the ACE mobile parking app. In addition, the Committee recommends several centralized parking meter kiosks to be placed in the downtown core to enable those not wanting to use scanned pay signs or app with the ability to pay at a parking meter kiosk. Downtown on-street spaces marked with a three-hour free time limit should be changed to reflect a two-hour time limit with the option to pay for additional time utilizing scanned pay signs or the ACE mobile parking app. Adjusting all time-limited on-street parking spaces to a two-hour free time limit with the ability to pay for additional time will help to increase uniformity.

Rough cost estimates for existing meter removal and new sign installation.

		Cost Est.	
Sign w/existing pole	130	\$50	\$6,500
New sign & Pole	92	\$250	\$23,000
Remove Meter & Pole	171	\$50	\$8,550
			\$38,050

A new parking kiosk costs approximately \$10,000 with approximate installation costs at \$2,500 if located strategically near existing power. Costs associated with the installation of five parking kiosks within the downtown area would be approximately \$62,500.

4. The Committee recommends a payment of \$1.50 per hour to be paid via scanned pay signs, ACE mobile app or centralized kiosk for those wanting to park beyond the free two-hour time limit for on-street parking within the downtown parking district.

Data from ACE parking was analyzed to provide rough estimates about how much revenue this new model could possibly generate. Utilizing license plate recognition software, ACE was able to determine the number of vehicles that parked beyond the two-hour time limit within the district both on-street and within the Rose St. parking lot and first floor of the parking garage. This data was evaluated over a 3-month time frame. Based on these numbers, it was determined that the average net revenue from charging \$1.50 an hour, after

the two-hour free time limit, and deducting credit card and transaction fees, would be \$1,880 per month. The yearly projected revenue is estimated to be \$22,560.

5. The Committee recommends implementation of \$50.00 a month on-street parking permits at the following street locations as recommended by ACE.

- 400 Blk SE Rose St.
- 700 Blk SE Rose St.
- 1000 Blk SE Lane Ave.
- 800 Blk SE Main St.
- 1100 Blk SE Washington Ave.
- 700 Blk SE Pine St.
- 700 Blk SE Kane St.

It is estimated that 20 of these types of permits could possibly be issued per month generating \$1,000 worth of revenue. Total yearly revenue is estimated to be \$12,000 per year.

6. The Committee recommends installing a new consistent signage package to integrate the on and off-street parking system. This would mean creating a simple and recognizable “logo” intended to communicate public parking. This identifier would then be integrated into all signage within the City’s on and off-street parking system.

7. The Committee recommends that parking lots with faded striping be re-striped and on-street parallel parking stalls with faded thermoplastic “L” and “T” be replaced including new paint or thermoplastic along curbed areas where parking is restricted. Rough estimates indicate that it would cost \$20,000 to complete this work.

8. The Committee recommends adjusting the cost of off-street parking permits at each of the City parking lots and parking garage. These parking permit fees should be adjusted by City Council annually. Permit fees should be set in a tiered system with costs set for the most desirable parking spaces being at the highest and the least desirable locations being the lowest.

9. The Committee recommends the following off-street parking permit fee adjustments.

Garage Fl. 1, Oversize - \$25 to \$35 a month

Garage Fl. 2 - \$22 to \$30 a month

Garage Fl. 3 - \$17 to \$25 a month

Armory Lot - \$35 to \$45 a month

Court Lot - \$22 to \$30 a month

Rose Lot - \$30 to \$35 a month

Phillips Lot - \$28 to \$20 a month

Shalimar Lot - \$32 to \$20 a month

Rough estimates based on the number of permits currently issued for each of these parking lots indicate that the fee increases for each parking lot could generate a total of \$7,840 per month. Total yearly revenue is estimated to be \$94,080 per year.

10. The Committee recommends an increase in residential on-street permits within the Laurelwood neighborhood of \$10 to \$70 per school year (180 days). An average of 30 minutes of enforcement is provided within Laurelwood per school day. Total operating costs for enforcement in Laurelwood per school year is \$5,342.56. There are currently 77 permits issued in Laurelwood. The breakeven point for annual permits is \$69.38. Currently Roseburg High School students pay \$80 per school year for a parking permit to park on the high school campus.

11. The Committee does not recommend an increase in citation fees currently. Citation fees are set by the municipal judge. The Committee recommends the possibility of an increase in citation fees being evaluated later after an adjustment period to free time-limited parking with the use of an app to pay for additional time, on-street permitting, and an increase in off-street permit rates has occurred.

12. The Committee recommends to explore options for ACE to enforce privately owned parking lots as a potential revenue source.

13. The Committee does not recommend a divestment of the property on which the underutilized Phillips or Shalimar parking lots are located.

14. The Committee recommends implementing an incentive program for off-street parking permits. For example:

- One month free through the purchase of a prorated 3-month permit.
- Discount for buying permits for the entirety of the year.
- Continuation of 10% off for 10 or more permits and 15% off for 15 or more.
- Discount for purchasing permit within a specific time frame of new parking permit fees being implemented.

15. The Committee recommends providing additional oversized parking permit spaces to the first floor of the parking garage. Currently there are only four oversized parking spaces.

16. The Committee recommends adjusting the 4-hour free parking on the first floor of the parking garage and within the Rose St. lot to become 2-hour free parking with the ability to pay \$1.50 per hour for additional time utilizing scanned pay signs within the parking area, the ACE mobile app, or nearby parking meter kiosk.

17. The Committee recommends adding motorcycle spaces to the downtown area on SE Jackson St. and SE Main St.

18. The Committee recommends creating a social media campaign used to educate the public and promote the new parking program. The campaign should emphasize improvements to the parking garage including cleanliness and safety.

19. The Committee recommends that businesses and/or property owners within the downtown parking district not be required to pay any remaining deficit necessary to balance the Off-Street Parking Fund. The Committee desires to continue utilizing money from the General Fund – Other Requirements to provide cash flow assistance until it is determined how much of a deficit may remain once changes are made to increase parking revenue. The Committee recommends that the ACE contract be cancelled, and no parking enforcement occur if businesses or property owners within the downtown parking district are required to pay for the balance of the remaining expenses of the Off-Street Fund.

20. The Committee recommends that parking meters removed from the parking district should be donated, sold or provided to others for future reuse.

21. The Committee recommends meeting every other month while the new parking program is being implemented in order to evaluate and assess progress being made.

22. The Committee recommends that once operational after a 6-month period a re-assessment of the program should occur to evaluate revenue and expenses to determine the state of the Off-Street Parking Fund.



TENTATIVE FUTURE COUNCIL AGENDA

Unscheduled

- City Manager Evaluation Process Presentation (Work Study)
- City Manager Evaluation Process Adoption
- UCC Land Transfer
- Thrive Smoking/Vaping Presentation
- Tent Camping Rules Discussion
- Five Year Capital Improvement Plan (CIP) Update
- Water System Master Plan Contract Award
- Accreditation Ceremony/Presentation – PD
- Speed Reduction Program (2026)
- Council Goals Adoption (2026)
- Storm Damage Repair at 1700 Block Mill Street – Design Contract
- Ordinance No. _____ Prohibited Camping – First Reading

November 10, 2025

Mayor Reports

- A. Veteran's and Military Families Appreciation Month
- B. Public Works Commission Chair Appointment
- C. City Manager Compensation

Commission Reports/Council Ward Reports

- A. Parks Commission Appointment
- B. Homeless Commission Appointment

Consent Agenda

- A. October 27, 2025 Meeting Minutes

Resolutions

- A. Resolution No. 2025 - ____ Fee Schedule Update

Ordinances

- A. Ordinance No. 3616 Annexation & Zone Change (1058 Greenley) – Second Reading
- B. Ordinance No. 3617 Planning Commission Code Update – First Reading
- C. Ordinance No. 3618 Sangoma US Inc Franchise Agreement (1st & 2nd Reading)

Informational

- A. Future Tentative Council Agendas
- B. Municipal Court Quarterly Report
- C. Finance Quarterly Report

December 8, 2025

Mayor Reports

Consent Agenda

- A. November 10, 2025 Meeting Minutes

Ordinances

- A. Ordinance No. 3617 Planning Commission Code Update – Second Reading

Informational

- A. Future Tentative Council Agendas

Executive Session ORS 192.660(2)(e)

- A. Property Discussion

January 12, 2026

Mayor Reports

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

- A. Election of Council President

Consent Agenda

- A. December 8, 2025 Meeting Minutes

Resolutions

- A. Resolution No. 2026 - ____ - Setting a New Council Reimbursement Amount for 2026

Department Items

- A. Parrott Creek Culvert – Bid Award

Informational

- A. Future Tentative Council Agendas
-

January 26, 2026

Consent Agenda

- A. January 12, 2026 Meeting Minutes

Department Items

- A. 5-Year Pavement Maintenance Plan
- B. 5-Year Capital Improvement Plan
- C. Umpqua Health Alliance Grant Acceptance

Informational

- A. Future Tentative Council Agendas
 - B. Municipal Court Quarterly Report
 - C. Finance Quarterly Report
-

February 9, 2026

Consent Agenda

- A. January 26, 2026 Meeting Minutes

Informational

- A. Future Tentative Council Agendas
-

February 23, 2026

Mayor Reports

- A. 2024 GFOA Certificate of Achievement for Excellences in Annual Comprehensive Financial Reporting (ACFR) and 2024 GFOA Award for Outstanding Achievement in Popular Annual Financial Reporting (PAFR)

Special Presentations

- A. Annual Comprehensive Financial Report (ACFR)
- B. Quarterly Report Ending December 31, 2025
- C. 2026 – 2027 Budget Calendar

Consent Agenda

- A. February 23, 2026 Meeting Minutes

Informational

- A. Future Tentative Council Agendas
-

March 9, 2026

Mayor Reports

- A. American Red Cross Month Proclamation

Consent Agenda

- A. February 23, 2026 Meeting Minutes

Resolutions

- A. Resolution No. 2026 - ____ Approving a Tax Exemption for Sunshine Park Apartments located at 152 Sunshine Road

Department Items

- A. Inmate Housing Intergovernmental Agreement Extension
- B. Intergovernmental Agreement – Douglas County Communications Services and Radio Usage Agreement

Informational

- A. Future Tentative Council Agendas

Urban Renewal Agency Board Meeting

Consent Agenda

- A. June 9, 2025 URA Work Study Meeting Minutes
- B. June 9, 2025 Regular URA Meeting Minutes

Department Items

- A. Resolution No. UR2026 - ____ Approving a Tax Exemption for Sunshine Park Apartments located at 152 Sunshine Road
-

March 23, 2026

Mayor Reports

- A. National Library Week Proclamation

Consent Agenda

- A. March 9, 2026 Meeting Minutes

Informational

- A. Future Tentative Council Agendas
-

April 13, 2026

Mayor Reports

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

Consent Agenda

- A. March 23, 2026 Meeting Minutes
- B. 2026 OLCC Annual Liquor License Renewal Endorsement

Informational

- A. Future Tentative Council Agendas
-

April 27, 2026

Mayor Reports

- A. Historic Preservation Month Proclamation
- B. Thrive Umpqua Day Proclamation

Consent Agenda

- A. April 13, 2026 Meeting Minutes

Informational

- A. Future Tentative Council Agendas
 - B. Finance Quarterly Report
 - C. Municipal Court Quarterly Report
-

May 11, 2026

Mayor Reports

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

Consent Agenda

- A. April 27, 2026 Meeting Minutes

Resolutions

- A. Annual Fee Adjustment
 - i. Resolution No. 2026 - ____: General Fees
 - ii. Resolution No. 2026 - ____: Water Related Fees

Informational

A. Future Tentative Council Agendas

May 25, 2026 MEMORIAL DAY

June 8, 2026

Mayor Reports

Consent Agenda

A. May 11, 2026 Meeting Minutes

Resolution

A. Resolution No. 2026 - ____ - 2025-26 Budget Adoption

Informational

A. Future Tentative Council Agendas

June 22, 2026

Mayor Reports

A. Parks and Recreation Month Proclamation

Consent Agenda

A. June 8, 2026 Meeting Minutes

Informational

A. Future Tentative Council Agendas

July 13, 2026

Mayor Reports

Consent Agenda

A. June 22, 2026 Meeting Minutes

Informational

A. Future Tentative Council Agendas

July 27, 2026

Mayor Reports

Consent Agenda

A. July 13, 2026 Meeting Minutes

Informational

A. Future Tentative Council Agendas

B. Municipal Court Quarterly Report

August 10, 2026

Mayor Reports

Consent Agenda

A. July 27, 2026 Meeting Minutes

Informational

A. Future Tentative Council Agendas

August 24, 2026

Mayor Reports

Consent Agenda

A. August 10, 2026 Meeting Minutes

Executive Session

A. ORS192.660(2)(i) – City Manager Evaluation

Informational

A. Future Tentative Council Agendas

B. Quarterly Financial Report

September 14, 2026

Mayor Reports

Consent Agenda

A. August 24, 2026 Meeting Minutes

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A. Future Tentative Council Agendas

September 28, 2026

Mayor Reports

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A. September 14, 2026 Meeting Minutes

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A. Future Tentative Council Agendas

October 12, 2026

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A. September 28, 2026 Meeting Minutes

Department Items

A. 2026 Oregon Public Library Statistical Report

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A. Future Tentative Council Agendas

October 26, 2026

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A. October 12, 2026 Meeting Minutes

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November 9, 2026

Mayor Reports

A. Veterans Day and Military Families Month Proclamation

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A. October 26, 2026 Meeting Minutes

Executive Session

A. ORS192.660(2)(i) – Municipal Court Judge Evaluation

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A. Future Tentative Council Agendas

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Mayor Reports

Consent Agenda

A. November 9, 2026 Meeting Minutes

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A. Future Tentative Council Agendas
