

Agenda

Shady Cove City Council Regular Meeting and Public Hearing

Shady Cove City Council Chambers
22451 Highway 62, Shady Cove, Oregon

Thursday, May 21, 2020

6PM

This meeting will be held telephonically
in light of current health conditions.

Attendees will call

1-844-855-4444

Access Code 789926#

I. Call to Order

- A. Roll Call
- B. Announcements by Presiding Officer
 - 1. This meeting is being digitally recorded.
 - 2. The next regularly scheduled meeting of the City Council will be June 4, 2020, at 6PM, possibly held telephonically.
 - 3. The next regularly scheduled meeting of the Planning Commission will be May 28, 2020, at 6PM possibly held telephonically.
 - 4. The next meeting of the Parks and Recreation Commission has yet to be determined.
 - 5. Public may comment on agenda items - Public must state name, address and standing to discuss an issue. Issues must have a City-wide impact and not be personal issues. Depending on number of comments and time constraints, Council may limit the amount of time to 3 minutes per speaker.
 - 6. These meeting dates are subject to change by the circumstances related to COVID-19.

II. Public Hearing

- A. Annual Budget – Fiscal Year 2020-2021

III. Public Comment on Agenda Items

IV. Consent Agenda

- A. Regular Minutes of May 7, 2020
- B. Budget Committee Minutes of May 14, 2020
- C. Bills Paid Report – 5/1/20-5/08/20 - \$15,770.32

Items Removed from Consent Agenda

Shady Cove City Council Regular Meeting and
Public Hearing

May 21, 2020

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Staff Reports

- A. City Administrator
- B. Jackson County Deputy
- C. Fire Chief Winfrey

VI. New Business

- A. Resolution 20-04 – Adopting the Fiscal Year 20-21 Budget, Making Appropriations and Imposing and Categorizing Taxes
- B. Resolution 20-05 – Certifying that the City of Shady Cove Provides the Following Four or More Municipal Services Enumerated in ORS 221.760(1)
- C. Resolution 20-06 – Declaring the City of Shady Cove’s Election to Receive State Revenues
- D. Consideration of a Medical Hardship Request for 100 Firehouse Lane
- E. Recommendation from Charter Revision Committee
- F. Award of Schoolhouse Lane Contract

VII. Old Business

None

VIII. Written Communication

None

IX. Public Comment on Non-Agenda Items

X. Council Comments on Non-Agenda Items

- A. Mayor Richardson – RVCOG
- B. Councilor Mitchell - RVACT & Parks Commission
- C. Councilor McGregor - SOREDI
- D. Councilor Hohenstein - Planning Commission
- E. Councilor Tarvin

XI. Adjournment

RESOURCES
10 - GENERAL FUND

CITY OF SHADY COVE

FORM LB-20

	Historical Data			Adopted Budget This Year Year 2019-2020	RESOURCE DESCRIPTION	Budget for Next Year 2020-2021		
	Actual		Proposed By Budget Officer			Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019						
1	279,316	335,882	340,000	221,112	221,112			1
2								2
3		861	1,000					3
4	4,073	6,224	2,000		1,000	1,000		4
5					10,000	10,000		5
6								6
7	85,373	89,396	72,000					7
8	247,545	247,290	289,500		85,000	85,000		8
9	21,296	24,754	18,500		290,000	290,000		9
10	78,898	66,974	50,000		25,000	25,000		10
11	10,275	15,450	12,000		40,000	40,000		11
12	179,000	221,500	156,082		10,000	10,000		12
13	14,329	5,893	5,000		124,493	124,493		13
14	18,919	20,819	500		6,000	6,000		14
15	277,396	270,092	331,150		500	500		15
16	3,975	250	500		336,000	336,000		16
17	550	300	1,000		1,000	1,000		17
18			1,000		5,000	5,000		18
19		1,300	1,500		1,500	1,500		19
20			50,000		1,500	1,500		20
21		25,680			50,000	50,000		21
22	1,220,945	1,433,665	1,331,732					22
23			142,000					23
24	142,210	146,908			14,100	14,100		24
25								25
26								26
27								27
28								28
29								29
30					1,222,205	1,222,205		30
31					147,000	147,000		31
32	1,363,155	1,580,573	1,473,732		1,369,205	1,369,205		32

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

150-504-020 (rev 10-16)

DETAILED REQUIREMENTS

10 - GENERAL FUND

CITY OF SHADY COVE

FORM LB-20

Historical Data		Adopted Budget This Year 2019-2020	REQUIREMENTS DESCRIPTION ADMINISTRATION		Budget for Next Year 2020-2021		
					Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body
Actual	First Preceding Year 2018-2019		Object Classification	Detail			
1			1				1
2	36,787	64,471	2	MATERIALS & SERVICES	Professional Services (Auditor, Legal, Etc.)	60,000	2
3	117,129	128,685	3		Operations & Maintenance	110,000	3
4	499	-	4		Discretionary	500	4
5	11,001	8,519	5		Promotion & Tourism	5,000	5
6	4,065	2,129	6		Recognition & Awards	3,000	6
7	11,906	3,048	7		Floodplain Management	4,000	7
8	22,363	37,620	8		Planning & Building	18,000	8
9	10,505	7,775	9		Training/Conferences	4,000	9
10	225	20	10		Disaster Preparedness	1,000	10
11	5,203	6,158	11		Radio Station	6,000	11
12			12		Library Maintenance - Parking Lot	2,000	12
13		196	13		Flag Program	1,500	13
14			14		Records Retention	5,000	14
15		15,000	15		DLCD Grant Expenditures	14,100	15
16			16				16
17			17				17
18			18				18
19			19				19
20			20				20
21			21				21
22			22				22
23			23				23
24			24				24
25			25				25
26			26				26
27			27				27
28			28				28
29			29				29
30			30				30
31			31		Ending balance (prior years)		31
32			32		UNAPPROPRIATED ENDING FUND BALANCE		32
33	219,683	258,621	33		TOTAL GENERAL FUND MATERIALS & SERVICES REQUIREMENTS	234,100	33

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

DETAILED REQUIREMENTS

10 - GENERAL FUND

CITY OF SHADY COVE

FORM LB-20

Line Item	Historical Data			REQUIREMENTS DESCRIPTION PUBLIC SAFETY	Budget for Next Year 2020-2021		
	Actual		Adopted Budget This Year 2019-2020		Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019					
1							
2	429,215	443,437	465,000	Law Enforcement Contract (LCSO)	480,000	480,000	1
3			41,000	Law Enforcement - Community Resource Officer	42,500	42,500	2
4							3
5							4
6							5
7							6
8							7
9							8
10							9
11							10
12							11
13							12
14							13
15							14
16							15
17							16
18							17
19							18
20							19
21							20
22							21
23							22
24							23
25							24
26							25
27							26
28							27
29							28
30							29
31							30
32							31
33	429,215	443,437	506,000	TOTAL GENERAL FUND PUBLIC SAFETY REQUIREMENTS	522,500	522,500	33

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

DETAILED REQUIREMENTS

FORM LB-20

10 - GENERAL FUND

CITY OF SHADY COVE

Line Item	Historical Data			Adopted Budget This Year 2019-2020	REQUIREMENTS DESCRIPTION			Budget for Next Year 2020-2021			
	Actual				Object Classification	Detail	Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body		
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019									
1					1						
2	5,501	989		2,000	2	MATERIALS & SERVICES	Utilities	2,000	2,000	1	
3		7,111		4,200	3		Park Maintenance	2,200	2,200	2	
4		286		2,400	4		Materials & Services	1,500	1,500	3	
5					5					4	
6					6					5	
7					7					6	
8					8					7	
9					9					8	
10					10					9	
11					11					10	
12					12					11	
13					13					12	
14					14					13	
15					15					14	
16					16					15	
17					17					16	
18					18					17	
19					19					18	
20					20					19	
21					21					20	
22					22					21	
23					23					22	
24					24					23	
25					25					24	
26					26					25	
27					27					26	
28					28					27	
29					29					28	
30					30					29	
31					31					30	
32					32					31	
33	5,501	8,386		8,600	33	TOTAL GENERAL FUND PARKS REQUIREMENTS			5,700	5,700	33

150-504-020 (rev 10-16)

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

DETAILED REQUIREMENTS

10 - GENERAL FUND

CITY OF SHADY COVE

FORM LB-20

Line Item	Historical Data			REQUIREMENTS DESCRIPTION CAPITAL OUTLAY	Budget for Next Year 2020-2021		
	Actual		Adopted Budget This Year 2019-2020		Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019					
1							1
2	15,365			Building Improvement/Equipment Purchase			2
3	10,324			Park Improvement (Landscaping Project)			3
4							4
5							5
6							6
7							7
8							8
9	10,000	110,000	20,000	TRANSFERS & CONTINGENCIES			9
10			50,000	Contingency	50,000	50,000	10
11							11
12							12
13							13
14	414		28,500	INTERFUND LOAN PAYMENTS			14
15				Interfund Loan Principal Payment to Fund 05			15
16				Interfund Loan Interest Payment to Fund 05			16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31	335,882	399,129		Ending balance (prior years)			31
32			111,112	UNAPPORTIONED ENDING FUND BALANCE	117,105	117,105	32
33	1,363,155	1,580,573	1,423,732	TOTAL GENERAL FUND REQUIREMENTS	1,369,205	1,369,205	33

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

DETAILED REQUIREMENTS

02 - SEWER

CITY OF SHADY COVE

FORM LB-31

Line Item	Historical Data			Adopted Budget This Year 2019-2020	REQUIREMENTS DESCRIPTION	Budget for Next Year 2020-2021				
	Actual		Object Classification			Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body		
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019								
1					1					
2	55,022	64,953			2	MATERIALS & SERVICES	Operations & Maintenance			
3	345,000	345,000			3		RVSS Contract			
4	97,000	124,100			4		Administrative Allocations			
5			900,000		5		RVSS Sewer Fees	928,056	926,356	
6					6					
7					7					
8					8					
9					9					
10					10					
11					11					
12					12					
13					13					
14					14					
15					15					
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23					23					
24					24					
25					25					
26					26					
27					27					
28					28					
29					29					
30					30					
31					31		Ending balance (prior years)			
32					32		UNAPPROPRIATED ENDING FUND BALANCE			
33	497,022	534,053	900,000	900,000	33	TOTAL SEWER FUND MATERIALS & SERVICES REQUIREMENTS			928,056	926,356

* Include a schedule of pay ranges.

150-504-031 (Rev 02-14)

DETAILED REQUIREMENTS

02 - SEWER

CITY OF SHADY COVE

FORM LB-31

Line Item	Historical Data			Adopted Budget This Year 2019-2020	REQUIREMENTS DESCRIPTION	Budget for Next Year 2020-2021		
	Actual					Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019						
1					Object Classification			
2	56,052	57,700	383,700		SRF Principal			
3	14,118	12,470	3,200		SRF Interest			
4	2,348	2,064			SRF Loan Fees			
5	35,999	24,506			USDA Principal			
6	91,907	519			USDA Interest			
7	1,941,226				US Bank Bond Refinancing			
8		55,000	60,000		US Bank Principal (January)	60,000	60,000	
9		72,481	67,000		US Bank Interest (July/January)	64,044	64,044	
10					US Bank Agent Fees		1,700	
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31					Ending balance (prior years)			
32					UNAPPROPRIATED ENDING FUND BALANCE			
33	2,141,650	224,740	513,900		TOTAL SEWER DEBT SERVICE REQUIREMENTS	124,044	125,744	

DETAILED REQUIREMENTS

02 - SEWER

CITY OF SHADY COVE

FORM LB-31

Line Item	Historical Data			REQUIREMENTS DESCRIPTION	Budget for Next Year 2020-2021		
	Actual		Adopted Budget This Year 2019-2020		Proposed by Budget Officer	Approved by Budget Committee	Adopted by Governing Body
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019					
1				1 Object Classification			
2	100,000	100,000		2 TRANSFERS			
3				Transfer to Fund 05			
4							
5							
6							
7							
8							
9							
10							
11							
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27							
28							
29							
30							
31	416,617	492,160		31 Ending balance (prior years)			
32			1,250,200	UNAPPROPRIATED ENDING FUND BALANCE	127,300		127,300
33	3,055,289	1,250,953	1,539,100	TOTAL SEWER FUND REQUIREMENTS	1,179,400		1,179,400

**BONDED DEBT
RESOURCES AND REQUIREMENTS**

03 - SEWER DEBT

FORM LB-35

This fund is required under the terms of our GO Bond. Bond expires 2020.

Bond Debt Payments are for:
 Revenue Bonds or
 General Obligation Bonds

CITY OF SHADY COVE

Historical Data			DESCRIPTION OF RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021		
Actual				Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body
Second Preceding Year 2017-2018	First Preceding Year 2018-2019	Adopted Budget This Year 2019-2020				
1			1 Resources			1
2	29,575	23,569	2 Beginning Cash on Hand (Cash Basis), or			2
3			3			3
4	2,591	1,951	4 Previously Levied Taxes to be Received			4
5			5 Transfer IN from 05			5
6			6			6
7	32,166	25,520	7 Total Resources, Except Taxes to be Levied			7
8			8			8
9			9 Taxes Estimated to be Received *			9
10	65,902	69,978	10 Taxes Collected in Year Levied			10
11	98,068	95,498	11 TOTAL SEWER DEBT FUND RESOURCES			11
			Requirements			
12			Bond Principal Payments			
13	68,000	70,000	Bond Issue Budgeted Payment Date			12
14			2012 07/01/2019			13
15						14
16	68,000	70,000	16 Total Principal			15
17			Bond Interest Payments			16
18	3,695	2,803	Bond Issue Budgeted Payment Date			17
19	2,804		2012 07/01/2019			18
20			2012			19
21	6,499	2,803	21 Total Interest			20
22			22 Unappropriated Balance for Following Year By			21
23			Bond Issue Projected Payment Date			22
24						23
25						24
26	23,569	22,695	26 Ending balance (prior years)			25
27			27 Total Unappropriated Ending Fund Balance			26
28						27
29						28
30	98,068	95,498	30 TOTAL SEWER DEBT FUND REQUIREMENTS			29
						30

150-504-035 (Rev 10-16)

*If this form is used for revenue bonds, property tax resources may not be included.

This Fund is established by Resolution 09-13 on 05.21.2009. One year's payment of the SKF Loan and one year's payment of the USDA Loan is required (at 1% per year until one year's payment is funded).

**RESERVE FUND
RESOURCES AND REQUIREMENTS**

This Fund must remain in existence until the balance of the Loans are paid off. The SKF Loan is schedule to be paid off in 2025, and the USDA is schedule to be paid off in 2048.

FORM LB-11

04 - SEWER OPERATIONS RESERVE

CITY OF SHADY COVE

Historical Data		DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021						
Actual	Adopted Budget Year 2019-2020		Proposed By Budget Officer	Approved By Budget Committee					
1		1							
2	168,023	2	82,000						
3	172,817	3							
4		4							
5	4,794	5	10,842						
6		6							
7		7							
8		8							
9		9							
10	172,817	10	82,000						
11		11							
12		12							
13	172,817	13	82,000						
14		14							
15		15							
16		16	103,000						
17		17							
18		18							
19		19							
20		20	82,000						
21		21							
22		22							
23		23							
24		24							
25		25							
26		26							
27		27							
28		28							
29	172,817	29	80,659						
30		30							
31	172,817	31	183,659						
150-504-011 (Rev 10-16)		82,000							

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year
**List requirements by organizational unit or program, activity, object classification, then expenditure detail. If the requirement is "not allocated", then list by object classification and expenditure detail

This Fund is authorized and established by Resolution 09-14 on 05.19.2009 for the following purpose: To provide a reserve for Capital Purchases.

**RESERVE FUND
RESOURCES AND REQUIREMENTS**

Year this Reserve Fund will be reviewed to be continued or abolished. Date can not be more than 10 years after established. Review Year 2019.

FORM LB-11

05 - SEWER OPERATIONS REPLACEMENT

CITY OF SHADY COVE

Line Item	Historical Data			DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021		
	Actual				Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019	Adopted Budget Year 2019-2020				
1				RESOURCES			1
2	404,150	547,817	813,000	Cash on hand * (cash basis), or			2
3	23,181	33,797		Interest			3
4							4
5							5
6	100,000	100,000		Transferred IN, from Fund 02			6
7				Transfer IN from Fund 02			7
8	20,486	121,800	28,500	Interfund Loan Payment Received from General Fund 10			8
9							9
10	547,817	803,414	841,500	Total Resources, except taxes to be levied			10
11							11
12							12
13	547,817	803,414	841,500	TOTAL SEWER OPERATIONS REPLACEMENT RESOURCES			13
14				REQUIREMENTS **			14
15				Non-Allocated			15
16			128,400	TRANSFERS			16
17			328,632	Transfers			17
18							18
19							19
20			384,468	OTHER			20
21				Special Payment			21
22				RVSS per Contract			22
23							23
24							24
25							25
26							26
27							27
28							28
29	547,817	803,414		Ending balance (prior years)			29
30				UNAPPROPRIATED ENDING FUND BALANCE			30
31	547,817	803,414	841,500	TOTAL SEWER OPERATIONS REPLACEMENT REQUIREMENTS			31

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year

**List requirements by organizational unit or program, activity, object classification, then expenditures detail. If the requirement is "not allocated", then list by object classification and expenditures detail

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
07 - CAPITAL IMPROVEMENT FUND**

FORM LB-10

CITY OF SHADY COVE

Historical Data		DESCRIPTION RESOURCES AND REQUIREMENTS		Budget for Next Year 2020-2021		
				Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body
Second Preceding Year 2017-2018	First Preceding Year 2018-2019	Adopted Budget Year 2019-2020				
1			1			1
2	187,000	101,000	2	Cash on hand * (cash basis), or		2
3		20,000	3	Oregon Health Authority Grant	20,000	3
4		1,000,000	4	CDBG Grant	1,000,000	4
5			5			5
6			6			6
7			7			7
8			8			8
9			9			9
10	187,000	101,000	10	Total Resources, except taxes to be levied	1,020,000	10
11			11			11
12			12			12
13	187,000	101,000	13	TOTAL CAPITAL IMPROVEMENT FUND RESOURCES	1,020,000	13
14			14	REQUIREMENTS **	1,020,000	14
15			15	System		15
16	86,000		16	Development		16
17			17	CAPITAL OUTLAY		17
18			18	Capital Outlay		18
19			19			19
20			20			20
21		101,000	21	TRANSFERS		21
22			22	Transfers		22
23			23			23
24			24			24
25			25			25
26			26			26
27			27			27
28			28			28
29	101,000		29	Ending balance (prior years)		29
30			30	UNAPPROPRIATED ENDING FUND BALANCE		30
31	187,000	101,000	31	TOTAL CAPITAL IMPROVEMENT FUND REQUIREMENTS	1,020,000	31

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**The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.

**List requirements by organizational unit or program, activity, object classification, then expenditure detail. If the requirement is "not allocated", then list by object classification and expenditure detail.

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
08 - SYSTEM DEVELOPMENT CHARGES**

**CITY OF SHADY COVE
TRANSPORTATION FUND**

FORM LB-10

Historical Data		Actual		Adopted Budget Year 2019-2020	DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021		
						Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body
Second Preceding Year 2017-2018	First Preceding Year 2018-2019				1	2	3	4
279,912	360,337	170,000	RESOURCES					
			2 Cash on hand * (cash basis), or			75,525	75,525	
			3					
1,290	2,292	2,000	4 Interest			2,000	2,000	
			5					
36,685	40,020	52,500	6 New Development					
38,318			7 ODOT TE Refund			37,500	37,500	
		100,000	8 Schoolhouse Lane Grant					
			9 SCA Grant			100,000	100,000	
			10			78,700	78,700	
356,205	402,649	324,500	11 Total Resources, except taxes to be levied			293,725	293,725	
356,205	402,649	324,500	12					
			13			293,725	293,725	
			14					
			15					
			16					
494	164,291	15,000	System Development - Transportation					
6,242		49,500	CAPITAL OUTLAY					
		152,000	17 Capital Outlay			40,000	40,000	
			18					
			19					
			20			126,000	126,000	
			21					
		32,475	22 CONTINGENCY					
			23			15,000	15,000	
			24					
			25					
			26					
			27					
			28					
349,469	238,358		29 Ending balance (prior years)					
		75,525	30 UNAPPROPRIATED ENDING FUND BALANCE			112,725	112,725	
356,205	402,649	324,500	31 TOTAL SDC TRANSPORTATION REQUIREMENTS			293,725	293,725	

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year
**List requirements by organizational unit or program, activity, object classification, then expenditure detail. If the requirement is "not allocated", then list by object classification and expenditure detail.

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
08 - SYSTEM DEVELOPMENT CHARGES
STORMWATER FUND**

FORM LB-10

CITY OF SHADY COVE

Line Item	Historical Data			Adopted Budget Year 2019-2020	DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021			
	Actual					Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019	Adopted Budget Year 2019-2020						
1					RESOURCES				1
2	226,302	194,264	170,000		Cash on hand * (cash basis), or	21,420	21,420		2
3									3
4									4
5	1,289	2,292	700		Interest	2,000	2,000		5
6									6
7	7,678	10,938	10,500		New Development	7,500	7,500		7
8	8,511				ODOT TE Refund				8
9									9
10	243,780	207,494	181,200		Total Resources, except taxes to be levied	30,920	30,920		10
11									11
12									12
13	243,780	207,494	181,200		TOTAL SDC STORMWATER FUND RESOURCES	30,920	30,920		13
14					REQUIREMENTS **				14
15					System Development - Stormwater				
16	8,217	40,989			Capital Outlay				15
17	41,299	10,956			TE Project				16
18			148,800		Stormwater Improvements				17
19					Cleveland Street/Pond				18
20					Stormwater Drains	20,000	20,000		19
21			10,980		Contingency	3,000	3,000		20
22									21
23									22
24									23
25									24
26									25
27									26
28									27
29	194,264	155,549			Ending balance (prior years)				28
30			21,420		UNAPPROPRIATED ENDING FUND BALANCE	7,920	7,920		29
31	243,780	207,494	181,200		TOTAL SDC STORMWATER FUND REQUIREMENTS	30,920	30,920		30
150-504-010 (Rev. 10-16)									31

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.
**List requirements by organizational unit or program, activity, object classification, then expenditure detail. If the requirement is "not allocated", then list by object classification, and expenditure detail.

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
08 - SYSTEM DEVELOPMENT CHARGES
WASTEWATER FUND
CITY OF SHADY COVE**

FORM LB-10

Line Item	Historical Data			Adopted Budget Year 2019-2020	DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021			
	Actual		Proposed By Budget Officer			Approved By Budget Committee	Adopted By Governing Body		
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019							
1					RESOURCES				
2	189,641	213,052	205,000		Cash on hand * (cash basis), or				1
3									2
4									3
5	1,290	2,292			Interest				4
6									5
7	22,121	26,143			New Development				6
8									7
9									8
10	213,052	241,487	205,000		Total Resources, except taxes to be levied				9
11									10
12									11
13	213,052	241,487	205,000		TOTAL SDC WASTEWATER FUND RESOURCES				12
14					REQUIREMENTS **				13
15						System Development - Stormwater			14
16						Special Payment			15
17			205,000			RYSS per Contract			16
18									17
19									18
20									19
21									20
22									21
23									22
24									23
25									24
26									25
27									26
28									27
29	213,052	241,487			Ending balance (prior years)				28
30					UNAPPROPRIATED ENDING FUND BALANCE				29
31	213,052	241,487	205,000		TOTAL SDC WASTEWATER FUND REQUIREMENTS				30
150-504-010 (Rev. 10-16)									31

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year

**List requirements by organizational unit (or program, activity, object, classification, then expenditure detail). If the requirement is "not allocated", then list by object classification and expenditure detail.

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
08 - SYSTEM DEVELOPMENT CHARGES
PARKS FUND**

FORM LB-10

CITY OF SHADY COVE

Line Item	Historical Data			DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021			
	Actual				Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2017-2018	First Preceding Year 2018-2019	Adopted Budget Year 2019-2020					
1				1			1	
2	119,439	193,328	265,000	2	114,800	114,800	2	
3				3			3	
4				4			4	
5	1,290	2,293	300	5	300	300	5	
6				6			6	
7	12,188	13,296	10,500	7	7,500	7,500	7	
8	61,500			8			8	
9				9			9	
10	194,417	208,917	275,800	10	122,600	122,600	10	
11				11			11	
12				12			12	
13	194,417	208,917	275,800	13	122,600	122,600	13	
14				14			14	
15				15			15	
16				16			16	
17	1,089		96,000	17			17	
18			40,000	18			18	
19			4,000	19			19	
20				20	20,000	20,000	20	
21				21			21	
22			21,000	22	3,000	3,000	22	
23				23			23	
24				24			24	
25				25			25	
26				26			26	
27				27			27	
28				28			28	
29	193,328	208,917		29			29	
30			114,800	30	99,600	99,600	30	
31	194,417	208,917	275,800	31	122,600	122,600	31	
150-504-010 (Rev. 10-16)								Page # 20

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.
**List requirements by organizational unit or program, activity, object classification, then expenditures detail. If the requirements is "not allocated", then list by object classification and expenditure detail.

**SPECIAL FUND
RESOURCES AND REQUIREMENTS
09 - UPPER ROGUE REGIONAL PARK
CITY OF SHADY COVE**

FORM LB-10

Historical Data		DESCRIPTION RESOURCES AND REQUIREMENTS	Budget for Next Year 2020-2021		
Actual			Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body
Second Preceding Year 2017-2018	First Preceding Year 2018-2019				
1		RESOURCES			
2		Cash on hand * (cash basis), or			1
3					2
4					3
5		Interest			4
6	100				5
7	67,000	State Marine Board Operating Grant			6
8	80,000	Grant State Marine Board			7
9	47,200	Riverhouse Facility Use & Fees			8
10	7,200	Residential Rental			9
11	201,500	Transfer IN from Fund 10			10
12					11
13					12
14	201,500	TOTAL URR PARK FUND RESOURCES			13
15		REQUIREMENTS**			14
16		Parks			15
17	5,000	Utilities			16
18	5,000	Insurance			17
19	10,000	Equipment Maintenance			18
20	10,000	Professional Services			19
21	33,874	Administrative Allocations			20
22	800	Training			21
23					22
24	100,000	CAPITAL OUTLAY			23
25					24
26	21,000	CONTINGENCY			25
27					26
28					27
29					28
30		Ending balance (prior years)			29
31	15,826	UNAPPROPRIATED ENDING FUND BALANCE			30
		TOTAL URR PARK FUND REQUIREMENTS			31
150-504-010 (Rev. 10-16)	201,500				

*The balance of cash, cash equivalents and investments in the fund at the beginning of the budget year.
**List requirements by organizational unit or program, activity, object classification, then expenditure detail. If the requirement is "not allocated", then list by object classification and expenditure detail.

APPROVED FUND SUMMARY EXPENDITURES 2020-2021

Line	Fund Description	Personnel Services	Materials & Services	Public Safety	Capital Outlay	Interfund Loan	Debt Service	Special Payment	Transfers	Contingency	Unappropriated Ending Fund Balance	Total Fund Amount	% of Budget
1	General Fund (10)	439,800	239,800	522,500						50,000	117,105	1,369,205	30.91%
2	Street Fund (01)		232,493		2,000					5,000	24,799	264,292	5.97%
3	Sewer Fund (02)		926,356				125,744				127,300	1,179,400	26.62%
4	Sewer Ops Fund (03)												0.00%
5	Sewer Reserve Fund (04)												0.00%
6	Ops Replacement Fund (05)												0.00%
7	Capital Reserve Fund (06)				25,000						125,000	150,000	3.39%
8	Capital Improvement Fund (07)				1,020,000							1,020,000	23.02%
9	SDC Funds (08)*												
10	Transportation				166,000					15,000	112,725	293,725	6.63%
11	Storm Water				20,000					3,000	7,920	30,920	0.70%
12	Wastewater												0.00%
13	Parks				20,000					3,000	99,600	122,600	2.77%
14	Upper Rogue Regional Park (09)												0.00%
15	Total:	439,800	1,398,649	522,500	1,253,000		125,744			76,000	614,449	4,430,142	100.00%
													4,430,142

* SDC Funds (8). Line item # 9 is not included in the grand total or percentage of budget. Individual fund detail are listed on lines 10-13.



EXECUTIVE ORDER NO. 20-16

KEEP GOVERNMENT WORKING: ORDERING NECESSARY MEASURES TO ENSURE SAFE PUBLIC MEETINGS AND CONTINUED OPERATIONS BY LOCAL GOVERNMENTS DURING CORONAVIRUS (COVID-19) OUTBREAK

On February 28, 2020, I appointed the State of Oregon's Coronavirus Response Team.

On February 29, 2020, the Department of Human Services issued strict guidelines, restricting visitation at congregated care facilities, including nursing homes.

On March 2, 2020, the State of Oregon Emergency Coordination Center was activated.

On March 8, 2020, I declared an emergency under ORS 401.165 *et seq.* due to the public health threat posed by the novel infectious coronavirus (COVID-19).

On March 12, 2020, I prohibited gatherings of 250 or more people, and announced a statewide closure of Oregon K-12 schools from March 16, 2020, through March 31, 2020.

On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

On March 17, 2020, I prohibited gatherings of 25 or more people, banned on-site consumption of food and drink at food establishments statewide, and extended school closures until April 28, 2020. I also encouraged all businesses not subject to the prohibitions to implement social distancing protocols.

On March 18, 2020, I suspended in-person instructional activities at higher education institutions through April 28, 2020.

On March 22, 2020, I imposed a temporary moratorium on residential evictions for nonpayment, prohibiting law enforcement from serving, delivering, or acting on any notice, order or writ of termination of tenancy, relating to residential evictions for nonpayment.





EXECUTIVE ORDER NO. 20-16
PAGE TWO

On March 23, 2020, I ordered Oregonians to “Stay Home, Save Lives,” directing individuals to stay home to the greatest extent possible, ordering the closure of specified retail businesses, requiring social distancing measures for other public and private facilities, and imposing requirements for outdoor areas and licensed childcare facilities.

On April 1, 2020, I imposed a temporary moratorium on the termination of residential and nonresidential rental agreements and evictions for nonpayment, to ensure that individuals can stay at home to the greatest extent possible, and to ensure the provision of necessary goods and services during this emergency.

On April 8, 2020, I announced that school closures and the suspension of in-person instructional activities at higher education institutions would be extended through the end of the current academic term and school year.

COVID-19 may cause respiratory disease leading to serious illness or death. The World Health Organization considers COVID-19 to be a global pandemic. COVID-19 spreads person-to-person through coughing, sneezing, and close personal contact, including touching a surface with the virus on it and then touching your mouth, nose, or eyes.

State and local public health officials advise that the virus is circulating in the community and expect the number of cases to increase. The United States Centers for Disease Control and Prevention (CDC) reports that COVID-19 is most contagious when the individual is most symptomatic, but may also spread before symptoms appear. CDC recommends measures to limit spread of the disease in the community, including limitations on events and gatherings.

The number of COVID-19 cases continues to rise in Oregon. On March 8, 2020, at the time I declared an emergency, there were 14 presumptive or confirmed cases in Oregon. As of today, there are at least 1,663 confirmed cases and 58 deaths.

In a short time, COVID-19 has spread rapidly. To slow the spread of COVID-19 in Oregon, and to protect the health and lives of Oregonians, particularly those at highest risk, I find that immediate implementation of additional measures is necessary to protect the health, safety, and the financial stability of all Oregonians.





EXECUTIVE ORDER NO. 20-16
PAGE THREE

During this emergency, state and local governments must continue to operate, provide essential services, and make decisions in a public and transparent manner. Governments must do so safely, consistent with my emergency directives. Public participation is essential to the functioning of our state and local governments, but in-person attendance at public meetings presents a risk to the public health and safety of Oregonians, unless appropriate measures are taken. Thus, during this emergency, public meetings should be held via telephone, video, electronic or other virtual means, whenever possible, to keep Oregonians safe, and to mitigate the spread of COVID-19. Likewise, local governments need to be able to hold budget meetings in a way that comports with my stay-at-home directives, so they can complete their upcoming budget processes and ensure continued delivery of essential government services.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Pursuant to ORS 433.441, ORS 401.168, ORS 401.175, ORS 401.188, and ORS 401.192, I am issuing the following directives, which authorize state and local governments to take necessary measures to ensure continued operations, public participation in decision-making, and the provision of essential government services in a safe manner during the COVID-19 outbreak:

1. Definition. “COVID-19 emergency period” means the period during which the COVID-19 state of emergency declared by Executive Order 20-03 is in effect, including any extensions of that state of emergency.
2. Public Meetings. During the COVID-19 emergency period:
 - a. The governing body of a public body (as defined by ORS 192.610(3) and (4)) shall hold public meetings and hearings by telephone, video, or through some other electronic or virtual means, whenever possible. For all public meetings and hearings held by telephone, video, or through other electronic or virtual means, the public body shall make available a method by which the public can listen to or virtually attend the public meeting or hearing at the time it occurs, and the public body does not have to provide a physical space for the public to attend the meeting or hearing. This paragraph does not apply to executive sessions, as defined by ORS 192.610(2).



EXECUTIVE ORDER NO. 20-16
PAGE FOUR

- b. When public meetings or hearings of a governing body of a public body cannot be held by telephone, video, or through some other electronic or virtual means pursuant to paragraph 2(a) of this Executive Order, persons attending those meetings must maintain appropriate social distancing (six feet or more between individuals), to the maximum extent possible.
 - c. Any requirements by law or policy that testimony during a public meeting or hearing be taken in person do not apply if the public body provides an opportunity for submission of testimony by telephone, video, or through some other electronic or virtual means, or provides a means of submitting written testimony, including by email or other electronic methods, that the public body may consider in a timely manner. This paragraph does not apply to contested case hearings held pursuant to ORS chapter 183.
 - d. Unless otherwise required by law, a quorum of the governing body of a public body and the number of its members required for an affirmative act consists of a majority of its members, excluding those unable to attend because of illness due to COVID-19.
3. Local Budget Meetings. During the COVID-19 emergency period:
- a. Any requirement under ORS 294.305 to 294.565, or ORS 294.900 to 294.930, to provide members of the public or taxpayers an opportunity to ask questions and comment, or to appear before or meet with, or to attend a hearing of, either a budget committee established under ORS 294.414 or ORS 294.905, or the governing body of a municipal corporation as defined by ORS 294.311) or council of local governments (as defined by ORS 294.900), may be satisfied by providing a method of appearing or meeting by telephone, video, or other electronic methods and by also providing a means of submitting written communications, including email or other electronic methods, that the committee or governing body may consider in a timely manner.



EXECUTIVE ORDER NO. 20-16
PAGE FIVE

- b. Publication of any notice, summary, or other document required under ORS 294.305 to 294.565, or ORS 294.900 to 294.930, may be satisfied by posting the notice, summary, or other document in a prominent manner on the internet.
- c. If the public health threat underlying the COVID-19 state of emergency, or compliance with an Executive Order issued pursuant to ORS 401.165 to 401.236 in connection with that emergency, causes a municipal corporation to fail to comply with ORS 294.305 to 294.565 or ORS 294.900 to 294.930, then, notwithstanding ORS 294.338(1) or any other law, the municipal corporation may make reasonable expenditures for the continued operation of the municipal corporation within its existing or most recently adopted budget, provided it cures any failure to comply with ORS 294.305 to 294.565 or ORS 294.900 to 294.930 as soon as reasonably practicable.
- d. Any requirement of the tax supervising and conservation commission to conduct a hearing under ORS 294.640 or 294.655 may be satisfied by providing a method of appearing or meeting by telephone, video, or other electronic methods, and by also providing a means of submitting written communications, including email or other electronic methods, that the commission may consider in a timely manner before making any objection, recommendation, certification, or order regarding a municipal corporation's proposed budget, special tax levy, or bond issue.
- e. The certification requirements specified in ORS 221.770(1)(b) and (c) may be satisfied by holding a hearing and allowing written comment in accordance with paragraph 3(a) of this Executive Order, and by making certification to the Oregon Department of Administrative Services as soon as reasonably practicable upon adoption of the budget.





EXECUTIVE ORDER NO. 20-16
PAGE SIX

This Executive Order is issued under the authority conferred to the Governor by ORS 401.165 to 401.236. Pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law, and any existing laws, ordinances, rules and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.

This Executive Order is effective immediately, and remains in effect until terminated by the Governor.

Done at Salem, Oregon, this 15th day of April, 2020.

A handwritten signature in black ink that reads "Kate Brown".

Kate Brown
GOVERNOR

ATTEST:

A handwritten signature in blue ink that reads "Bev Clarno".

Bev Clarno
SECRETARY OF STATE



City of Shady Cove
City Council Regular Meeting Minutes

Held Telephonically
Thursday, May 7, 2020

CALL TO ORDER

Mayor Richardson called the Regular City Council Meeting to order at 6:00PM on a telephonic meeting.

Council Present on call: Mayor Richardson, Councilor Mitchell, Councilor McGregor – joined at 6:06PM, Councilor Tarvin, and Councilor Hohenstein.

Staff Present on call: Thomas J. Corrigan, City Administrator

ANNOUNCEMENTS

The Mayor made the announcements on the agenda.

EXTENSION OF THE DECLARATION OF EMERGENCY – COVID-19

Motion to Accept the Extension of the Declaration of Emergency – COVID-19

Motion: Councilor Tarvin

Second: Councilor Mitchell

3 Ayes, 1 Nay (Councilor Hohenstein) Motion carries 3-1

PUBLIC COMMENT

None. All callers were unmuted.

CONSENT CALENDAR

Special Meeting Minutes of March 11, 2020, Regular Meeting Minutes of April 2, 2020 – with correction to Councilor comments, Bills Paid Report for March 6, 2020 through April 30, 2020 in the amount of \$327,182.79, and Budget Committee Appointees

Motion to Accept the Consent Calendar including Special Meeting Minutes of March 11, 2020, Regular Meeting Minutes of April 2, 2020 in the amount of \$327,182.79, Bills Paid Report for March 6 2020 through April 30, 2020, and Budget Committee Appointees

Motion: Councilor Hohenstein

Second: Councilor Mitchell

All Ayes Motion carries 5-0

STAFF REPORTS

City Administrator asked everyone to check website for full updates. Will be sending out separate written report.

NEW BUSINESS

OLD BUSINESS

WRITTEN COMMUNICATION

None

PUBLIC COMMENTS

Kathy Raver-Marble at 100 Firehouse Lane, would like to volunteer on weekends for the City.

COUNCIL COMMENTS

Mayor Richardson – Census can be filled out without code number, Shady Cove only has 39% participation, online at www.my2020census.gov
Gave update on County level openings regarding COVID-19 and working on the phased reopening

Councilor Mitchell – made supporting statement for phasing in reopening of the County, concerned about opening up too soon
RVACT meeting was canceled, wasn't aware of Parks and Recreation meeting

Councilor McGregor – agrees with Councilor Hohenstein and feels the City is moving too slow. SOREDI meeting was canceled. Participated in RVSS budget meeting

Councilor Hohenstein – disagrees with the lengthy mandate to phased reopening based solely on only the medical side of the situation and not to consider the economic destruction of the slow moving phases
Aunt Caroline's park looks very nice, mentioned written correspondence from Vincent Smith from Sons of Oregon

Councilor Tarvin – agrees with Councilor Hohenstein and Councilor McGregor's assessment of the slow phasing.
Pleased that everyone sounds healthy, hoping to see everyone soon. Enjoy the open boat ramp.

ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular meeting at 6:49PM

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

SHADY COVE BUDGET COMMITTEE MINUTES

Shady Cove Council Chambers

22451 Hwy 62, Shady Cove, OR 97539

May 14, 2020, 10:00 AM

Meeting was held telephonically due to COVID-19

I. Call to Order

Thomas Corrigan, City Administrator called the Budget Committee Meeting to order at 10:00 AM. Thomas Corrigan, City Administrator confirmed a quorum.

A. Roll Call

Committee Members Present: Spencer Davenport, Betty Herbst, Debbie Glass and Bob Bellah

Committee Members Absent: Jan Swearson

Council Present: Mayor Richardson, Councilor Mitchell, Councilor McGregor, Councilor Tarvin and Councilor Hohenstein

Staff Present: Thomas Corrigan, City Administrator and Shelly Dent, Accounting Technician

II. Nominations/Appointment of the Committee Chair and Secretary

A. Budget Committee Chair

Mayor Richardson moved to appoint Steve Mitchell as Budget Committee Chair.

Motion to Appoint

Motion: Mayor Richardson

Second: Councilor Hohenstein

Motion Carried: 9-0

B. Secretary

Councilor Hohenstein moved to appoint Betty Herbst as Budget Committee Secretary.

Motion to Appoint

Motion: Councilor Hohenstein

Second: Councilor McGregor

Motion Carried: 9-0

III. Public Hearing

Councilor Mitchell called to order the Public Hearing at 10:09 AM for the purpose of receiving public comment on the possible uses of State Revenue Sharing Funds. The Public Hearing closed at 10:09 AM. No Comments.

IV. Discuss Proposed Budget

The Committee discussed various sections of the proposed budget. There were changes to the proposed budget line items as follows:

Budget Committee Meeting Recess: 10:57 AM.
Budget Committee Meeting Reconvened: 11:02 AM.

Sewer (02)

RVSS Sewer Fees – Page 9, Line #5: \$928,056 was reduced to \$926,356 due to the requirement of the annual Agent Fees associated with the Full Faith and Credit Refunding Obligations that commenced in 2018.

Total Sewer Fund Materials & Services Requirements – Page 9, Line #33: \$928,056 was reduced to \$926,356 due to the requirement of the annual Agent Fees associated with the Full Faith and Credit Refunding Obligations that commenced in 2018.

US Bank Agent Fees – Page 10, Line #10 – This line item was added to reflect the requirement of the annual Agent Fees associated with the Full Faith and Credit Refunding Obligations that commenced in 2018. The City is still waiting for a schedule that reflects this line item with the actual amount due. Based on a payment that was made in December 2019 of \$700, we are using the \$1,700 as a placeholder.

Total Sewer Debt Service Requirements – Page 10, Line #33: \$124,055 was increased to \$125,744 due to the requirement of the annual Agent Fees associated with the Full Faith and Credit Refunding Obligations that commenced in 2018.

Committee Member: Spencer Davenport had to leave the budget meeting at 11:45 AM.

V. Motion to Approve Budget

I move to approve the 2020 - 2021 budget in the amount of \$4,405,142 and impose a permanent tax rate of \$0.5474 per \$1,000 of assessed value.

Motion: Councilor Hohenstein
Motion Carried: 8-0

Second: Mayor Richardson

VI. Adjournment

The Budget Committee Meeting adjourned at 12:05 PM

Approved:

Attest:

Lena Richardson
Mayor

Thomas Corrigan
City Administrator

Budget Committee Vote:

Mayor Richardson	<u>Yes</u>
Councilor Mitchell	<u>Yes</u>
Councilor McGregor	<u>Yes</u>
Councilor Tarvin	<u>Yes</u>
Councilor Hohenstein	<u>Yes</u>
Spencer Davenport	<u>Absent</u>
Betty Herbst	<u>Yes</u>
Debbie Glass	<u>Yes</u>
Jan Swearson	<u>Absent</u>
Bob Bellah	<u>Yes</u>

Check Issue Date	Check	Payee	Description	Amount
05/08/2020	44772	Postmaster	Bulk Mailing - Mayor	408.48
05/08/2020	44774	Banner Bank	Computer Software Subscription	14.99
05/08/2020	44774	Banner Bank	DropBox	450.00
05/08/2020	44774	Banner Bank	FreeConferenceCall.Com	57.61
05/08/2020	44774	Banner Bank	Wild Fire App	.99
05/08/2020	44774	Banner Bank	Phone Security	2.99
05/08/2020	44774	Banner Bank	Recording Fees - Land Use	124.00
05/08/2020	44774	Banner Bank	Late Fees	20.00
05/08/2020	44774	Banner Bank	Training - Credit Voucher	-25.00
05/08/2020	44774	Banner Bank	Park Maintenance & Supplies	11.96
05/08/2020	44774	Banner Bank	Computer Software Subscription	72.97
05/08/2020	44774	Banner Bank	Radio Station Internet Streaming	7.95
05/08/2020	44774	Banner Bank	Maintenance Supplies - Shop	38.73
05/08/2020	44774	Banner Bank	Emergency Management Preparedness	493.39
05/08/2020	44775	Banner Bank	Late Fee	20.00
05/08/2020	44775	Banner Bank	Volunteer - Lunch	16.45
05/08/2020	44775	Banner Bank	Aunt Caroline's - ADA Ramp	39.50
05/08/2020	44775	Banner Bank	Small Tools/ Supplies	20.00
05/08/2020	44775	Banner Bank	Aunty Carolines - Park Improvements	100.10
05/08/2020	44776	Celtic Circle, LLC	Shop Rental	865.00
05/08/2020	44777	David Christian	Radio Programming, 6 hrs.	90.00
05/08/2020	44778	Ewing Irrigation	Park Maintenance - Fertilizer	166.70
05/08/2020	44778	Ewing Irrigation	Park Maintenance - Seed	96.80
05/08/2020	44779	General Credit Service, Inc.	Collection Fees-Charges #4150	574.25
05/08/2020	44780	James & Linda Hinds	Utility Billing Refund	67.17
05/08/2020	44781	Jessie Bridgham	Professional Services - Budget Document Review	450.00
05/08/2020	44782	KAS & Associates, Inc.	Hwy 62. & Indian Creek Rd.	2,928.74
05/08/2020	44782	KAS & Associates, Inc.	Professional Services - Streets	15.00
05/08/2020	44782	KAS & Associates, Inc.	SCA Grant - Schoolhouse	3,985.40
05/08/2020	44782	KAS & Associates, Inc.	SCA Grant - Schoolhouse	1,193.84
05/08/2020	44783	Manuel & Tina Rios	Utility Billing Refund	172.99
05/08/2020	44784	Medford Builders Exchange	SCA Grant - Schoolhouse Ln	74.00
05/08/2020	44785	Perfection Cleaning	Cleaning Services	300.00
05/08/2020	44786	Personnel Source, Inc.	Temporary Laborer-Office Support	840.00
05/08/2020	44786	Personnel Source, Inc.	Temporary Laborer-Office Support	840.00
05/08/2020	44787	Richard W Brewster CPA PC	1st Quarter Payroll services	550.00
05/08/2020	44788	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	6.59
05/08/2020	44788	Shady Cove Hardware, LLC	Streets - Maintenance Supplies	37.17
05/08/2020	44788	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	12.99
05/08/2020	44788	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	41.97
05/08/2020	44788	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	7.58
05/08/2020	44788	Shady Cove Hardware, LLC	Park - ADA Walkway/Path	40.49
05/08/2020	44788	Shady Cove Hardware, LLC	Park - ADA Walkway/Path	15.75
05/08/2020	44788	Shady Cove Hardware, LLC	Park - ADA Walkway/Path	24.96
05/08/2020	44788	Shady Cove Hardware, LLC	Park - ADA Walkway/Path	31.50
05/08/2020	44788	Shady Cove Hardware, LLC	Park - ADA Walkway/Path	24.38
05/08/2020	44788	Shady Cove Hardware, LLC	City Hall - Facilities	9.80
05/08/2020	44789	SOS Alarm	City Hall	152.85
05/08/2020	44789	SOS Alarm	Celtic Circle - (Shop)	118.35
05/08/2020	44790	Southern Oregon Sanitation	Nork lane 088070	40.22
05/08/2020	44790	Southern Oregon Sanitation	City Hall 088054	40.22
05/08/2020	44790	Southern Oregon Sanitation	aunt Caroline's Park 088094	58.50
05/08/2020	44791	TouchPoint Networks, LLC	Computer Services	31.00

Grand Totals:

15,779.32

City of Shady Cove

RESOLUTION 20 - 04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON ADOPTING THE FISCAL YEAR 2020 -2021 BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATERGORIZING TAXES

ADOPTING THE BUDGET

BE IT RESOLVED that the City Council of the City of Shady Cove hereby adopts the Budget for fiscal year 2020 - 2021 in the total of **\$4,430,142** now on file at City Hall, 222451 Highway 62, Shady Cove, Oregon.

MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2020 and for the purposes shown below are hereby appropriated:

FUND	DESCRIPTION	APPROPRIATION	UNAPPROPRIATED	TOTAL
General - 10	Administration	673,900		673,900
	Public Safety	522,500		522,500
	Parks	5,700		5,700
	Contingency	50,000		50,000
	Unappropriated Ending Fund Balance		117,105	117,105
	Total		1,252,100	117,105
Streets - 01	Materials & Services	232,463		232,463
	Capital Outlay	2,000		2,000
	Contingency	5,000		5,000
	Unappropriated Ending Fund Balance		24,799	24,799
	Total	239,463	24,799	264,262
Sewer Operations - 02	Materials & Services	926,356		926,356
	Debt Service	125,744		125,744
	Unappropriated Ending Fund Balance		127,300	127,300
	Total	1,052,100	127,300	1,179,400
Capital Purchase Reserve - 06	Capital Outlay	25,000		25,000
	Unappropriated Ending Fund Balance		125,000	125,000
	Total	25,000	125,000	150,000
Capital Improvement Fund - 07	Capital Outlay	1,020,000		1,020,000
	Total	1,020,000		1,020,000
System Development - 08	Capital Outlay	206,000		206,000
	Contingency	21,000		21,000
	Unappropriated Ending Fund Balance		220,245	220,245
	Total	227,000	220,245	447,245
	Total Budget	3,815,663	614,449	4,430,112

IMPOSING THE TAX

BE IT RESOLVED that the City Council of the City of Shady Cove hereby imposes the taxes provided for in the adopted budget at the rate of **\$0.5474 per \$1,000** of assessed value for operations, and that these taxes are hereby imposed and categorized for tax year 2020 - 2021 upon the assessed value of all taxable properties within the City of Shady Cove as follows:

CATEGORIZING THE TAX

General Government	Limitation	Excluded from Limitation
General Fund	\$0.5474 / \$1,000	
Local Option Tax	\$0.00	

GASB 54

In order to comply with GASB 54 requirements to classify funds into five categories: non-spendable, restricted, committed, assigned, and unassigned, the City Council of the City of Shady Cove Resolves as follows:

1. The amount of \$2,000 in Streets 01 Fund is hereby committed to a future sidewalk path.
2. The City Administrator is designated and give authority to assign funds as needed.

EFFECTIVE DATE

This Resolution shall be effective upon its adoption on May 21,2020.

Adopted and Appropriated by the City Council of the City of Shady Cove this 21st day of May, 2020.

APPROVED:

ATTEST:

Lena Richardson
Mayor

Thomas Corrigan
City Administrator

COUNCIL VOTE:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

City of Shady Cove

Resolution 20 - 05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
CERTIFYING THAT THE CITY OF SHADY COVE PROVIDES THE FOLLOWING
FOUR OR MORE MUNICIPAL SERVICES ENUMERATED IN ORS 221.760 (1)**

Whereas, ORS 221.760 (1) states:

The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall disburse such funds in the case of a city located within a county having more than 100,000 inhabitants, according to the most recent federal decennial census, only if the officer reasonably is satisfied that the city meets the requirements set out in subsection (2) of this section, or if the city provided four or more of the following municipal services:

- (a) Police protection.
- (b) Fire protection.
- (c) Street construction, maintenance, and lighting.
- (d) Sanitary sewers.
- (e) Storm sewers.
- (f) Planning, zoning, and subdivision control.
- (g) One or more utility services.

The City Council of the City of Shady Cove Resolves as follows:

The City of Shady Cove hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

- (1) Police protection.
- (2) Street construction, maintenance, and lighting.
- (3) Storm sewers.
- (4) Planning, zoning, and subdivision control.

Effective Date: This Resolution shall be effective on July 1, 2020 for Fiscal Year 2020 – 2021.

Adopted this 21st day of May, 2020.

Approved:

Attest:

Lena Richardson
Mayor

Thomas Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

City of Shady Cove

Resolution 20 – 06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
DECLARING THE CITY OF SHADY COVE’S ELECTION TO RECEIVE STATE
REVENUES**

Whereas, ORS 221.770 (1) states:

“A city shall not be included in apportionments or receive distributions under this section for a fiscal year commencing on July 1 unless the city: (a) Elects to receive distributions under this section for the fiscal year by enactment of an ordinance or resolution expressing that election and filing a copy of that ordinance or resolution with the Oregon Department of Administrative Services not later than July 31 of the fiscal year.”

Whereas, a public hearing before the Budget Committee was held on May 14, 2020 and a public hearing before the City Council was held on May 21, 2020, giving the citizens an opportunity to comment on use of State Revenue Sharing.

The City Council of the City of Shady Cove Resolves as follows:

Pursuant to ORS 221.771(1) (a), the City of Shady Cove hereby elects to receive State Revenues for Fiscal Year 2020 – 2021.

Effective Date: This Resolution shall be effective on July 1, 2020 for Fiscal Year 2020 – 2021.

Adopted by the City Council of the City of Shady Cove this 21th day of May, 2020.

Approved:

Attest:

Lena Richardson
Mayor

Thomas Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

100 Firehouse In., Shady Cove, Or., 97539
541-538-0235
541-826-2111 ext. 3868
Kathyraver4@gmail.com
Katherine.raver@va.gov

Wednesday, May 13, 2020

Dear City of Shady Cove,

On May 7, 2020 I received a visit from Ms. Michele Davis, Patrol Division. She advised my mom Ms. Donna Janelli that there was a complaint about their motorhome (2019 Minnie Winnie) being on my property and them sleeping in it, and it was against the City of Shady Cove ordinance.

My parents Mr. Vern Korb and Ms. Donna Janelli are full-time travelers and spend their winters in Arizona and their summers in the cooler states. They arrived at my property the first week in March to schedule their Dr. appointments and get their medications filled prior to leaving for Montana, then COVID-19 happened. During this time the Governor of Oregon declared a state of emergency and implemented the stay at home order. Due to the Governors orders this initiated the Dr. offices to extend patient office visits and no traveling.

I understand the ordinance 90.02, and wanting the city to look presentable, but my property is very clean and has adequate space for a motorhome that includes full hook-ups. If I had known that the city had a specific process to be completed, I would have completed the specific requirements.

On May 8, 2020 I went to the Shady Cove Fire Department and spoke with the personnel regarding any fire or safety issues of my parents staying in their motorhome on 100 Firehouse In. They replied there were no issues unless they were using propane. My parents only use their motorhome to sleep there is no showering or cooking, these activities take place in the main residence. The motorhome is hooked up to power and water for washing of hands and bathroom, however the motorhome is driven to either the gas station or one of the parks to be dumped.

On May 8, 2020 my mom was able to finally get into the Dr. at Providence Eagle Point but has another appointment in June for skin cancer removal. My father's appointment is at the end of June 2020. With these appointments there may be testing needed with could result in another

appointment. A brief history of my dad which makes it more crucial that they can reside on my property is his medical history and early signs of dementia, which he currently takes medication.

I spoke with the city administrator Tom on May 8, 2020 and tried to explain what was going on and why my parents were staying with me. I am requesting all medical documents to be shredded as they contain HIPPA and request an email to be sent with confirmation. The information below was advised to be sent in by the administrator.

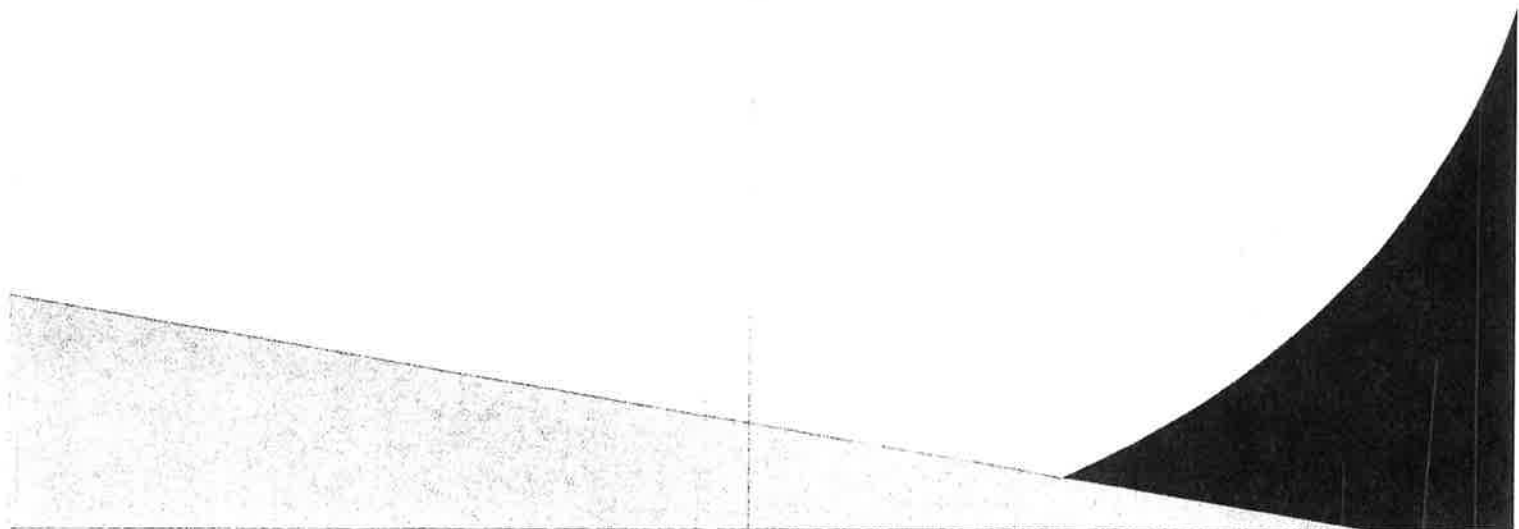
- A medical hardship
- Medical documentation

On May 12, 2020 I reached out to my neighbors at 110 Firehouse Ln. and asked them if they would be willing to write a letter on behalf of my parents. Mr. Doug Barber replied he would be happy to. I do have the conversation via text. We try to stay to ourselves and are civil and respectful to our neighbors. I pay the water bill for my home as well as well as 110 Firehouse Ln. since they are retired and on a fixed income. My husband and I have never had an issue with a neighbor including when we owned our house in Eagle Point.

I am requesting for my parents to be able to stay no later than July 30, 2020 to accommodate all medical appointments and procedures. They may be gone way before then, but this will give a flexibility considering the medical office makes the appointments. The city administrator suggested my parents to go to a park in Shady Cove, but they are on fixed incomes and can't afford 400.00 plus a month. I also do not feel being close to many trailers is in their best interest health wise or safety.

Respectfully,

Kathy Raver & David Marble
Homeowners
100 Firehouse Ln.



Raver, Katherine A. (White City/VISN20)

From: Raver, Katherine A. (White City/VISN20)
Sent: Thursday, May 14, 2020 6:16 AM
To: Sandra Barber
Subject: RE: [EXTERNAL] letter

Hello,

I truly appreciate this letter and the compliments you have made regarding us as neighbors. We do not try to call any issues with our neighbors or anyone else. We are pretty neutral people who keep to ourselves. In this incident my parents have had no open options during this COVID event that has created so much despair across the country. This is the time to show compassion for one another. I was not aware of this ordinance until now and the reason my parents are staying in their motorhome is it is equipped for their needs.

Thank you again Mr. & Mrs. Barber for your kind words.
Together we can make a positive difference in the world!

Thank you,

 QM Quality Management	<u>Kathy Raver</u> Administrator	<i>VA SORCC</i>
	Office: 541.826.2111 x3868 Fax: 541.830.7470	<i>8495 Crater Lake Hwy White City, OR 97503 Bldg. 202 rm. 255</i>
	External Accreditation Links: <u>CARF & The Joint Commission</u>	
<i>"Autograph Your Work with Excellence"</i>		

From: Sandra Barber <christmassandrabarber@aol.com>
Sent: Wednesday, May 13, 2020 7:18 PM
To: Raver, Katherine A. (White City/VISN20) <Katherine.Raver@va.gov>
Subject: [EXTERNAL] letter

Greetings to the Shady Cove City Council;

I have lived in Shady Cove more than 2 years now. Last year, I attended the City council when the issue was code enforcement. A family had a trailer and a Motor home on a partially developed property. This was not easy because there were a number of excited people there. Our Council showed firm resolve and effective management, keeping order and carefully explaining the reasons for the citation. They displayed care and consideration for the problems. They set a generous time limit and made clear what was necessary to comply with legal code.

This year my neighbor, Kathy Marble has to deal with a similar issue. This year we all have to deal with new problems due to COVID19 restrictions. Kathy is a responsible citizen who works at the VA here in White City. Her family has been good neighbors and display civil manners at all times. I wish to encourage the City council to deal with her kindly and allow their issues to be resolved in an amicable manner similar to the case I saw resolved last year.

Sincerely,
Doug Barber

DOCTOR CERTIFICATION
TEMPORARY USE OF A MOBILE HOME DURING A MEDICAL HARDSHIP



The use of a mobile home on a temporary basis during a medical hardship may be allowed, and a permit may be granted for a period of up to two years and may be renewed for successive periods of two years if evidence is provided that the hardship condition continues to exist. It is not the intent of this provision to subvert the intent of the zoning laws by permitting more than one permanent residence on a property. In granting the request for temporary use of a mobile home, conditions may be imposed that will preclude the possibility of such a temporary use becoming permanent.

Patient's Name: LaVern Korb

The above named person is applying to Jackson County for approval to occupy a temporary mobile home on a property, or is renewing an already approved temporary medical hardship. A temporary mobile home is permissible for patients who suffer from a physical or mental infirmity. That infirmity must render them incapable of maintaining a complete, separate and detached residence on a separate property and requires someone being close by to assist them.

The infirmity MUST be a physical or mental impairment. Financial hardship, childcare, upkeep of home or property, or other convenience arrangements are not considered infirm conditions and will not qualify for approval of a temporary mobile home hardship.

In order to process this application, it is necessary that the patients' attending licensed physician certify that a physical or mental infirmity exists.

DOES THIS PATIENT REQUIRE CARE AS DESCRIBED ABOVE? YES NO

It is my opinion that this person has a medical or physical hardship that requires care and attention in the fashion described above, and the named patient should be permitted to reside near a caretaker in order to facilitate proper care:

Print Doctor's Name: Timothy Mohr

Place Medical Office Stamp Here

Medical License No MD 19674 State Oregon

Doctor's Signature: [Signature]

Date: 5-8-2020

Address: 1332 S Shasta Ave

City: East Point

State: OR Zip: 97524

Phone: 541-772-5720

Must be an Oregon licensed **MD, DO or NP.**

INFORMATION CONTAINED ON THIS FORM IS PUBLIC INFORMATION PURSUANT TO ORS 192.420

SUFFICIENT DETAIL AND ACCURACY TO ENABLE THE DEPARTMENT TO FIND THAT YOUR APPLICATION COMPLIES WITH ALL APPLICABLE APPROVAL CRITERIA.

On the following pages, describe how your application complies with the criteria identified as applicable below:

Public Utilities: Tax lot(s) _____ is served by:

<input type="checkbox"/> an on site septic system	<input checked="" type="checkbox"/> public sewer (RVSS)	<input type="checkbox"/> community sewer
<input checked="" type="checkbox"/> an on site well	<input type="checkbox"/> municipal water	<input type="checkbox"/> community water
<input type="checkbox"/> phone service	<input checked="" type="checkbox"/> electric service	<input type="checkbox"/> other utilities (e.g., gas)
<input type="checkbox"/> _____ Irrigation District serves the property.		

Please list any easements for access or utilities that benefit or cross the property (attach copies of all applicable easements to your application) _____.

PLEASE NOTE: All easements must be identified on plot plans and land division plans submitted for zoning permit review.

A) A permit may be issued for the placement and use of a **temporary structure** or **existing accessory structure** for occupancy by an infirm person incapable of maintaining a residence on separate property, or by one or more individuals engaged in caring for an infirm person residing on the property. A permit may be issued for the use of a **recreational vehicle** as a temporary medical hardship dwelling, provided that the Building Division conditions for issuance of a mobile home setup permit are met.

What type of structure are you requesting? 400 sq ft 1 bedroom mobile home

If you are proposing to use an existing accessory structure, contact the Building Division about a Change Of Occupancy Permit.

B) The approved occupant(s) of the temporary medical hardship dwelling will occupy the temporary dwelling at least nine months out of each calendar year.

Who will reside in this temporary structure? Donna Tanelli, Vern Korb

C) The nature of the infirmity or hardship will be certified by two written statements; one from the patient's primary care medical doctor (MD) or osteopath (DO), as well as a second opinion from a licensed MD, DO, physician's assistant or licensed nurse practitioner (NP). The statements will be on the care provider's stationery or stamped by the office, and will indicate that the patient is not physically or mentally capable of maintaining him/herself in a residence on a separate property, and is dependent upon someone being close by for assistance.

Have you attached the above statements? _____ **YES** _____ **NO**

Name of person(s) who require care: Vern Korb

D) The infirmity will be due to **physical or mental impairment**. Financial hardship conditions, child care, and other convenience arrangements not relating to physical and mental impairment are not considered an infirm condition.

Note: Additional information may be submitted on 8½ x 11 inch white paper.

JACKSON COUNTY, OREGON

TYPE 2 APPLICATION Temporary Medical Hardship

(Please print in black ink, or type all information except where a signature is required)

OFFICE USE ONLY	
File N ^o	_____
Fee Pd	_____
Receipt N ^o	_____
App. Type:	_____
App. Received by	_____
Date Received	_____
Zoning Confirmed by Staff:	_____

Legal description of subject property:

Township____ Range____ Section____ Tax Lot____ Acreage_____

Township____ Range____ Section____ Tax Lot____ Acreage_____

Attach a copy of the deed or other instrument describing the property and showing current ownership.

Street Address of the Property: _____

What is the Zoning of the Subject Property? _____

Is the purpose of this application to complete a Measure 49 Approval? YES NO

NOTE: Applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency. Information submitted in support of this application is subject to public records regulations pursuant to ORS 192.420.

PROPERTY OWNER:

At Time Application is Submitted.

Name: Kathy Raver, David Marble

Mailing Address: 100 Firehouse Ln.

City: Shady Cove

State: OR Zip: 97539

Daytime Phone: 541-538-0235

E-Mail Address: Katherine.raver@VA.gov

AGENT:

If Other than Applicant

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

E-Mail Address: _____

APPLICANT:

If Other than Property Owner

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

E-Mail Address: _____

OTHER:

Specify: _____

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

E-Mail Address: _____

IF AN AGENT, APPLICANT, OR "OTHER" IS ACTING ON BEHALF OF THE OWNER OR PURCHASER, A SIGNED STATEMENT OF OWNER AUTHORIZATION MUST BE SUBMITTED WITH THIS APPLICATION. THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN (MAP). SEE USER'S GUIDE FOR ASSISTANCE. THE BURDEN OF PROOF FOR APPROVAL OF AN APPLICATION RESTS WITH THE APPLICANT. YOU MUST PROVIDE DOCUMENTATION REGARDING THE PROPERTY AND APPLICATION CRITERIA IN

In your own words, please explain the nature of the infirmity: Attached Letter

- E) At least one other person will reside on the premises who can provide the needed assistance.

Name of person(s) to provide the care: Kathy Haver & Donna Janelli
(Verns wife)

- F) Once care is no longer required, who will remain as the resident(s) on the property: _____

Please See Attached Letter

- G) The temporary medical hardship dwelling will either (a) connect to a public sanitary sewer system, or (b) use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling, as determined by the Environmental Quality Section. If the Environmental Quality Section determines that the existing subsurface sewage disposal system is not adequate to accommodate the additional dwelling, the applicant may meet the requirement for adequate sewage disposal by installing a new individual subsurface sewage disposal system, provided that (a) the applicant agrees that one of the existing septic systems is decommissioned when the medical hardship is over, or (b) the new system is put to another use lawfully allowed by the Land Development Ordinance. Is this property served by Rogue Valley Sewer Services? Yes No

- H) The applicant certifies, agrees, and acknowledges that:

- the placement of the temporary structure will not violate the provisions of any deed declaration or subdivision covenant for the property;
- no additional driveways, access roads or permanent accessory buildings to serve the temporary structure will be permitted;
- the temporary dwelling will be removed within three months after the unit has ceased to be used for the person for which the permit was issued. In any event, the unit will be disconnected from water and sewer service by the day of the expiration of the permit, unless the permit has been renewed in conformance with the LDO or the structure has been put to another lawfully permitted use.

Applicant/Property Owner Signature(s): Kathy Haver

Temporary Medical Hardship Application on Lands Zoned for Resource Use (EFU, FR, WR, OSR)

Is this property in a resource zone? Yes No. If you answered **No**, continue to signature page.

- A) One manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident subject to the requirements of LDO Section 6.5.3(G);

Please explain if care is being requested for the existing resident or a relative of the resident. If care is for a relative of the resident, what is the relationship:

Note: Additional information may be submitted on 8½ x 11 inch white paper.

The Care is upon my Parents.

- B) Explain why your proposal will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.

They are parked in my driveway no effect on anything

- C) Explain why your proposal will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

By my parents being here will actually bring revenue to the city of Shady Cove. By them living here Temporary has no impact on any cost.

If the property is within a Forest Resource Zone (FR, WR, OSR) [LDO Section 4.3.6(E), ORS 215.755(2); OAR 660-006-0025(4)(t) & (5)] complete the section below. If the subject property is not zoned FR, WR or OSR continue to signature page.

Siting Standards For Dwellings and Structures [LDO Section 4.3.12, OAR 660-006-0029; 0035; and 0040; ORS 215.730] The following siting standards shall apply to all new dwellings and structures, except accessory structures within 100 feet of the principal dwelling, and replacement dwellings that will be within 100 feet of the existing dwelling. These standards are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands.

- A) Dwellings and structures shall be sited on the parcel so that:
- 1) They have the least impact on nearby or adjoining forest or agricultural lands;
 - 2) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - 3) The amount of forest lands used to site access roads, service corridors, dwellings and structures is minimized; and,
 - 4) The risks associated with wildfire are minimized.

ANSWER: This does not apply to me.

Note: Additional information may be submitted on 8½ x 11 inch white paper.

- B) Conditions of approval satisfying this criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads, and siting on that portion of the parcel least suited for growing trees.

ANSWER: *The motorhome is parked in my driveway when they are not here my car hauler is parked there*

- C) A dwelling shall not be sited on a slope of greater than 40 percent.

ANSWER: *Does not apply.*

- D) Explain why your proposal will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel. Dwellings and structures shall meet the fire safety requirements and guidelines outlined in LDO Chapter 8.

ANSWER: *Spoke to the fire Department on May 8, 2020 and they stated motor home causes no issues.*

- E) The applicant must provide evidence of a domestic water supply. Authorization to appropriate groundwater for domestic use will be in accordance with Oregon Water Resources Department regulatory statutes (ORS 537.515 and 537.525) which allows the use of 15,000 gallons per day for domestic use and the watering of any lawn and/or non-commercial garden totaling one-half acre or less in area. A proposed use of water from a surface water source: stream, creek, river or lake must be evidenced by documentation of a right granted by the Oregon Water Resources department (ORS 537.130). If the domestic water supply is not provided by a public facility or taken from a well on the property or from a spring that meets the Oregon Water Resources Department definition of a water use exempt from the requirement for a water right (ORS 537.800), then the applicant must provide evidence of legal authorization to place domestic water lines across properties of affected owners. For the purposes of this subsection, evidence of a domestic water supply means:

- 1) A surface water right granted by the Oregon Water Resources department for the use described in the application; or
- 2) If the proposed water use is from a well and meets the definition of exempt groundwater uses under ORS 537.545, the applicant shall submit a copy of the Water Well Report that describes the construction of the well.
- 3) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's right to appropriate water.

Note: *Additional information may be submitted on 8½ x 11 inch white paper.*

ANSWER: We are on a Well.

- F) As a condition of approval, if the road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

ANSWER: Does not apply.

- G) If the lot or parcel is more than 10 acres, a condition of approval for a dwelling will require the following:

- 1) The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
- 2) The property owner shall submit a Stocking Survey Report to the County Assessor. The Assessor shall verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor shall inform the Department of Forestry in cases where the property owner has not submitted a Stocking Survey Report or where the survey report indicates that minimum stocking requirements have not been met.
- 3) Upon notification by the Assessor, the Department of Forestry shall determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, they will notify the owner and the Assessor that the land is not being managed as forest land. The Assessor shall then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

ANSWER/COMMENT: 1/2 acre lot

- H) As a condition of approval for a dwelling, the following declaration shall be recorded in the manner and format provided by the County:

"Declarant and declarant's heirs, legal representatives, assigns, and lessees, hereby acknowledge and agree to accept by the placement of this deed declaration, or the acceptance and recording of this instrument, that the property herein described is situated on or near farm and or forest land, and as such may be subject to common, customary, and accepted agricultural and forest practices, which ordinarily and necessarily may produce noise, dust, smoke, and other types of visual, odor, and noise pollution. This deed declaration binds the land owner and the land owner's successors in interest, prohibiting them from pursuing a claim

Note: Additional information may be submitted on 8½ x 11 inch white paper.

for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. Jackson County shall be a party to this declaration which cannot be removed or modified without written consent of the County."

ANSWER/COMMENT: _____

ADDITIONAL CRITERIA

List any additional Criteria, specific to type of use. (Attach extra pages as needed)

Additional criteria findings attached (list): _____

No additional criteria are applicable to this application.

THIS APPLICATION WILL NOT BE OFFICIALLY ACCEPTED UNTIL DEPARTMENT STAFF DETERMINES THE APPLICATION HAS BEEN COMPLETELY FILLED OUT, ALL APPLICABLE CRITERIA HAVE BEEN ADDRESSED, THE PLOT PLAN MAP IS CONSISTENT WITH THE REQUIREMENTS LISTED IN THE USER'S GUIDE, AND ALL FEES ARE PAID. THE DEPARTMENT WILL ADVISE IN WRITING IF THE APPLICATION AND/OR MAP IS UNACCEPTABLE.

THIS APPLICATION IS HEREBY SUBMITTED AND THE STATEMENTS AND INFORMATION HEREIN CONTAINED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT(S):

Print Name: Kathy Raver
Signature: Kathy Raver
Date: 5-13-2020

Print Name: DAVID Marble
Signature: David Marble
Date: 5-13-2020

AGENT:

Print Name: _____
Signature: _____
Date: _____

OWNER or CONTRACT PURCHASER:

(See Attached Form)

Note: Additional information may be submitted on 8½ x 11 inch white paper.



JACKSON COUNTY
Oregon

LETTER OF AUTHORIZATION

DEVELOPMENT SERVICES

10 South Oakdale, Room 100
Medford, Oregon 97501
Phone: 541-774-6900
Fax: 541-774-6948

LET IT BE KNOWN THAT _____
has been retained to act as Agent to perform all acts for development on my property identified below. These acts include: Pre-application Conference, Filing applications and/or other required documents relative to all Zoning Applications, Sewage Disposal Permits and Inspections, Assigning an Address, Road Approach Permits, Manufactured Dwelling Permits, Building Permits, and Mechanical Permits (authorization not useable for Plumbing or Electrical Permits per State regulations).

(Address or Road)

AND DESCRIBED IN THE RECORDS OF JACKSON COUNTY AS:

TOWNSHIP _____, RANGE _____, SECTION _____, TAX LOT(S) _____

TOWNSHIP _____, RANGE _____, SECTION _____, TAX LOT(S) _____

THE COSTS OF THE ABOVE ACTIONS, WHICH ARE NOT SATISFIED BY THE AGENT, ARE THE RESPONSIBILITY OF THE UNDERSIGNED PROPERTY OWNER.

PROPERTY OWNER:

This authorization is valid for 1 year; 2 years; Other _____ (Must select one)

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

CHECK ONE: APPLICANT AGENT

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

Additional, if necessary – **CHECK ONE:** APPLICANT AGENT

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

Shady Cove City Charter



Prepared for the City of Shady Cove, Oregon

Shady Cove Charter Revision Committee

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DRAFT

PREAMBLE

~~We, the voters of _____, Oregon exercise our power to the fullest extent possible under the Oregon Constitution and laws of the state, and enact this Home Rule Charter.²~~
We, the people of the City of Shady Cove, Oregon, in order to avail ourselves of self-determination in municipal affairs to the fullest extent now or hereafter possible under the constitutions and laws of the United States and the State of Oregon, enact this charter to confer upon the City the following powers, subject it to the following restrictions, prescribe for it the following procedures and governmental structure, and repeal all previous charter provisions of the City.

Section I NAMES AND BOUNDARIES

Section 1.1. Titles. This charter may be referred to as the 2020 Shady Cove Charter.³

Section 1.2. Names. The City of Shady Cove, Oregon, continues⁴ as a municipal corporation with the name City of Shady Cove.⁵

Section 1.3. Boundaries. The City includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.

Section II POWERS

Section 2.1. Powers. The City has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant⁶ or allow⁷ the City, as fully as though this charter specifically enumerated each of those powers.⁸

Section 2.2. Construction. The charter will be liberally construed⁹ so that the City may exercise fully all powers possible under this charter and under United States and Oregon law.

Section 2.3. Distribution. The Oregon Constitution reserves initiative and referendum powers as to all municipal legislation to City voters.¹⁰ This charter vests all other City powers in the Council except as the charter otherwise provides. The Council has legislative, administrative and quasi-judicial authority. The Council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The Council may not delegate its authority to adopt ordinances.¹¹

Section III COUNCIL

Section 3.1. Council. The Council consists of a mayor¹² and ~~six~~ four Councilors¹³ nominated and elected from the City at large, or in case of one or more vacancies in the Council, members who are still in office shall constitute the Council.¹⁴

Section 3.2. Mayor. The Mayor presides over and facilitates Council meetings, preserves order, enforces Council rules, and determines the order of business under Council rules. The Mayor is a voting member of the Council and has no veto authority.¹⁵

- a) With the consent of Council, the Mayor appoints members of commissions and committees established by ordinance or resolution.
- b) The Mayor must sign all records of Council decisions.¹⁶
- c) The Mayor serves as the political head of the City government.¹⁷

Section 3.3. Council President. At its first meeting each year, the Council must elect a president from its membership. The president presides in the absence of the Mayor and acts as mayor when the mayor is unable to perform duties

Section 3.4. Rules. The Council must by resolution adopt rules to govern its meetings.^{18, 19}

Section 3.5. Meetings. The Council must meet at least once a month at a time and place designated by its rules and may meet at other times in accordance with the rules and laws of the state of Oregon. The Mayor upon his/her own motion may, or at the request of three Councilors shall, by giving notice thereto all members of the Council than in the City, call a special meeting of the Council.

Section 3.6. Quorum. A majority of the Council members is a quorum to conduct business.²⁰ In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly.²¹ In the event of an absence, a smaller number may meet and compel attendance of absent members as prescribed by Council rules.²²

Section 3.7. Vote Required. The express²³ approval of a majority of a quorum of the Council is necessary for any Council decision,²⁴ except when this charter requires approval by a majority of the Council.²⁵

Section 3.8. Record. ~~A record of council meetings must be kept in a manner prescribed by the council rules and the~~ A record of Council proceedings shall be kept and authenticated in a manner prescribed by the Council. The yes or no upon any question before the Council shall be taken, and a record of the vote reflected in the record. The same record of votes shall be added to all ordinances and resolutions by individual names of the members and follow the laws of the state of Oregon.²⁶

Section 3.9. Proceedings to be Public. No action by the Council shall have legal affect unless the motion for the action and the vote by which it is disposed of takes place at proceedings open to the public, and all within the provision of the Oregon Open Meetings Law.

Section IV LEGISLATIVE AUTHORITY²⁷

Section 4.1. Ordinances. The Council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state "The City of Shady Cove ordains as follows:".

a) In case of adoption or ratification by the voters of the City, the enacting clause of the ordinance must state; “The people of the City of Shady Cove ordain as follows:”.

Section 4.2. Ordinance Adoption.

- a) Except as authorized by subsection (b), adoption of an ordinance requires approval by a majority of the Council at two meetings.²⁸
- b) The Council may adopt an ordinance at a single meeting by the unanimous approval of at least a quorum of the Council,²⁹ provided the proposed ordinance is available in writing to the public at least ~~one week~~ 72 hours before the meeting.
- c) Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the Council adopts the ordinance at that meeting.
- d) After the adoption of an ordinance, the vote of each member must be entered into the Council minutes.
- e) After adoption of an ordinance, the City custodian of records must endorse it with the date of adoption and the custodian’s name and title.

Section 4.3. Effective Date of Ordinances. Ordinances normally take effect on the 30th day after adoption, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.³⁰

Section V ADMINISTRATIVE AUTHORITY³¹

Section 5.1. Resolutions. The Council will normally exercise its administrative authority by approving resolutions.³² The approving clause for resolutions may state “The City of Shady Cove resolves as follows:”

Section 5.2. Resolution Approval.

- a) Approval of a resolution or any other Council administrative decision requires approval by the Council at one meeting.³³
 - b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the Council adopts the resolution at that meeting.
 - c) After approval of a resolution or other administrative decision, the vote of each member must be entered into the Council minutes.
 - d) After approval of a resolution, the City custodian of records must endorse it with the date of approval and the custodian’s name and title.
-

Section 5.3. Effective Date of Resolutions. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.³⁴

Section VI QUASI-JUDICIAL AUTHORITY³⁵

Section 6.1. Orders. The Council will normally exercise its quasi-judicial authority by approving orders. The approving clause for orders may state “The City of Shady Cove orders as follows:”

Section 6.2. Order Approval.

- a) Approval of an order or any other Council quasi-judicial decision requires approval by the Council at one meeting.³⁶
- b) Any substantive amendment to an order must be read aloud or made available in writing to the public at the meeting before the Council adopts the order.
- c) After approval of an order or other Council quasi-judicial decision, the vote of each member must be entered in the Council minutes.
- d) After approval of an order, the City custodian of records must endorse it with the date of approval and the custodian’s name and title.

Section 6.3. Effective Date of Orders. Orders and other quasi-judicial decisions take effect on the date of final approval, or on a later day provided in the order.

Section VII ELECTIONS

Section 7.1. Councilors. The term of a Councilor in office when this charter is adopted is the term for which the Councilor was elected.³⁷ At each general election after the adoption, ~~three~~ two Councilors will be elected³⁸ for four-year terms.³⁹

Section 7.2. Mayor. The term of the mayor in office when this charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.⁴⁰

Section 7.3. State Law. City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for City offices must be nonpartisan.⁴¹

Section 7.4. Qualifications.

- a) The Mayor and each Councilor must be a qualified elector under state law, and reside within the City for at least one year immediately before election or appointment to office.⁴²
 - b) No person may be a candidate at a single election for more than one City office.
-

- c) Neither the Mayor nor a Councilor may be employed by the City.⁴³
- d) The Council is the final judge of the election and qualifications of its members.
- e) All Council applicants must submit to a background check.

Section 7.5. Nominations. The Council must adopt an ordinance prescribing the manner for a person to be nominated to run for Mayor or a City Councilor position. Nomination shall be by petition specifying the position sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 20 electors. All elections shall conform to applicable state law.⁴⁴

Section 7.6. Terms. The term of an officer elected at a general election begins at the first Council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.⁴⁵

Section 7.7. Oath. The Mayor and each Councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States, ~~and~~ Oregon and City of Shady Cove.

Section 7.8. Vacancies. The Mayor or a Council office becomes vacant:

- a) Upon the incumbent's:
 - 1) Death;
 - 2) Adjudicated incompetence;⁴⁶ or
 - 3) Recall from the office.⁴⁷
 - b) Upon declaration by the Council after the incumbent's:
 - 1) Failure to qualify for the office within 10 days of the time the term of office is to begin;
 - 2) Absence from the City for 30 days without Council ~~consent~~ notification, or from all Council meetings within a ~~60~~ 45-day period;
 - 3) Ceasing to reside in the city;⁴⁸
 - 4) Ceasing to be a qualified elector under state law;
 - 5) Conviction of a misdemeanor or felony crime;
 - 6) Resignation from the office; or
 - 7) Removal under Section 8.1(i).
-

Section 7.9. Filling Vacancies. A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining council members.⁴⁹ The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office. If a disability prevents a Council member from attending Council meetings or a member is absent from the City, a majority of the Council may appoint a Councilor pro tem.⁵⁰

Section 7.10. In the event of a tie vote for candidates for an elective office, the office shall be declared vacant and set for election at the next general election date.

Section VIII APPOINTIVE OFFICERS

Section 8.1. City ~~Manager~~ Administrator.

- a) The office of City ~~manager~~ AAdministrator is established as the administrative head of the City government.⁵¹ The City ~~manager~~ AAdministrator is responsible to the Mayor and Council for the proper administration of all City business. The City ~~manager~~ AAdministrator will assist the Mayor and Council in the development of City policies, and carry out policies established by ordinances and resolutions.⁵²
 - b) A majority of the Council must appoint and may remove the ~~–City~~ AAdministrator. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.⁵³
 - c) The ~~manager~~ City Administrator need not reside in the City.⁵⁴
 - d) The ~~manager~~ City Administrator may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the Council. The Council must fill the office by appointment as soon as practicable after the vacancy occurs.
 - e) Upon accepting the appointment, the Administrator shall furnish the City a bond in an amount and a surety approved by the Council. The City shall pay the bond premium.
 - f) The ~~manager~~ City Administrator must:
 - 1) Attend all council meetings unless excused by the Mayor or Council;
 - 2) Make reports and recommendations to the Mayor and Council about the needs of the City;
 - 3) Administer and enforce all City ordinances, resolutions, franchises, leases, contracts, permits and other City decisions;
 - 4) Appoint, supervise and remove City employees;⁵⁵
 - 5) Organize city departments and administrative structure;
-

- 6) Prepare and administer the annual City budget;
 - 7) Administer city utilities and property;
 - 8) Encourage and support regional and intergovernmental cooperation;
 - 9) Promote cooperation among the Council, staff and citizens in developing City policies and building a sense of community;⁵⁶
 - 10) Perform other duties as directed by the Council; and
 - 11) Delegate duties, but remain responsible for actions of all subordinates.
- g) The ~~manager~~ City Administrator has no authority over the Council or over the judicial functions of the municipal judge.⁵⁷
 - h) The ~~manager~~ City Administrator and other employees designated by the Council may sit at Council meetings but have no vote. The ~~manager~~ City Administrator may take part in all Council discussions.
 - i) When the ~~manager~~ City Administrator is temporarily disabled from acting as ~~manager~~ City Administrator or when the office of the ~~manager~~ City Administrator becomes vacant, the Council must appoint a ~~manager~~ Administrator pro tem. The ~~manager~~ Administrator pro tem has the authority and duties of ~~manager~~ City Administrator, except that a pro tem ~~manager~~ Administrator may appoint or remove employees only with Council approval.
 - j) No Council member may directly or indirectly attempt to coerce the ~~manager~~ City Administrator or a candidate for the office of ~~manager~~ City Administrator in the appointment or removal of any City employee, or in administrative decisions regarding City property or contracts.⁵⁸ Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In Council meetings, Councilors may discuss or suggest anything with the ~~manager~~ City Administrator relating to City business.⁵⁹

Section 8.2. City Attorney. The office of City attorney is established as the chief legal officer of the City government. A majority of the Council must appoint and may remove the attorney. The attorney may appoint, supervise, and may remove any employees who work in and for the City attorney's office.⁶⁰

Section 8.3. Municipal Court and Judge.

- a) A majority of the Council may appoint and remove a municipal judge. A municipal judge will hold court in the City at such place as the Council directs. The court will be known as the Municipal Court.
 - b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts.
 - c) All areas within the City and areas outside the City as permitted by state law are within the
-

territorial jurisdiction of the court.

- d) The municipal court has jurisdiction over every offense created by City ordinance. The court may enforce forfeitures and other penalties created by such ordinances. The court also has jurisdiction under state law unless limited by City ordinance.⁶¹
- e) The municipal judge may:
 - 1) Render judgments and impose sanctions on persons and property;
 - 2) Order the arrest of anyone accused of an offense against the City;
 - 3) Commit to jail or admit to bail anyone accused of a City offense;
 - 4) Issue and compel obedience to subpoenas;
 - 5) Compel witnesses to appear and testify and jurors to serve for trials before the court;
 - 6) Penalize contempt of court;
 - 7) Issue processes necessary to enforce judgments and orders of the court;
 - 8) Issue search warrants; and
 - 9) Perform other judicial and quasi-judicial functions assigned by ordinance.
- f) The Council may appoint and may remove municipal judges pro tem.
- g) The Council may transfer some or all of the functions of the municipal court to an appropriate state court.⁶²

Section IX PERSONNEL

Section 9.1. Compensation. ~~The council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.~~ Neither the Mayor nor any Councilor may receive compensation for service in their capacity. The Council shall prescribe the compensation for all City officers. The Council may prescribe a plan for reimbursing City personnel, including Mayor and any Councilor, for expenses that they incur in serving the City.⁶³

Section 9.2. Merit Systems. The Council⁶⁴ by resolution will determine the rules governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of City employees based on merit and fitness.⁶⁵

Section X
PUBLIC IMPROVEMENTS

Section 10.1. Procedure. ~~The council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement.⁶⁶ A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.~~ The procedure for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance, or to the extent not so governed, by the applicable general laws of the State of Oregon. Action in any proposed public improvement, except an improvement unanimously declared by the Council to be an emergency, shall be suspended for six months upon a remonstrance by the legal owner. Any action declared as an emergency must state the exact harm to the City if the improvement is not made.

Section 10.2. Special Assessments. The procedure for levying, collecting and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.

Section XI
MISCELLANEOUS PROVISIONS

Section 11.1. Debt. City indebtedness may not exceed debt limits imposed by state law.⁶⁷ A charter amendment is not required to authorize City indebtedness. A City officer or employee who creates or officially approved indebtedness in excess of this limitation is jointly and severally liable for the excess.

Section 11.2. Ordinance Continuation. All ordinances consistent with this charter in force when it takes effect remain in effect until amended or repealed.

Section 11.3. Repeal. All charter provisions adopted before this charter takes effect are repealed.⁶⁸

Section 11.4. Severability. The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.

Section 11.5. Bidding procedures shall follow the laws of the City of Shady Cove and Oregon State law.

Section 11.56. Time of Effect. This charter takes effect _____, 20_____.

² This uses the “voters” language of Article XI, section 2 of the Oregon Constitution and makes clear the intent to use all the home rule power.

³ Insert the year the charter is adopted and the city name. For convenience, this may be used as the charter’s short title.

⁴ The continuity of a city’s existence is not broken by the adoption of a new charter.

⁵ If this section changes the name of the city, it may read: “The municipal corporation previously known as the City of _____ continues under this charter as a municipal corporation with the name ‘City of _____.’”

⁶ The city home rule amendments to the Oregon Constitution reserve powers to city voters. Oregon Constitution, Article XI, section 2 (1906, 1910). The Oregon Supreme Court has said that the amendments are a “continuous offer” of “all powers properly belonging to municipal government.” *Robertson v. City of Portland*, 77 Or 121, 127 (1915).

The offer is conditional. City voters may accept the offer by adopting charter terms. This general grant of power accepts the offer completely.

⁷ The US Constitution does not mention cities but does not restrict city actions. The Oregon Constitution imposes some restrictions but also authorizes city actions. Federal and state statutes impose many requirements and restrictions on cities, but still authorize or allow them a wide range of action. “Allow” in this section is intended to provide a basis for city authority to act even though the city cannot identify clear statutory authority for the city action. It assumes the authority is municipal in nature and not prohibited by federal or state law.

⁸ Appendix A discusses the legal basis for general grants of authority.

⁹ This requires that the charter be liberally construed is intended to negate the effect of a rule of strict construction of city charters known as Dillon’s Rule.

¹⁰ Article IV, section 1, subsection (5) of the Oregon Constitution.

¹¹ While part of federal and state government structures, separation of powers is rarely found in cities. The council has powers analogous to those of the three branches of the federal government and the three departments of the Oregon government. The context, substance, and form of council decisions determine the nature of the power exercised. Only the council may adopt ordinances and exercise its legislative authority. Only its legislative authority is subject to voter initiative and referendum. The council may by ordinance delegate its administrative and quasi-judicial authority.

¹² Although some charters provide that the mayor is not a member of the council, this model recommends that the council include the mayor as a member. This means that the mayor participates in and votes on matters before the council as do other council members. Section 3.2 states that the mayor is a voting member of the council. If the mayor is not to have a council vote, then section 3.1 should state that the council consists of a specified number of councilors elected from the city at large.

¹³ Some Oregon cities have five-member councils. If the council is to have five members, “six” needs to be changed to “four.” A city may want a larger council of nine members or more. If so, “six” needs to be changed accordingly.

¹⁴ Most Oregon cities nominate and elect councilors at large. Some nominate and elect councilors by district or ward. A third option is to nominate by district and elect at large. If there are districts, then the district boundaries must be specified. The most efficient way of doing this is by ordinance. For that purpose, this section could read: “The council consists of a mayor nominated and elected at large, and six councilors nominated and elected by districts with the boundaries fixed by ordinance.” District boundaries must be periodically adjusted to meet equal protection requirements. Most charters that provide for the election of councilors by district also require as a qualification that each councilor resides in the district the councilor represents and continue to so reside for the term of office.

¹⁵ Some charters permit the mayor to vote only to break a tie. If the mayor’s vote is to be so limited, this section needs to be changed accordingly.

¹⁶ The council may assign by ordinance or council rules additional duties to the mayor for authenticating ordinances, resolutions, orders, and other council documents.

¹⁷ This section adds facilitator and political leader to enhance the role of the mayor. It makes specific the apparent and inherent authority of the office of mayor. It also parallels the administrative authority of city manager in section 8.1. It follows the example of the 8th edition of National Civic League (NCL) Model Charter (2011).

¹⁸ Council meetings must comply with the requirements of the Oregon Public Meetings Law. ORS 192.610 –192.710. Council rules should be considered administrative and adopted by resolution. They are easier to keep updated and less formal than if adopted by ordinance. Also, they are not subject to initiative and referendum.

¹⁹ The League has published a set of Model Rules of Procedure for Council Meetings available at <http://www.orcities.org/Portals/17/Library/Model%20Procedures%20for%20Council%20Meetings%203-1-17.pdf>.

²⁰ A majority is more than half of the council. For a seven-member council, a quorum is four or more.

²¹ For example, if a seven-member council has one vacant position due to resignation or other events, the quorum remains at four. If there are two vacant positions, the quorum is reduced to three. If a five-member council has one vacant position, the quorum remains at three. If there are two vacant positions, the quorum is reduced to two.

²² For example, council rules may state that the members present may order a city police officer to find and bring an absent member to the meeting. The rules may also provide a penalty for the absent member.

²³ “Express” is used here to clarify the effect of abstention from voting. At common law abstention from voting was regarded as concurrence with the decision. Thus, the concurrence could be either affirmative or negative depending on how the majority voted on a decision. “Express” is intended to make clear that an abstention from voting on a question may not contribute to answering the question affirmatively; it amounts to a “no” vote. Use of the word “express” means that no vote less than a majority of a quorum may decide affirmatively a question before the council.

²⁴ A “decision” is any action taken by a council vote. This includes votes on formal documents such as ordinances, resolutions, orders, and contracts. It also includes votes to direct city staff and other questions and motions before the council. Unless the charter provides otherwise, the council may act affirmatively through less than a majority of its positions. A seven-member council thus may act through three councilors; its quorum is four. A five-member council may so act through two members; its quorum is three. A question may be decided negatively by fewer councilors than required to decide it affirmatively. For example, a 2 to 2 vote or a 2 to 1 vote when the quorum is four councilors, and one councilor is absent.

²⁵ Some charter sections require a vote of a majority of the council to make certain decisions. In this model, they are sections 4.2(a), 7.9, 8.1(b) and (d), 8.2 and 8.3(a). Section 4.2(b) requires a unanimous vote of at least a council quorum to adopt an ordinance at one meeting.

²⁶ The Oregon Public Meetings Law, ORS 192.650, requires cities to provide for sound, video, digital recording or the taking of written minutes. This section provides an independent requirement for council records and authorizes the council to adopt requirements in addition to those of state law.²⁷ The most significant power granted to cities is the authority to adopt legislation. Legislation is local law that applies throughout a city. Legislative authority is properly exercised in the form of ordinances. City charters traditionally prescribe specific requirements for adoption of ordinances, and no provisions for the approval of resolutions (administrative) or orders (quasi-judicial). Only using ordinances for legislation and using other forms for non-legislative decisions makes clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters initiative and referendum powers over “municipal legislation.”

²⁸ Under section 3.6, the majority of the council members must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is calculated on the temporarily diminished membership. However, action by a majority of a quorum (e.g. three votes when quorum of four is present) is not sufficient to enact an ordinance under this section. See note 21 above.

²⁹ This section requires the presence of at least four councilors and a unanimous vote to adopt an ordinance at one meeting when there is a seven-member council. The presence of three councilors and a unanimous vote is required when the council has five members.

³⁰ Ordinances containing an emergency clause take effect immediately and are not subject to referendum. Legislation may not take effect when it is subject to referendum. Procedures for city initiative and referendum are found in ORS 250.255 to 250.355, and city ordinances. Emergency clauses are legislative and not subject to judicial review. *Kadderly v. City of Portland*, 44 Or 118 (1903). City use of an emergency clause preventing a referendum on the ordinance is not subject to federal court review as a violation of civil rights. *Stone v. City of Prescott*, 173 F3d 1172 (9th Cir 1999).

³¹ Councils formally exercise their administrative authority in the form of resolutions. Administrative decisions normally implement requirements of city ordinances and state statutes. Examples include city budgets, budget amendments, financial transfers, public contracts, fees and charges, council rules, and city personnel rules. Administrative decisions often are “internal” and relate to the city government. City charters traditionally prescribe specific requirements for adoption of ordinances (legislative) and include no provisions for approval of resolutions (administrative). This model suggests that charters specifically recognize council resolutions as the proper form for the exercise of its administrative authority. Use of this form for non-legislative decisions makes clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters’ initiative and referendum powers over “municipal legislation”, but not municipal administration.

³² The preferred method for the council to exercise its administrative authority is by resolution. However, “normally” is used in this sentence to allow the council to approve contracts and other documents, give direction to the city manager, city attorney, and city employees, and make other administrative decisions by approving a motion without adopting a resolution.

³³ Under section 3.6, the majority of the council membership must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is of the temporarily diminished membership. Action by a majority of a quorum (e.g. three votes when quorum of four is present) is sufficient to approve a resolution under this section. See note 19 above.

³⁴ ORS 221.310(3) applies to cities of 2,000 or more. It provides that a resolution may take effect any time after passage by the city council. The resolution must state the resolution effective date in a separate section.³⁵ Quasi-judicial authority is normally exercised in the form of orders. Under this authority, the council holds hearings and is required to make decisions. The most common examples are land use matters and nuisance proceedings. City charters traditionally prescribe specific requirements for adoption of ordinances (legislative) and include no provisions for adoption of orders (quasi-judicial). This model suggests that charters specifically recognize council orders as the proper form for the exercise of quasi-judicial authority. Use of this form for non-legislative decisions helps make clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters initiative and referendum powers over “municipal legislation,” but not municipal quasi-judicial decisions.

³⁶ Under section 3.6, the majority of the council membership must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is of the temporarily diminished membership. Action by a majority of a quorum (e.g. three votes when quorum of four is present) is sufficient to approve an order under this section. See note 22 above.

³⁷ This sentence anticipates the charter vote at a primary or special election. If the charter vote is at a general election, the words “or is elected at the time of adoption” should be added.

³⁸ Oregon Constitution, Article II, section 14a requires cities to hold their regular elections for officers at the same time as the general biennial elections for state and county officers are held. ORS 254.035 implements this provision. ORS 254.056 states that general elections are held on the first Tuesday after the first Monday in November of even-numbered years. It further states that primary elections may be held on the third Tuesday in May of even-numbered years.

³⁹ This language assumes that adoption of the charter will not affect the council size or terms of office. It does provide a transition from the city government before charter adoption to the city government under the charter.

⁴⁰ A four-year term for the mayor and four-year staggered terms for an even-number of councilors gives the voters an opportunity to vote for a majority of the council positions at every other general election. It may also be necessary to change “first” to “second” in the first sentence. A mayor elected to a four-year term when this charter provision is adopted would serve until the beginning of the second odd-numbered year after adoption. If the mayor is to have a two-year term, the second sentence of this section needs to be changed. The mayor is appointed from the council by the councilors under the Incorporation Act, ORS 221.130. If this is to continue under the charter, then the second sentence of section 7.2 needs to be replaced by the sentence: “At the first meeting of the council in each odd-numbered year, the council must appoint one of its members to serve as mayor for a term of two years.” If the mayor is appointed from the council, the council should have an odd number of members, and section 3.1 should be changed.

⁴¹ The last sentence of this section makes specific the Oregon tradition that local government elections are nonpartisan. This provision is included in the county model home rule charter and county charters. It is also consistent with the 8th edition of the NCL Model Charter (2011).

⁴² Courts have consistently invalidated residency qualifications of more than 12 months.

⁴³ This prohibition is intended to avoid certain conflicts of interest in city service. It bars full-time or part-time employees from serving as mayor or councilor. It does not, however, prevent the mayor or a councilor from receiving reimbursement of expenses for services.

⁴⁴ This model charter does not prescribe a nominating procedure. It allows flexibility by requiring that an ordinance govern the nominating process.

⁴⁵ These words allow for a successor to be appointed as well as elected, and require that the successor meet the necessary qualifications for the office at the time of election or appointment. Some charters have provisions limiting the number of terms or years that a citizen may serve in an elected office.⁴⁶ “Adjudicated incompetence” means inability or unfitness to manage one’s affairs because of mental condition determined in a court proceeding.

⁴⁷ Recall of elective officers is governed by Oregon Constitution, Article II, section 18, and ORS 249.865 to 249.877.

⁴⁸ Section 7.4 requires each member to be a qualified voter and resident of the city. Under subsections (3) and (4) of section 7.8(b), moving outside the city or allowing voter registration to lapse permits the council to declare a council position vacant.

⁴⁹ Normally a single vacancy is filled at one time. This section permits the council to fill multiple vacancies at the same time. Most vacancies are created in positions filled by election. However, this section also applies to appointments to fill vacancies created in positions previously filled by an appointee to the council.

⁵⁰ A member’s disability under this section is usually temporary. If the disability is permanent, it often results in the

resignation of the disabled member. A permanent disability does not create a vacancy unless the member resigns. However, the council may appoint a pro tem councilor, and the appointment may continue until a successor to the disabled member is elected and takes office.⁵¹ The city manager exercises the administrative authority delegated by the city charter and the city council. The manager and the council both exercise administrative authority. Only the council may exercise legislative authority.⁵² This gives the manager a role in policy development consistent with the 8th edition of the NCL Model Charter (2011). It makes the manager responsible for carrying out city policy adopted by council resolution or ordinance.

⁵³ This section adds more specific qualifications for city manager consistent with the 8th edition of the NCL Model Charter (2011).

⁵⁴ If the city wants the charter to require the manager to live in the city, the following may be added: "but must become and remain a resident of the city while manager." In the alternative, if a residency requirement is desired but is not practicable due to a housing shortage or other condition, the following may be added: "but must live within 30 miles of the city." Either requirement can be imposed more flexibly by ordinance or contract.

⁵⁵ Note that the manager appoints, supervises and removes city employees. The council appoints, supervises and removes city officers.

⁵⁶ Subsections (8) and (9) of this section add provisions that update the charter by recognizing the increasing importance of regional and intergovernmental issues, and the participatory nature of policy development. They are consistent with the 8th edition of the NCL Model Charter (2011).

⁵⁷ Municipal judges have administrative duties incidental to their judicial functions such as record keeping and accounting for certain funds. These administrative duties may be supervised by the city manager.

⁵⁸ A similar charter restriction was the basis for damages in *Still v. Benton*, 251 Or 463, 445 P2d 492 (1968). The court found that the mayor did not act within the scope of his authority in pressuring the manager to discharge the police chief. The chief was awarded punitive as well as general damages.

⁵⁹ This does not affect the ability of a council member to obtain information from the manager or other city employees. Council members also have at least as much right to public records as other members of the public under the Oregon Public Records Law, ORS 192.410 to 192.505.

⁶⁰ If a city attorney office is established by the charter, it is independent of the wishes of the council or manager. This language places office employees under the supervision of the attorney rather than the manager. The charter could establish the office and provide for appointment by the manager. If not created by charter, the city attorney office may be created by ordinance. The ordinance may provide for city attorney appointment by the council or manager. Attorney duties may be assigned by ordinance and contract.

⁶¹ ORS 221.339 gives municipal courts jurisdiction over violations and misdemeanors committed or triable in the city. Municipal courts do not have jurisdiction over felonies or designated drug-related misdemeanors as defined in ORS 423.478. The section provides that jurisdiction over misdemeanors may be limited by city ordinance.

⁶² ORS 51.035.

⁶³ ORS 294.388(5) requires that the budget list the salary for each officer and employee. If councilors are to receive no compensation for their services to the city, the following may be added to this section: "However, no councilor may receive compensation for serving in that capacity." This prohibition does not prevent reimbursement for expenses.

⁶⁴ If there is a city manager, the manager may be substituted for the council. Rules adopted by the manager may be made subject to council approval. The council may also delegate authority to the city manager or city administrator to adopt rules.

⁶⁵ "Merit and fitness" allows wide discretion in the interpretation and application of personnel rules and practices.

⁶⁶ Few procedures applicable to cities appear in state statute. ORS 223.387 to 223.401 apply to assessments for local improvements. ORS 223.805 to 223.845 relate to city motor vehicle parking facilities. ORS 271.080 to 271.230 apply to vacation of certain public property.

⁶⁷ Bancroft bonds may not "exceed .03 of the latest true cash valuation of the city." ORS 223.295(1).

⁶⁸ It may be necessary to continue unusual charter provisions such as bond approvals, special levies or annexations.

**CITY OF SHADY COVE
SCHOOLHOUSE LANE SCA IMPROVEMENTS
PROJECT NO. S18-001 - BID TAB**

DIVISION	QUANTITY	UNIT	ENGINEER'S ESTIMATE			Visar Construction			Knife River Materials			Central Pipeline			KOGAP		
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
00210 MOBILIZATION 1 Mobilization	1	LS	8,000.00	\$8,000.00	5,000.00	\$5,000.00	15,455.00	\$15,455.00	13,117.00	\$13,117.00	30,000.00	\$30,000.00					
00225 WORK ZONE TRAFFIC CONTROL 2 Temporary Work Zone Traffic Control, Complete	1	LS	3,000.00	\$3,000.00	1,620.00	\$1,620.00	7,262.66	\$7,262.66	2,400.00	\$2,400.00	1,000.00	\$1,000.00					
00280 EROSION AND SEDIMENT CONTROL 3 Erosion Control, Complete	1	LS	1,500.00	\$1,500.00	1,080.00	\$1,080.00	3,600.00	\$3,600.00	500.00	\$500.00	850.00	\$850.00					
00310 REMOVAL OF STRUCTURES AND OBSTRUCTIONS 4 Asphalt Pavement Saw-Cutting	1111	LF	5.00	\$5,555.00	2.15	\$2,388.65	1.00	\$1,111.00	6.50	\$7,221.50	1.00	\$1,111.00					
5 Removal of Asphalt & Concrete Surfacing	538	SY	10.00	\$5,380.00	6.50	\$3,497.00	5.00	\$2,690.00	4.50	\$2,421.00	9.00	\$4,842.00					
6 Remove and Relocate Existing Newspaper Box	1	EA	200.00	\$200.00	100.00	\$100.00	250.00	\$250.00	350.00	\$350.00	120.00	\$120.00					
7 Remove and Relocate Existing Street Sign	1	EA	200.00	\$200.00	500.00	\$500.00	250.00	\$250.00	350.00	\$350.00	120.00	\$120.00					
00320 CLEARING AND GRUBBING 8 Clearing and Grubbing	1	LS	2,500.00	\$2,500.00	2,502.00	\$2,502.00	5,900.00	\$5,900.00	4,900.00	\$4,900.00	2,340.00	\$2,340.00					
00330 EARTHWORK 9 General Excavation	125	CY	30.00	\$3,750.00	12.50	\$1,562.50	35.00	\$4,375.00	27.00	\$3,375.00	34.00	\$4,250.00					
10 Embankment Installation	205	CY	60.00	\$12,300.00	13.50	\$2,767.50	22.00	\$4,510.00	14.00	\$2,870.00	42.00	\$8,610.00					
00445 SANITARY, STORM, CULVERT, SIPHON, AND IRRIGATION PIPE 11 12" HDPE with Class B Backfill	456	LF	50.00	\$22,800.00	44.80	\$20,428.80	50.00	\$22,800.00	65.00	\$29,640.00	48.00	\$21,888.00					
00470 MANHOLES, CATCH BASINS, AND INLETS 12 Concrete Inlets, Type G-2	4	EA	600.00	\$2,400.00	1,500.00	\$6,000.00	2,000.00	\$8,000.00	1,800.00	\$7,200.00	1,850.00	\$7,400.00					
00480 DRAINAGE CURBS 13 Drainage Curbs, Standard Curb and Gutter with 18" Gutter	773	LF	4.50	\$3,478.50	17.50	\$13,527.50	18.00	\$13,914.00	18.00	\$13,914.00	22.00	\$17,006.00					
00490 WORK ON EXISTING SEWERS AND STRUCTURES 14 Adjust Boxes	3	EA	225.00	\$675.00	100.00	\$300.00	265.00	\$795.00	500.00	\$1,500.00	120.00	\$360.00					
15 Minor Adjustment of Manholes	1	EA	1,100.00	\$1,100.00	200.00	\$200.00	750.00	\$750.00	850.00	\$850.00	340.00	\$340.00					
16 Connect 12" HDPE Storm Drain to Existing SDCI	1	EA	2,000.00	\$2,000.00	1,500.00	\$1,500.00	550.00	\$550.00	500.00	\$500.00	580.00	\$580.00					
00566B PREFABRICATED MODULAR RETAINING WALLS 17 Retaining Wall, Prefabricated Modular Gravity	1	LS	5,000.00	\$5,000.00	5,560.00	\$5,560.00	7,300.00	\$7,300.00	8,750.00	\$8,750.00	8,750.00	\$8,750.00					

**CITY OF SHADY COVE
SCHOOLHOUSE LANE SCA IMPROVEMENTS
PROJECT NO. S18-001 - BID TAB**

		ENGINEER'S ESTIMATE		Visar Construction		Knife River Materials		Central Pipeline		KOGAP			
00640	AGGREGATE SUBBASE, BASE AND SHOULDERS												
18	Aggregate Subbase, 4"-0 (Used as Embankment to get to Subgrade)	70	CY	8.00	\$560.00	19.00	\$1,330.00	32.00	\$2,240.00	38.00	\$2,660.00	47.00	\$3,290.00
19	Aggregate Base	320	TON	32.50	\$10,400.00	20.00	\$6,400.00	40.00	\$12,800.00	28.00	\$8,960.00	42.00	\$13,440.00
00744	ASPHALT CONCRETE PAVEMENT												
20	Level 2, 1/2" ACP Mixture	250	TON	82.25	\$20,562.50	118.50	\$29,625.00	108.00	\$27,000.00	105.00	\$25,750.00	120.00	\$30,000.00
00749	MISCELLANEOUS ASPHALT CONCRETE STRUCTURES												
21	Extra for Asphalt or Gravel Approaches	3	EA	1,000.00	\$3,000.00	300.00	\$900.00	600.00	\$1,800.00	300.00	\$900.00	275.00	\$825.00
00759	MISCELLANEOUS PORTLAND CEMENT CONCRETE STRUCTURES												
22	Concrete Walks (4" Thick, Unreinforced)	1920	SF	11.30	\$21,696.00	7.50	\$14,400.00	6.00	\$11,520.00	6.00	\$11,520.00	9.40	\$18,048.00
23	Concrete Driveways (6" Thick, Unreinforced)	575	SF	15.00	\$8,625.00	10.40	\$5,980.00	8.50	\$4,887.50	14.00	\$8,050.00	11.00	\$6,325.00
24	Truncated Domes on New Surfaces (2' x 5')	3	EA	375.00	\$1,125.00	650.00	\$1,950.00	200.00	\$600.00	2,000.00	\$6,000.00	200.00	\$600.00
00867	TRANSVERSE PAVEMENT MARKINGS - LEGENDS AND BARS												
25	Pavement Bar, Type A: Continental Crosswalk (2' x 9')	90	SF	10.00	\$900.00	5.75	\$517.50	11.00	\$990.00	8.50	\$765.00	13.00	\$1,170.00
				\$146,707.00		\$129,636.45		\$161,350.16		\$164,463.50		\$183,265.00	