



CITY OF JACKSONVILLE
CITY COUNCIL AGENDA

CITY COUNCIL
City Council Meeting

May 19, 2020
6:00 pm

YOU MAY ALSO ATTEND THE MEETING VIRTUALLY VIA CONFERENCE CALL
Dial into the Meeting – (844) 890-7777 Access Code: 247-063-431*

For those wishing to provide comment during the meeting, there are three opportunities on the agenda:
Public Comment; and
Action Item 5(d) First Reading of Ordinance No. O2020-001
Action Item 5(e) Ordinance No. O2020-002

Written statements may be sent in advance of the meeting to City Recorder Angela Watson,
recorder@jacksonvilleor.us up until 4:00 pm on Monday, May 18th. These statements will be included in the official meeting record, but not read during the meeting.

- 1) **CALL TO ORDER**
- 2) **a. MINUTES**
May 5, 2020

b. BILLS LIST
May 19, 2020
- 3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker, refer to “Speaking Time Limit” guidelines below:** *Opportunity for Public Comment will be given at this time. There will be a prompt that a Q & A Session has begun. Press *6 to be placed in the queue and you will be called upon.*
- 4) **STAFF / DEPARTMENT REPORTS STAFF / DEPARTMENT REPORTS**
- 5) **ACTION / DISCUSSION ITEMS**
*The public will be allowed to speak, one time, to certain items during the action/discussion items. The public will be given the opportunity to speak on **Agenda Item Letter D and Agenda Item Letter E** by using the same method as stated above under Public Comment. **Speaking Time Limit: To allow equal time for speakers, each speaker has 3 minutes; a reminder will sound and speaker has another 1 minute to complete presentation. At that time, the chair will sound gavel, ending presentation and thank the speaker. This rule also applies to reading written communications. There will be no ceding of time among speakers.***
 - a. **Library District Ground Lease Agreement**
 - b. **Resolution No. R2020-004 – A Resolution of the City Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund by Entering into a Financing Contract with the Oregon Infrastructure Finance Authority**
 - c. **Resolution NO. R2020-005 – A Resolution of the City of Jacksonville Ratifying the Mayor’s Administrative Order Dated May 14, 2020 Extending a Local State of Emergency in the City of Jacksonville as a Result of COVID-19 Pandemic**
 - d. **First Reading of Ordinance No. O2020-001 – An Ordinance Amending in Part Jacksonville Municipal Code Section 1.08.010 (A) Regarding General Penalty**
 - e. **Ordinance No. O2020-002 – An Ordinance Authorizing a Temporary Amendment to the Nomination Requirements for City Council and Mayoral Elections for the 2020 General Election and Declaring an Emergency**
- 6) **COUNCIL COMMITTEE REPORTS AND DISCUSSION**
- 7) **ADJOURN**

Please let the City offices know if you will need any special accommodations to attend or participate in the meeting by calling (541) 899-1231. Informational documents for items on this agenda are available for review on the City website www.jacksonvilleor.us. A recording of the meeting will be available on the website within one week of the meeting.

Action minutes along with electronic recordings of the meeting, which may be reviewed on-line on the City of Jacksonville website <http://www.jacksonvilleor.us>.

May 5, 2020 via Teleconference due to COVID-19 Pandemic

- 1) **CALL TO ORDER (includes call to order and roll call of attendees) 4:00 pm**
Present: Councilors Bowen, Casaleggio, Gregg (via conference call), Lewis, McClain and Mayor Becker
Absent: Councilor Garcia
Staff Present: Administrator Alvis, Finance Director, City Recorder Watson and Interim Fire Chief Painter

- 2) **a. MINUTES (minutes from April 7, 2020 meeting)**
Move to: Approve the Minutes
Motion by: Councilor Bowen
Seconded by: Councilor Lewis

Roll Call Vote:
Ayes: 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker
Nays: 0
Motion Carries

b. BILLS LIST

April 21, 2020

Move to: Approval of the Bills List for April 21, 2020

Motion by: Councilor Casaleggio

Seconded by: Councilor McClain

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

Councilors ask specific questions regarding line items in the bills list. City Administrator and Finance Director answers.

May 5, 2020

Move to: Approval of the Bills List for May 5, 2020

Motion by: Councilor Casaleggio

Seconded by: Councilor Bowen

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

- 3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker.**
None.

4) **STAFF / DEPARTMENT REPORTS**

- a. **Admin Department** – Jeff Alvis/Stacey Bray / Angela Watson
Administrator Alvis speaks to:

- The hand out for the renderings for New City Hall 2nd floor project. Councilors ask some questions regarding the project.
- Britt Gardens being placed on the National Register of Historic Places
- ODOT installing handicap ramps down town. ODOT started project through town before notifying the City. City Administrator Alvis has put a hold on the project due to the type of ramps.

- b. **Planning Department** -Ian Foster
- c. **Police Department** - Chief Towe
- d. **Fire Department** – Interim Fire Chief Painter
- e. **Mayor** – Paul Becker

5) **ACTION / DISCUSSION ITEMS**

(The public will be allowed to speak, one time, to certain items during the action/discussion items. In order to speak you must sign in with the Recorder under the item for which you wish to speak)

a. **Renewal of Trolley Lease Agreement**

Public Comment: None.

Council Discussion: City Administrator Alvis and Robert Roos with the Jacksonville Chamber speaks to the Council regarding the trolley lease agreement. City Administrator Alvis and Robert Roos answer questions from Council regarding the lease agreement and the trolley.

Move to: Approve the renewal of the Trolley Lease Agreement with the City and the Chamber

Motion by: Councilor Lewis

Seconded by: Councilor Casaleggio

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

b. **Approval for Purchase of Cardiac Monitor**

Public Comment: None.

Council Discussion: Interim Chief Painter speaks to Council regarding the need for an upgrade in a cardiac monitor to replace a current monitor. Interim Chief Painter answer questions from Council regarding the cardiac monitor.

Move to: Approve purchase of Cardiac monitor in the amount of \$32,380.06

Motion by: Councilor Bowen

Seconded by: Councilor McClain

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

c. **Appointment to Committee for Citizen Involvement**

Public Comment: None.

Council Discussion: Each candidate speaks to Council regarding their interest in serving on the Committee for Citizen Involvement. Each Councilor votes by ballot. Council asks questions regarding tracking applicants for future openings. Administrator Alvis answers.

Ballot Vote:

For Beth Lindsay (0) -

Jocie Wall (1) – Councilor Bowen

John Jorgenson (5) – Councilors Lewis, Casaleggio, Gregg (submitted electronically), McClain and Mayor Becker

John Jorgenson is voted to fill the vacant position on the Committee for Citizen Involvement

d. Flexible Service Maintenance Agreement with ODOT

Public Comment: None.

Council Discussion: Administrator Alvis speaks to Council regarding details of the agreement with ODOT. Council ask specific questions regarding the agreement. Administrator Alvis answers.

Move to: Approve the Agreement with ODOT

Motion by: Councilor Casaleggio

Seconded by: Councilor Lewis

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

e. Resolution No. R2020-003 – A Resolution of the City of Jacksonville Ratifying the Mayor’s Administrative Order Dated April 30, 2020 Extending a Local State of Emergency in the City of Jacksonville as a Result of COVID-19 Pandemic

Public Comment: None.

Council Discussion: Mayor Becker reads the Resolution by title only. City Administrator Alvis speaks to the State of Emergency and how it allows for flexibility in the City codes. Council ask if there have been any issues or complaints. Administrator Alvis answers.

Move to: Approve Resolution Number R2020-003 to extend the Mayors Authority to extend a local state of emergency in two week increments

Motion by: Councilor Bowen

Seconded by: Councilor McClain

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

f. Award Bid – Bybee Drive Improvements

Public Comment: None.

Council Discussion: City Administrator Alvis speaks to Council regarding the bid and history of the project on Bybee Dr. Mayor Becker ask what would happen if Pilot Rock was unable to finish the project.

Administrator Alvis answers.

Move to: Award Pilot Rock Excavation bid in the amount of \$97,257.00 for Bybee Drive improvements.

Motion by: Councilor Bowen

Seconded by: Councilor Casaleggio

Roll Call Vote:

Ayes: : 6 Councilors Bowen, Casaleggio, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries

Administrator Alvis speaks to projects that are happening throughout the town.

6) **COUNCIL AND COMMITTEE REPORTS AND DISCUSSION**

- a. Councilor Bowen: No Report.
- b. Councilor McClain: No Report. Comments on the trails in Jacksonville and enjoying them and sees that others are enjoying the trails too, keeping social distance.
- c. Councilor Casaleggio: No Report.
- d. Councilor Gregg: No Report.
- e. Councilor Garcia: Absent.
- f. Councilor Lewis: Attended the RVSS Budget Committee through Zoom.
- g. Mayor Becker: No Report.

City Administrator reminds Council of the Budget Committee meeting being held in Old City Hall and via teleconference, Thursday at 4:00 pm.

9) **ADJOURN 4:52 PM**

Paul Becker, Mayor

Angela Watson, City Recorder

Date approved: _____

CITY OF JACKSONVILLE
Bills Against the City - City Council
MAY 19, 2020

GENERAL FUND - ADMINISTRATION DEPARTMENT

Vendor Name	Description	Amount
Affordable Telephone	relocate telephone extensions in NCH	329.75
Bi-Mart	bldg. maintenance supplies	46.78
C & K Market Inc.	sympathy flowers	13.98
C & K Market Inc.	supplies for Beekman Bank	13.95
Data Center West	monthly IT services	70.89
Data Center West	Kerio SSL certificate	75.00
Grounded Electrical	GFI & conduit @NCH	421.00
Jarvis Dreyer Glatte & Larsen LLP	attorney services April 2020	2,007.00
Medford Builders Exchange A Inc.	charges for PRR	8.00
Rosebud Media LLC	notice of budget committee meeting	166.15
Rosebud Media LLC	notice of State Shared Rev. Public Hearing	127.05
Rosebud Media LLC	notice of UR budget committee meeting	168.59
Sign Dude	sneeze guards for city offices - COVID-19	120.00
Staples Business Credit	supplies	237.76
US Post Office	annual P.O. box renewal	120.00
WCP Solutions	paper for offices	81.60
		4,007.50

GENERAL FUND - PLANNING DEPARTMENT

Vendor Name	Description	Amount
C & K Market Inc.	supplies for planning	\$ 25.37
Data Center West	monthly IT services	\$ 78.61
Medford Builders Exchange A Inc.	plans for planning	\$ 12.00
Staples Business Credit	supplies for CAC	\$ 94.23
WCP Solutions	paper for offices	\$ 40.80
		251.01

FIRE PROTECTION FUND

Vendor Name	Description	Amount
Alsco	janitorial supplies	132.36
Asante Physician Partners	intern medical testing - SAFER Grant	67.00
Data Center West	monthly IT services	26.91
Dick's Wrecker Service	tow brush truck for repair	106.25
Fire Rescue Equipment NW LLC	holmatro servicing	1,406.00
Industrial Source	oxygen	34.20
Mercy Flights Inc.	medical supplies	722.31
RotoRooter	sewer clean out	304.50
Weldon's Cleaning Center	turnout cleaning	255.15
		3,054.68

POLICE PROTECTION FUND

Vendor Name	Description	Amount
Central Point Cleaners	uniform cleaning	117.00
Data Center West	monthly IT services	22.78
Petty Cash	petty cash reimbursement - PD	92.84
Quench & Drench	vehicle maintenance	109.95
Quill Corporation	supplies	183.55
Rodneys	uniform alteration	75.00
		601.12

CEMETERY FUND

Vendor Name	Description	Amount
C & K Market Inc.	supplies for headstone repair & no trespassing signs	33.14
Grounded Electrical	repaired a faulty ground	904.00
		937.14

STREETS FUND

Vendor Name	Description	Amount
Alsco	Janitorial Supplies	271.74
Auto Zone	flash light & trailer wiring supplies for air compressor	28.81
Bi-Mart	shop supplies	22.34
Blackbird Shopping Center	supplies for COVID-19	30.91

Vendor Name	Description	Amount
Cantel of Medford	stencil ink for painting cones/barricades	10.50
City of Medford	replacement signs	633.00
Coastal - White City	shop supplies	65.26
Don's Lock LLC	locks for shop supplies	144.00
Grange Co-Op	shop supplies, gloves and propane torch kit	122.49
Interstate Batteries of the Rogue River	new battery for 2WD Ranger & John Deere tractor	185.90
KAS & Associates Inc.	engineer rebill Nunan Estates	120.00
KAS & Associates Inc.	engineering Bybee Dr.	1,297.54
KAS & Associates Inc.	engineering Applegate SCA overlay	45.00
Lithia Motors	oil change rotate tires inspect rear view camera	195.50
Napa Auto Parts	emergency brake release & tail light for compressor	69.96
Rogue Valley Council of Governments	annual TMDL services	3,835.56
Sherwin-Williams	traffic paint	18.18
United Rentals	rental of concrete planer	190.97
Zoll's Lawn & Garden Equipment	tune up kit for sander	35.70
		7,323.36
WATER FUND		
Vendor Name	Description	Amount
AlSCO	Janitorial Supplies	271.73
Batteries Plus Bulbs #208	replace UPS @ MaryAnn pump station	107.99
Blackbird Shopping Center	shop supplies	135.91
Budge-McHugh Supply Co.	copper for services & supplies for leak repair	653.97
C & K Market Inc.	shop & cleaning supplies, galv. plugs for water repairs	45.92
Civil West Engineering Services Inc.	engineering for SDWRLF	5,002.44
Data Center West	monthly IT services	25.03
Emerson Process Management	chlorine analyzers for Madrona & Mary Ann	7,684.00
Farrells Glass Service	COVID-19 supplies	100.00
Ferguson Waterworks	adapters & repair clamp @ Miner's Way	492.94
Ferguson Waterworks	water meters	1,291.20
H.D. Fowler	hydrant for shop	825.50
Interstate Batteries of the Rogue River	battery for PW vehicle	103.95
KAS & Associates Inc.	engineering 7th St. water main	90.00
KAS & Associates Inc.	engineering utility system map update	15.00
Medford Fence	repair fence @ madrona pump station	900.00
Motion & Flow	shop stock	4.68
Neilson Research Corporation	routine water testing	105.00
Rogue Valley Council of Governments	SDWRLF grant management	383.52
Staples Business Credit	supplies	15.04
Valley Web Printing	monthly statements	1,303.43
WCP Solutions	paper for offices	40.80
		19,598.05
PARKS FUND		
Vendor Name	Description	Amount
AlSCO	Janitorial Supplies	543.46
Blackbird Shopping Center	shop supplies, yellow jacket traps and trailer supplies	158.86
C & K Market Inc.	shop supplies	2.97
C & K Market Inc.	shop supplies, trenching shovel & epsom salt	65.32
C & K Market Inc.	graffiti remover Doc Griffin Pk	9.99
C & K Market Inc.	cleaning supplies- COVID-19	15.18
Coastal - White City	hand tools	58.77
Edge Construction Supply Inc.	face shield & goggles for chemical mixing- COVID-19	17.13
Edge Construction Supply Inc.	cleaning supplies COVID-19	12.40
Grange Co-Op	shop supplies & vinegar for non/toxic weed killer	208.88
Hilton Fuel & Supply	debris removal	20.00
Interstate Batteries of the Rogue River	battery for mower	41.95
Jackson County Roads	dust abatement @ FP	1,035.28
Jackson County Roads	dust abatement @ FP / MRA to reimburse	1,035.28
Jacksonville Chamber of Commerce	April Visitor Info. Center reimbursement	5,597.05

Vendor Name	Description	Amount
Rogue Metals and Supply	steel for shop	38.75
Salvador's Landscape Maintenance	parks & lawn maintenance	1,810.00
Sunrise Environmental Scientific	yellow jacket spray	437.86
Sunrise Environmental Scientific	cleaning supplies COVID-19	182.98
		11,292.11
CAPITAL PROJECT FUND		
Vendor Name	Description	Amount
ZCS Inc.	engineering NCH 2nd floor improvement	5,915.50
		5,915.50
	TOTAL:	52,980.47
APPROVED BY:	DATE:	

Jacksonville City Council Agenda Item Summary



Library District Ground Lease Agreement

Date: May 13, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: May 19, 2020
Agenda Item: 5a

Synopsis:

Staff met with representatives from the Library District regarding possible assignment of the County's ground lease for the library building or a new lease. The County has confirmed that it desires to assign all its leases to the district rather than terminate the leases and have the district negotiate new leases. The district hopes to have assignments with all the cities

The City Attorney worked with the City and the Library District and prepared the Ground Lease Agreement.

Items that have changed in the Ground Lease are shown in Amendment 3 of the Ground Lease regarding maintenance. At this time the City maintains all the grounds beyond 2 feet of the building. This will now become the responsibility of the Library District.

Fiscal Impact:

NA

Recommendations:

Staff recommends approval of the Library District Ground Lease

Exhibits:

Exhibit A – Library District Ground Lease Agreement

**ASSIGNMENT OF GROUND LEASE DATED JUNE 28, 2002, ASSUMPTION,
CONSENT OF CITY OF JACKSONVILLE AND AMENDMENT NO. 3 TO GROUND
LEASE UPON ASSIGNMENT**

THIS ASSIGNMENT, ASSUMPTION, CONSENT, AND AMENDMENT (hereinafter the "Agreement"), is entered into by and between JACKSON COUNTY, a political subdivision of the State of Oregon, (hereinafter "COUNTY"), the JACKSON COUNTY LIBRARY DISTRICT, a library district organized pursuant to Chapters 198 and 357 of the Oregon Revised Statutes (the "DISTRICT"), and the CITY OF JACKSONVILLE, a political subdivision of the State of Oregon (hereinafter the "CITY") (collectively, the "Parties").

RECITALS

WHEREAS, the COUNTY and the CITY are the original parties to the Ground Lease dated June 28, 2002, amended by Amendment #1 effective as of October 28, 2002, and Amendment No. 2, effective as of June 16, 2015 (hereinafter the "Lease"), which permitted the use of a portion of the real property commonly known as 340 W. "C" Street, within the City of Jacksonville (hereinafter the "Premises") for the construction and operation of a county branch library;

WHEREAS, Amendment No. 2, effective as of June 16, 2015, to the Lease permitted the COUNTY to sublease the Premises to the DISTRICT;

WHEREAS, the COUNTY subleased the Premises to the DISTRICT, as authorized by Amendment No. 2 to the Lease, pursuant to the Intergovernmental Agreement Between Jackson County and Jackson County Library District for Lease and Sublease of Library Facilities and Property entered into on June 24, 2015 (hereinafter the "IGA");

WHEREAS the IGA terminates on June 30, 2020;

WHEREAS the COUNTY desires to assign all library property interests to the DISTRICT effective July 1, 2020;

WHEREAS the DISTRICT desires to assume all library property interests from the COUNTY;

WHEREAS the CITY desires for library operations to continue within the CITY and therefore desires to consent to the assignment and assumption of the Lease by the DISTRICT; and

WHEREAS the CITY and the DISTRICT desire to amend portions of the Lease in conjunction with the DISTRICT's assumption.

NOW THEREFORE, in consideration of mutual promises set forth in this Agreement, the Parties agree as follows:

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City Council
May 19, 2020
Agenda 5a
Exhibit A

Section 1. Assignment, Assumption, and Consent.

1.1 Assignment. For valuable consideration, receipt of which is hereby acknowledged, the COUNTY hereby assigns to the DISTRICT all of its rights, title, and interest in, under, and to the Lease, effective as of July 1, 2020 (the “Effective Date”).

1.2 Assumption. In consideration for the assignment as set forth in Section 1.1, above, the DISTRICT hereby assumes and agrees to perform all existing obligations, covenants, and conditions of the COUNTY under the Lease, in strict accordance with the terms of the Lease including any obligations to make payment or to perform obligations that accrued but remain unpaid and/or underperformed as of the Effective Date, and to defend, indemnify, and hold the COUNTY harmless from any such obligations, covenants, and conditions.

1.3 Consent of City of Jacksonville. The CITY hereby consents to the foregoing assignment of the Lease by the COUNTY to the DISTRICT and releases the COUNTY from any and all claims, demands, liabilities, and obligations under the terms of the Lease, in consideration of the assumption of the Lease by the DISTRICT and the DISTRICT’s agreement to amend the Lease as set forth in Section 2, below.

Section 2. Amendment No. 3 to Ground Lease

In conjunction with the foregoing assignment of the Lease from the COUNTY to the DISTRICT, the DISTRICT and the CITY hereby agree to this AMENDMENT No. 3 to the GROUND LEASE dated JUNE 28, 2002.

This is the third amendment to the original ground lease.

This Amendment is intended to become effective upon Assignment of Lease to the DISTRICT, and therefore shall be effective from and after the Effective Date.

For consideration, the receipt and sufficiency of which are hereby acknowledged, the DISTRICT and the CITY agree as follows:

1. Amend the Lease to modify Section 5.1, as previously amended by Amendment #1, to read: The DISTRICT, at its sole expense, shall be responsible for the development, maintenance, repair, and operation of library building constructed on the Premises and all freestanding features on the Premises whose primary use is for the benefit of the library (e.g., freestanding lighting, book drop, etc.). The DISTRICT shall be responsible for the care and maintenance of all plantings, landscaping, and irrigation (including the care and maintenance of the irrigation system and payment of bills for irrigation water) on the Property and leased Premises, including the plantings between the walkways and the building, the foundation plantings, and the seating areas in the “reading garden” area between the Premises and Britt parking lot. The CITY shall be responsible, at its sole expense, for the cost of maintaining all other portions of the Property and the leased Premises, including but not limited to the existing intermodal transit building and the existing automobile “off ramp” from State Highway 238 which is at the west side of the Land.

2. Amend the Lease to add a new Section 5.1.1 to read: **5.1.1 – Indemnification for Work on Property Not Subject to this Lease.** Notwithstanding any other provision in this Lease, the CITY shall defend, save, hold harmless, and indemnify the DISTRICT, and its elected officials, officers, employees, agents, and volunteers from all claims, suits, or actions of whatever nature whether actual, threatened, or alleged including but not limited to personal injury, death, property damage, and incidental and consequential damages, resulting from or arising out of the landscaping, irrigation, or maintenance responsibilities assumed by the DISTRICT pursuant to Section 5.1, above, on the portions of the Property which are not part of the leased Premises.

3. Except as expressly modified by this Amendment, and all prior Amendments, if any, all terms and conditions of this Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Agreement with the intent that it be effective as of the Effective Date notwithstanding the actual date of signing or delivery of this Agreement.

JACKSON COUNTY

**JACKSON COUNTY LIBRARY
DISTRICT**

By: _____
Danny Jordan,
Jackson County Administrator

By: _____
Susan Kiefer, President

Dated: _____

Dated: _____

Approved as to Legal Sufficiency:

Approved as to Legal Sufficiency:

By:

By: Jacquelyn Bunick, District Counsel

CITY OF JACKSONVILLE

By: _____
Jeff Alvis, City Administrator

Dated: _____

Approved as to Legal Sufficiency:

By: Sydnee Dreyer, City Counsel

Jacksonville City Council Agenda Item Summary



RESOLUTION NO. R2020-004 – A Resolution of the City Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund by Entering into a Finance Contract with the Oregon Infrastructure Finance Authority

Date: May 13, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: May 19, 2020
Agenda Item: 5b

Synopsis:

At the City Council meeting on April 7, 2020, Council approved a request for additional Safe Drinking Water Revolving Loan Funds to complete the remaining projects. The total SDWRLF estimated projects cost is \$2,382,972 with \$736,794 eligible for principal forgiveness, therefore leaving a loan amount of \$1,646,178. If all funds are used, the estimated annual payment will be \$63,800 at 1% interest, starting in December 2021.

Resolution No. R2020-004 comes before Council for approval.

Fiscal Impact:

NA

Recommendations:

Staff recommends approval of Resolution No. R2020-004.

Exhibits:

Exhibit A – Resolution No. R2020-004 with Amendment No. 1 for SDWRLF

RESOLUTION NO. R2020-004

A RESOLUTION OF THE CITY OF JACKSONVILLE AUTHORIZING A LOAN FROM THE SAFE DRINKING WATER REVOLVING LOAN FUND BY ENTERING INTO A FINANCING CONTRACT WITH THE OREGON INFRASTRUCTURE FINANCE AUTHORITY

WHEREAS, The City Council (the “Governing Body”) of the City of Jacksonville (the “Recipient”) finds:

- A. The Recipient is a community or nonprofit non-community water system as defined in Oregon Administrative Rule 123-049-0010.
- B. The Safe Drinking Water Act Amendments of 1996, Pub.L. 104-182, as amended (the “Act”), authorize any community or nonprofit non-community water system to file an application with the Oregon Infrastructure Finance Authority of the Business Development Department (“OBDD”) to obtain financial assistance from the Safe Drinking Water Revolving Loan Fund.
- C. The Recipient previously entered into Financing Contract with the OBDD for the project described in Exhibit C to the Financing Contract (the “Project”), project number S18018, in the principal loan amount of \$1,331,149, effective 9 August 2018.
- D. The OBDD has approved the Recipient’s application for additional financial assistance from the Safe Drinking Water Revolving Loan Fund.
- E. The Recipient is required, as a prerequisite to the receipt of additional financial assistance from the OBDD, to enter into Amendment Number 1 to the Financing Contract with the OBDD, substantially in the form attached hereto as Exhibit A.
- F. Notice relating to the Recipient’s consideration of the adoption of this Resolution was published in full accordance with the Recipient’s charter and laws for public notification.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, OREGON, RESOLVES AS FOLLOWS:

1. Financing Loan Authorized. The Governing Body authorizes the Mayor to execute the Financing Contract (the “Financing Documents”) and such other documents as may be required to obtain additional financial assistance, including additional loan from the OBDD on the condition that the principal amount of the loan from the OBDD to the Recipient is not more than \$1,646,178 with \$736,794 eligible for principal forgiveness if contract conditions are met) and the interest rate is not more than 1.00% if contract conditions are met (and 2.74% if not met). The proceeds of the loan from the OBDD must be applied solely to the “Costs of the Project” as such term is defined in the Financing Contract.

City Council
May 19, 2020
Agenda 5b
Exhibit A

2. Sources of Repayment. Amounts payable by the Recipient are payable from the sources described in Section 4 of the Financing Contract and the Oregon Revised Statutes Section 285A.213(5) which include:
 - (a) Revenue from Recipient's water system, including special assessment revenue;
 - (b) Amounts withheld under subsection 285A.213(6);
 - (c) The general fund of the Recipient;
 - (d) Any combination of sources listed in paragraphs (a) to (c) of this subsection; or
 - (e) Any other source.
3. Additional Documents. The Mayor is hereby authorized to enter into any agreements and to execute any documents or certificates which may be required to obtain financial assistance from the OBDD for the Project pursuant to the Financing Documents.
4. Tax-Exempt Status. The Recipient covenants not to take any action or omit to take any action if the taking or omission would cause interest paid by the Recipient pursuant to the Financing Documents not to qualify for the exclusion from gross income provided by Section 103(a) of the Internal Revenue Code of 1986, as amended. The [name of officer] of the Recipient may enter into covenants on behalf of the Recipient to protect the tax-exempt status of the interest paid by the Recipient pursuant to the Financing Documents and may execute any Tax Certificate, Internal Revenue Service forms or other documents as may be required by the OBDD or their bond counsel to protect the tax-exempt status of such interest.

APPROVED by the Jacksonville City Council at the meeting this 19th day of May, 2020.

City of Jacksonville, Oregon

By: _____
Paul Becker, Mayor

Attest:

By: _____
Angela Watson, City Recorder

Exhibit A: Amendment Number 1, Water System Improvements

Amendment Number 1

Project Name: Water System Improvements

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of Jacksonville (“Recipient”), and amends the Financing Contract, Project Number S18018, dated 9 August 2018 (“Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

Recital: The purpose of this amendment is to increase the loan amount due to a change in type of water meter to be installed resulting in higher than anticipated construction costs.

The parties agree as follows:

1. Amend the following Key Terms in Section 1 of the Contract as follows (deletion in ~~strikethrough~~; addition in double underline):

“Estimated Project Cost” means \$2,067,943 \$2,382,972.

“Loan Amount” means \$1,331,149 \$1,646,178.

2. Remove Exhibit D (Project Budget) of the Contract and replace it with the following new Exhibit D:

EXHIBIT D - PROJECT BUDGET

	OBDD Funds	Other / Matching Funds
Activity	Approved Budget	Approved Budget
Design / Engineering	\$332,079	\$0
Construction	1,795,836	0
Construction Contingency	179,584	0
Permits / Legal	45,473	0
Labor Standards	15,000	0
Project Management	15,000	0
Total	\$2,382,972	\$0

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3. Add a new Exhibit E (Information Required by 2 CFR § 200.331(a)(1)) to show required information for this amendment:

EXHIBIT E - INFORMATION REQUIRED BY 2 CFR § 200.331(A)(1)

Federal Award Identification:

- (i) Subrecipient* name (which must match registered name in DUNS): Jacksonville, City Of
- (ii) Subrecipient's DUNS number: 07-881-0027
- (iii) Federal Award Identification Number (FAIN): 98009019
- (iv) Federal Award Date: 19 Aug 2019
- (v) Sub-award Period of Performance Start and End Date: 36 months from Contract execution
- (vi) Total Amount of Federal Funds Obligated by this Contract Amendment: \$315,029
- (vii) Total Amount of Federal Funds Obligated by this initial Contract and any amendments: \$2,382,972
- (viii) Total Amount of Federal Award to the pass-through entity: \$17,373,600
- (ix) Federal award project description: Oregon's Drinking Water State Revolving Fund: This grant increases the capacity of Oregon to ensure that its public water systems continue to provide safe drinking water. This is done by (1) continuing loan financing to public water systems and support for newly proposed priority projects, (2) providing grant support for covering administrative expenses, small public water system technical assistance, State program management and local assistance, and (3) continuation of the loan fund to finance source water protection project initiatives, including acquiring conservation easements.
- (x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:
 - (a) Name of Federal awarding agency: U.S. Environmental Protection Agency
 - (b) Name of pass-through entity: Oregon Business Development Department
 - (c) Contact information for awarding official of the pass-through entity: Ed Tabor, Programs & Incentives Manager, 503-949-3523
- (xi) CFDA Number and Name: 66.468 Safe Drinking Water State Revolving Fund
Amount: \$2,382,972
- (xii) Is Award R&D? No
- (xiii) Indirect cost rate for the Federal award: N/A

*For the purposes of this Exhibit E, "Subrecipient" refers to Recipient and "pass-through entity" refers to OBDD.

Signature page to follow

OBDD will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to OBDD and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



STATE OF OREGON
acting by and through its
Oregon Infrastructure Finance Authority
of the Business Development Department

By: _____
Chris Cummings, Interim Director
Business Oregon

Date: _____



CITY OF JACKSONVILLE

By: Paul Becker
The Honorable Paul Becker
Mayor of Jacksonville

Date: May 13, 2020

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

/s/ Wendy Johnson per email dated 11 May 2020
Wendy Johnson, Senior Assistant Attorney General

Jacksonville City Council Agenda Item Summary



Resolution No. R2020-005 – A Resolution of the City of Jacksonville Ratifying the Mayor’s Administrative Order Dated May 14, 2020 Extending a Local State of Emergency in the City of Jacksonville as a Result of COVID-19

Date: April 28, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: May 5, 2020
Agenda Item: 5c

Synopsis:

On May 5, 2020, the City Council ratified the Mayor’s Administrative Order of March 17, 2020 declaring a local state of emergency and affirmed the Mayor’s authority to extend the local state of emergency in two-week increments.

The Mayor signed an Administrative Order on May 14, 2020 to extend the local state of emergency to May 27, 2020.

Resolution No. R2020-005 comes to Council to ratify the Administrative Order of May 14, 2020.

Fiscal Impact:

NA

Recommendations:

Approval of Resolution No. R2020-005

Exhibits:

Exhibit A: Resolution No. R2020-005

RESOLUTION NO. R2020-005

A RESOLUTION OF THE CITY OF JACKSONVILLE RATIFYING THE MAYOR'S ADMINISTRATIVE ORDER DATED MAY 14, 2020 EXTENDING A LOCAL STATE OF EMERGENCY IN THE CITY OF JACKSONVILLE AS A RESULT OF COVID-19 PANDEMIC

RECITALS:

- A. Declarations of Emergency may be declared by the Mayor pursuant to Jacksonville Emergency Operations Plan Section II(a) and Ordinance No. 538, Section 2, subject to ratification by the City Council. Such Declaration was approved by the Mayor, pursuant to EOP and Ordinance No. 538.
- B. On March 17, 2020, the Mayor of the City of Jacksonville declared a local state of emergency due to the COVID-19 Pandemic to be in effect through April 30, 2020.
- C. On April 7, 2020, the City Council for the City of Jacksonville ratified said Administrative Order by Resolution No. **R2020-002** and affirmed the Mayor's authority to extend the local state of emergency in two-week increments.
- D. On April 30, 2020, the Mayor of the City of Jacksonville declared an extension of the local state of emergency due to the COVID-19 Pandemic to May 13, 2020.
- E. On May 5, 2020, the City Council for the City of Jacksonville ratified said Administrative Order by Resolution No. R2020-003 extending the local state of emergency to May 13, 2020.
- F. On May 14, 2020, the Mayor of the City of Jacksonville declared an extension of the local state of emergency due to the COVID-19 Pandemic to May 27, 2020.
- G. The City Council of the City of Jacksonville is in full agreement with the Administrative Order Extending the local state of emergency through May 27, 2020, and all the contents thereof.

NOW THEREFORE, BE IT RESOLVED BY THE JACKSONVILLE CITY COUNCIL AS FOLLOWS:

Section 1. The Mayor’s Administrative Order dated May 14, 2020 Extending the Local State of Emergency in the City of Jacksonville as a Result of COVID-19 Pandemic to May 27, 2020, attached hereto as Exhibit “A”, is hereby ratified.

APPROVED by the Jacksonville City Council at the meeting this 19th day of May, 2020.

City of Jacksonville, Oregon

By: _____
Paul Becker, Mayor

Attest:

By: _____
Angela Watson, City Recorder

Exhibit A: Administrative Order by the Mayor of the City of Jacksonville dated May 14, 2020

ADMINISTRATIVE ORDER

May 14, 2020

By the Mayor of the City of Jacksonville

Extending Declaration of a Local State of Emergency due to COVID-19

The Mayor of the City of Jacksonville finds that:

- a. On March 8, 2020 Governor Kate Brown declared a State of Emergency due to the COVID-19 (Executive Order No. 20-03). Governor Brown also issued guidelines regarding group gatherings and social distancing to alleviate possible impacts of COVID-19 (Executive Order No. 20-5). On March 13, 2020 President Donald Trump declared a National Emergency concerning COVID-19. On March 23 Governor Kate Brown ordered Oregonians to “Stay Home, Save Lives” (Executive Order No. 20-12) directing individuals to stay home to the greatest extent possible, ordering closure of certain businesses, and requiring social distancing measures for other public and private facilities.
- b. COVID-19 requires significant amount of resources at the local level to keep the public and community informed and as safe as possible.
- c. The unknown duration of the COVID-19 may have a **significant** financial impact on the community.
- d. The primary focus at the City is to keep the community safe while maintaining the health of our workforce so the City can continue to provide crucial city services, and to alleviate impacts to residents and business owners within the City of Jacksonville.
- e. Pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution, that a state of emergency exists within the city.
- f. On March 17, 2020, the Mayor issued an Administrative Order Declaring a State of Emergency in the City of Jacksonville to be in effect until April 30, 2020, with authority to extend in two-week increments.
- g. On April 7, 2020, the City Council for the City of Jacksonville ratified said Administrative Order by Resolution No. **R2020-002** and affirmed the Mayor’s authority to extend the local state of emergency in two-week increments.

- h. As of April 30, 2020, the Governor's restrictions regarding group gatherings, public meetings, social distancing, and essential services remain in effect.
- i. On April 30, 2020, the Mayor issued an Administrative Order extending a State of Emergency in the City of Jacksonville to be in effect to May 13, 2020.
- j. On May 1, 2020, the Governor adopted Executive Order 20-24 extending the State of Emergency to July 6, 2020 due to the continuing threat of COVID-19.
- k. On May 14, 2020, the Governor announced approval of Jackson County's application to enter in to Reopening Oregon: Phase I.
- l. To ensure the City remains prepared for COVID-19 and that local authorities have the resources needed to respond to COVID-19, a further extension of the declaration of local emergency is necessary.

Now, therefore, based on the above findings, the Mayor of the City of Jacksonville declares that:

- 1. This Declaration of Local Emergency in effect through May 13, 2020 shall be extended to May 27, 2020.

Dated May 14, 2020



Mayor, City of Jacksonville, Oregon

Ratified by City Council action on May 19, 2020

Recorder, City of Jacksonville, Oregon

Jacksonville City Council Agenda Item Summary



First Reading of Ordinance No. O2020-001 – An Ordinance Amending in Part Jacksonville Municipal Code Section 1.08.010 (A) Regarding General Penalty

Date: May 12, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: May 19, 2020
Agenda Item: 5d

Synopsis:

Staff and the City Attorney determined that an amendment of Jacksonville Municipal Code Section 1.08.010 (A) Regarding General Penalty is necessary to comply with the City's Intergovernmental Agreement with Jackson County for Municipal Court services by the Justice Court as the Justice Court is only authorized to handle "noncriminal violations of the charter and ordinances of the City".

Recommendations:

Staff recommends approval of the first reading of Ordinance No. O2020-001. Council may also move to approve the second reading by title only. This will allow the Council to approve the Ordinance by title only at the next Council meeting.

Exhibits:

Exhibit A – Ordinance No. O2020-001

ORDINANCE NO. O2020-001

**AN ORDINANCE AMENDING IN PART JACKSONVILLE MUNICIPAL CODE
SECTION 1.08.010(A) REGARDING GENERAL PENALTY**

RECITALS:

- A. Pursuant to JMC Section 1.04.170, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. City Code provides that any person violating any of the provisions of the municipal code or failing to comply with mandatory provisions of any ordinance of the City is guilty of a misdemeanor.
- C. Upon review, staff and the city attorney determined that amendment of JMC 1.08.010(A) is necessary to comply with the City's Intergovernmental Agreement with Jackson County for Municipal Court services by the Justice Court as the Justice Court is only authorized to handle "noncriminal violations of the charter and ordinances of the City."

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF JACKSONVILLE,
OREGON, ORDAINS AS FOLLOWS:**

SECTION 1.

JMC Section 1.08.010(A) is hereby amended to establish that violation of City code or ordinances is a violation as provided in the attached Exhibit "A".

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
JACKSONVILLE, OREGON ON THE DATE LAST WRITTEN BELOW.**

Signed by me in open session in authentication of its passage this _____ day of
_____, 2020.

Paul Becker, Mayor

ATTEST:

Angela Watson, City Recorder

EXHIBIT "A"

Chapter 1.08

Language is **bold** is new. ~~Strikethrough~~ is deleted.

Sec. 1.08.010. – Violation; penalty.

- (A) Any person violating any of the provisions of any ordinance of the city, or failing to comply with any of the mandatory requirements of the ordinances of the city, shall be guilty of a violation.** ~~Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any ordinance of the City is guilty of a misdemeanor. Except in cases where a different punishment is prescribed by any ordinance of the City, any person convicted of a misdemeanor~~ **violation** under the ordinances of the City shall be punished by a fine established by **resolution of** the City Council. A schedule of fees, fines and penalties is kept on file in the offices of the City for review.
- (B) No penalty imposed by this section or by any ordinance or Code section of the City shall exceed the penalty imposed by State law for the same offense.

Jacksonville City Council Agenda Item Summary



Ordinance No. O2020-002 – An Ordinance Authorizing a Temporary Amendment to the Nomination Requirements for City Council and Mayoral Elections for the 2020 General Election and Declaring an Emergency

Date: May 12, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: May 19, 2020
Agenda Item: 5e

Synopsis:

As a result of the COVID-19 pandemic, the Council is being asked to consider an ordinance to temporarily amend Section 33 of the Jacksonville City Charter which contains the nomination requirements and processes for candidates for City Council and Mayoral elections. The proposed amendment reflects changes necessary to comply with social distancing requirements.

The proposed amendment would temporarily modify the requirements for the November 2020 General Election. Currently Section 33 requires all prospective candidates to gather signatures of 20 electors as a requirement of candidacy. The proposed temporary amendment would allow a prospective candidate to pay a filing fee of \$25.00 in lieu of signature gathering requirements in order to enable candidates to comply with social distancing guidelines due to the COVID-19 pandemic, although, signature gathering would remain an option for candidates.

The proposed amendment would be in effect until January 1, 2021, and its repeal would be automatic on such date without further Council action.

Council is requested to adopt this ordinance and declare an emergency, because the proposed amendment is intended to protect the public health of nominees and electors of the City by complying with social distancing requirements. As these requirements affect the nomination and election process, it is necessary to approve the updated requirements before election packets are made available to potential nominees for this year's election cycle.

ORS 249.056 sets the filing fees for candidates, such as U.S. Senator, Governor, District Attorney, and State Senator or Representative. The filing fee for a State Senator or Representative is \$25.00.

Fiscal Impact:

For the 2020 election, an increase of \$25.00 would be received from each prospective candidate who opted to pay the fee in lieu of signatures.

Recommendations:

Staff recommends approval of the first reading of Ordinance No. O2020-002 with the second reading and adoption by title only.

Exhibits:

Exhibit A – Ordinance No. O2020-002

ORDINANCE NO. O2020-002

**AN ORDINANCE AUTHORIZING A TEMPORARY AMENDMENT TO THE
NOMINATION REQUIREMENTS FOR CITY COUNCIL AND MAYORAL
ELECTIONS FOR THE 2020 GENERAL ELECTION AND DECLARING AN
EMERGENCY**

Recitals:

A. Jacksonville Charter Section 33 provides that nomination for city elective positions shall be by a petition signed by not less than twenty electors of the city.

B. In 2020, the World Health Organization declared a global pandemic caused by the COVID-19 coronavirus. Coronaviruses can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions. In March, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety constituting a statewide emergency. Executive Order 20-12 enacted a public health law called "Stay Home, Save Lives" including restrictions of limitations on individual travel, social distancing requirements and enforcement measures for non-compliance. Said order is in place indefinitely.

C. Electronic signatures for elections purposes are only permitted by state law at the present time for initiative, referendum, or recall purposes but not petitions for candidacy.

D. The City desires to abide by the Governor's order and do what it can to protect the health and safety of its residents.

E. The City finds that requirements to collect original signatures during the COVID pandemic may unnecessarily increase health risks to its residents through increased personal contact.

F. In order to ensure that this temporary modification is adopted prior to the opening of elections on June 22, 2020, and that potential candidates have adequate information as to the process for candidacy prior to that date, the City finds that a Declaration of Emergency is necessary.

THE CITY OF JACKSONVILLE HEREBY ORDAINS AS FOLLOWS:

Section 1. Jacksonville Charter Section 33 is hereby temporarily amended to allow alternate procedures for nomination to elective city positions as provided in the attached Exhibit "A".

Section 2. This change to Section 33 of the Charter shall be repealed without further Council action effective January 1, 2021.

Section 3. EMERGENCY. This ordinance is necessary for the immediate preservation of the health, and safety of our citizens and potential candidates due to the limited time frame and limited meeting schedule during this pandemic. This ordinance shall be in full force and effective on the date of its passage.

Signed by me in open session in authentication of its passage this 19th day of May, 2020.

Mayor Paul Becker

ATTEST:

City Recorder

**Exhibit “A” to
ORDINANCE NO. O2020-002**

Words ~~lined through~~ are to be deleted and words **in bold** are added.

Section 33. Nominations. Any person qualified for any office of the city as defined in [Section 13](#) may be nominated for an elective city position. Nomination shall be by petition specifying the position sought in a form prescribed the council. Such petition shall be signed by not fewer than [20](#) electors. An elector may sign one petition for each position being contested in the election. If the elector signs more than the allowed number of petitions, his signature is valid only on the allowed number of petitions based on the order they are duly filed with the city recorder. The signatures to a nomination petition need not all be appended to one paper, but to each separate paper of the petition shall be attached an affidavit of the circulator thereof, indicating the number of signers of the paper and stating that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the signer's place of residence, identified by its street and number or other sufficient description. All nomination papers comprising a petition shall be assembled and filed with the recorder as one instrument not earlier than 135 days nor later than 75 days before the election. The recorder shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filed. If the petition is not signed by the required number of qualified electors the recorder shall notify the candidate and the person who filed the petition within five days after the filing. If the petition is insufficient in any other particular, the recorder shall return it immediately to the person who filed it, certifying in writing wherein the petition is insufficient. Such deficient petition may be amended and filed again as a new petition, or a different petition for the same candidate may be filed, with the regular time for filing nomination petitions. The recorder shall notify an eligible person of his nomination, in such form as the council may require, within five days of notification of nomination. Upon receipt of such acceptance of nomination, the recorder shall cause the nominee's name to be printed on the ballots. The petition of nomination for a successful candidate at an election shall be preserved in the office of the recorder until the term of office for which the candidates is elected, expires.

(1) Alternative Method for Social Distancing. Until January 1, 2021, in lieu of the above-described signature requirements supporting nomination, an individual may instead choose to pay a fee of \$25 to the City of Jacksonville to be paid along with the above-described forms and information provided to the City Recorder.

Council Discussion



Public Records Requests

Date Req.	Name of Requestor	Description of Records Requesting	Fee Charged	Date Completed	Completed By
4/15/2020	Sandy Brown	Building & Planning Permits for 553 N Oregon, 305 S Oregon, 145 Pine St and 255 E California St	\$11.75	4/16/2020	Diane Oliver
4/2/2020	Michelle Black	970 Westmont Dr., permits and blue prints	\$17.95	4/3/2020	Diane Oliver