



**TALENT CITY COUNCIL  
REGULAR COUNCIL MEETING  
TOWN HALL  
March 2, 2016 – 6:45 P.M.**

*Study Session, Regular Council & TURA meetings are being digitally recorded and will be available on the City website*

The City Council of the City of Talent will meet in a Regular Council session at 6:45 P.M on Wednesday, March 2nd in the Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

**REGULAR COUNCIL MEETING- 6:45 PM**

*Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.*

**1. Call to Order/Roll Call**

**2. Pledge of Allegiance**

**3. Mayor Announcements**

**3.1**

**4. Public Hearings**

*Public hearings are conducted under a prescribed procedure depending on the topic. The presiding officer will conduct the hearing in accordance with those procedures which will allow for public input at the announced time.*

**4.1 None**

**5. Citizens Heard on Non-Agenda Items**

*Limited to 5 minutes or less per Mayoral discretion*

**6. Public Presentations**

*Items that do not require immediate Council action, such as presentations, discussion of potential future action items. Time limited to 15 minutes per presentation unless prior arrangements have been made.*

- 6.1 Introduction – Curtis Whipple .....(no agenda report)**
- 6.2 Fire District 5 Annual Report – Darin Welburn.....(no agenda report)**
- 6.3 RVTD – Julie Brown.....(no agenda report)**

**7. Consent Agenda**

*The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

- 7.1 Approval of Regular Council Meeting Minutes for February 17, 2016.....Page 3-14**
- 7.2 Approve TURA Annual Report.....Page 15-20**
- 7.3 Appointment of Citizen Advisory Committee (CAC) for the City's Economic Opportunity Analysis .....Page 21-39**

**8. Regular Agenda**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

- 8.1 Second Reading of Ordinance 16-914-O, An Ordinance providing for rules and regulations of public parks – defining and punishing certain offenses against the public general welfare. Repealing Ordinance 72-286-O.....Page 40-46**
- 8.2 Second Reading of Ordinance 16-915-O, an Ordinance establishing a program for the maintenance and operation of Talent city parks and imposing a surcharge for ongoing funding. Repealing Ordinance 05-795-O.....Page 47-56**
- 8.3 Second Reading of Ordinance 16-916-O, an Ordinance for the City of Talent's flood damage prevention Ordinance and adoption of the most current versions of the flood insurance rate maps (FIRM) and flood**

	insurance study. Repealing Ordinance 04-752-O.....	Page 57-70
8.4	Approve Phase 2 of the Water Park.....	Page 71-73

9. Information Items

9.1	Parks CIP Projects.....	Page 74-83
9.2	Together for Talent Committee Restructure and Economic Development Committee (no agenda report)	

10. City Manager & Other Department Reports

*Items for discussion by the City Manager and Department Heads as needed.*

11. Other Business

11.1

12. Mayor and Councilor - Committee Reports and Councilor Comments

- Rogue Valley Area Commission on Transportation – Mayor Stricker (alternate)
- Together for Talent Committee – Councilor Collins
- Metropolitan Planning Organization – Mayor Stricker & Councilor Cooke (alternate)
- Planning Commission – Councilor Wise & Councilor Abshire (alternate)
- Public Art Advisory Committee – Councilor McManus
- Parks Commission – Mayor Stricker
- Traffic Safety & Transportation Commission – Councilor Cooke
- Rogue Valley Council of Governments – Councilor McManus & Mayor Stricker (alternate)
- Talent Historical Society – Councilor Abshire
- Harvest Festival Committee – Councilor McManus
- Economic Development - Councilor Pederson & Council McManus
- Chamber – Councilor Pederson
- Talent Charter Review – Councilor Cooke

13. Adjournment

**The City of Talent is an Equal Opportunity Provider**

***Note: This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website ([www.cityoftalent.org](http://www.cityoftalent.org)) in advance of each meeting.***

***In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.***



**TALENT CITY COUNCIL  
REGULAR COUNCIL MEETING DRAFT MINUTES  
TOWN HALL  
February 17, 2016 – 6:45 P.M.**

*Study Session, Regular Council & TURA meetings are being digitally recorded and will be available on the City website*

The City Council of the City of Talent will meet in a Regular Council session at 6:45 P.M on Wednesday, February 17th in the Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

**REGULAR COUNCIL MEETING- 6:45 PM**

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**1. Call to Order/Roll Call**

**2. Pledge of Allegiance**

**3. Mayor Announcements**

- **Volunteer recognition. March 3<sup>rd</sup> 6-8 PM at the Community Center.**
- **No summit meeting in March due to Goal Setting Meeting in March.**

**3.1 State of the City**

Mayor Stricker presented the State of the City (*see attached*).  
City Manager, Tom Corrigan introduced City of Talent Staff.  
Councilor President Pederson introduced Talent Mayor and Council.

**4. Public Hearings**

*Public hearings are conducted under a prescribed procedure depending on the topic. The presiding officer will conduct the hearing in accordance with those procedures which will allow for public input at the announced time.*

**4.1 None**

**5. Citizens Heard on Non-Agenda Items**

*Limited to 5 minutes or less per Mayoral discretion*

**None**

**6. Public Presentations**

*Items that do not require immediate Council action, such as presentations, discussion of potential future action items. Time limited to 15 minutes per presentation unless prior arrangements have been made.*

**6.1 None**

**7. Consent Agenda**

*The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

**7.1 Approval of Regular Council Meeting Minutes for February 3, 2016**

**Councilor Wise moved to approve the Regular Council Meeting Minutes for February 3, 2016. Councilor Cooke seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**7.2 Acknowledge receipt of Payables**

**Councilor Collins moved to approve the receipt of Payables. Councilor Cooke seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**7.3 Approve TURA Financials and Annual Report**

**Council Tabled the Annual Report to the next meeting.**

**Councilor Wise moved to acknowledge the Legal Notice. Councilor Pederson seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8. Regular Agenda**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

**8.1 Second Reading for Ordinance 16-910-O, An Ordinance that provides rules and regulations for the conduct and operation of the water system of the City of Talent and connection therewith – regulating and governing the use of water from said system – providing penalties for non-payment of water service and for violation of this Ordinance and repealing Ordinances 07-830-O and 07-831-O**

Mr. Corrigan gave a brief Staff Report.

**Councilor Collins moved to approve the Second Reading for Ordinance 16-910-O, An Ordinance that provides rules and regulations for the conduct and operation of the water system of the City of Talent and connection therewith – regulating and governing the use of water from said system – providing penalties for non-payment of water service and for violation of this Ordinance and repealing Ordinances 07-830-O and 07-831-O. Councilor Pederson seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.2 Second Reading of Ordinance 16-911-O, and Ordinance amending Ordinance 458, Talent Zoning Code, adding Title 8, Chapter 3, Division L, Article 9, Traffic Impact Study, amending Title 8, Chapter 3, Division M, Article 1, Sections 150(B) and 160 (C) and amending Title 8, Chapter 3, Division L, Article 2, Sections 244 and 246, allowing the City to require a Transportation Impact Study when certain thresholds have been met**

Mr. Corrigan gave a brief Staff Report.

**Councilor Pederson moved to approve the Second Reading of Ordinance 16-911-O, and Ordinance amending Ordinance 458, Talent Zoning Code, adding Title 8, Chapter 3, Division L, Article 9, Traffic Impact Study, amending Title 8, Chapter 3, Division M, Article 1, Sections 150(B) and 160 (C) and amending Title 8, Chapter 3, Division L, Article 2, Sections 244 and 246, allowing the City to require a Transportation Impact Study when certain thresholds have been met. Councilor Collins seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.3 Second Reading of Ordinance 16-912-O, an Ordinance amending Ordinance No. 818, Talent Subdivision Code, amending title 8, Chapter 2, Section 260 allowing the City to require a transportation impact study when certain thresholds have been met.**

Mr. Corrigan gave a Staff Report.

**Councilor Cooke moved to approve the Second Reading of Ordinance 16-912-O, an Ordinance amending Ordinance No. 818, Talent Subdivision Code, amending title 8, Chapter 2, Section 260 allowing the City to require a transportation impact study when certain thresholds have been met. Councilor Collins seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.4 First Reading of Ordinance 16-914-O, An Ordinance providing for rules and regulations of public parks – defining and punishing certain offenses against the public general welfare. Repealing Ordinance 72-286-O.**

Mr. Corrigan gave a Staff Report.

**Councilor Pederson moved to approve First Reading of Ordinance 16-914-O, An Ordinance providing for rules and regulations of public parks – defining and punishing certain offenses against the public general welfare. Repealing Ordinance 72-286-O. Councilor Cooke seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.5 First Reading of Ordinance 16-915-O, an Ordinance establishing a program for the maintenance and operation of Talent city parks and imposing a surcharge for ongoing funding. Repealing Ordinance 05-795-O.**

Mr. Corrigan gave a brief Staff report.

**Councilor Collins moved to approve First Reading of Ordinance 16-915-O, an Ordinance establishing a program for the maintenance and operation of Talent city parks and imposing a surcharge for ongoing funding. Repealing Ordinance 05-795-O. Councilor McManus seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.6 First Reading of Ordinance 16-916-O, an Ordinance for the City of Talent's flood damage prevention Ordinance and adoption of the most current versions of the flood insurance rate maps (FIRM) and flood insurance study. Repealing Ordinance 04-752-O.**

Mr. Corrigan gave a brief Staff report.

**Councilor Cooke moved to approve First Reading of Ordinance 16-916-O, an Ordinance for the City of Talent's flood damage prevention Ordinance and adoption of the most current versions of the flood insurance rate maps (FIRM) and flood insurance study. Repealing Ordinance 04-752-O. Councilor Pederson seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.7 Approve Phase 2 of the Water Park**

Mr. Corrigan gave a brief Staff Report.

Public Works Director, Bret Marshall explained Phase 2 of the Splash Pad. He spoke that the estimated cost is under \$9000. Mayor Stricker questioned where the Funds would be coming from. Mr. Corrigan answered that Staff would look into where the funds would come from.

Council discussed the railing design. Council directed to Staff to bring the appropriations of funds for Phase 2, a quote and design for both the original plan and the safer railing design to the next meeting.

**8.8 Approve Liquor License for Kindred Spirits**

Mr. Corrigan gave a brief Staff Report. He spoke that Staff recommends approval. Mayor Stricker spoke the venue to expand is to do and display more art.

**Councilor Pederson moved to recommend approval of the Liquor License for Kindred Spirits. Councilor McManus seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8.9 Approve Noise Permit for the Rogue Run**

Mr. Corrigan gave a brief Staff Report. Staff recommends approval.

Councilor McManus questioned if the applicants have cleared the run with all the neighbors. Mr. Corrigan answered yes.

**Councilor Wise moved to approve the noise permit for the Rogue Run. Councilor Pederson seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**9. Information Items**

**9.1 None**

**10. City Manager & Other Department Reports**

*Items for discussion by the City Manager and Department Heads as needed.*

Mr. Corrigan gave Department and City Reports:

- Mr. Corrigan gave a handout showing average daily stream flows (*see attached*).
- Recology Franchise agreement will go up 1.2% per the CPI-U out of Portland. The average cost per household is .22 cents a month.
- Flags are half-mast due to Justice Scalia.
- Council gave consensus to have the next Goal Setting Meeting on March 9<sup>th</sup>.
- Cantina Vita at the Depot is now open.
- Upgrading iPads was discussed.
- DOT will be funding the entire HWY 99 project and will be moving forward. Councilor Pederson questioned the number of developer lots. Mr. Corrigan spoke he would follow up with this.

**11. Other Business**

**11.1**

Mayor Stricker spoke that she met with Tonia Moro regarding about funding for RVTD. This will go to the voters in May. Mayor Stricker explained that they are going to Cities to get endorsements to put this on the ballot. It was decided to put this on the next Council Agenda. Councilor McManus would ask if a RVTD representative could come and speak.

**12. Mayor and Councilor - Committee Reports and Councilor Comments**

- Rogue Valley Area Commission on Transportation – Mayor Stricker (alternate)
- Together for Talent Committee – Councilor Collins
- Metropolitan Planning Organization – Mayor Stricker & Councilor Cooke (alternate)
- Planning Commission – Councilor Wise & Councilor Abshire (alternate)
- Public Art Advisory Committee – Councilor McManus
- Parks Commission – Mayor Stricker
- Traffic Safety & Transportation Commission – Councilor Cooke
- Rogue Valley Council of Governments – Councilor McManus & Mayor Stricker (alternate)
- Talent Historical Society – Councilor Abshire
- Harvest Festival Committee – Councilor McManus
- Economic Development - Councilor Pederson & Councilor McManus
- Chamber – Councilor Pederson
- Talent Charter Review – Councilor Cooke

Councilor McManus announced there was a SOREDI Meeting but was unable to attend. He spoke that the SOREDI Executive Director is retiring in May.

Councilor Collins announced she met with Together for Talent

- It was discussed to change meeting days and times.
- Integrated Pest Management presentation is on March 5<sup>th</sup> at the Talent Library from 10 AM-12 PM.
- On May 7<sup>th</sup> there is the Recycle Drop off, Talent Tomato Sale, Garden Club Flower Sale & City Wide Yard Sale.
- The Weed Team will be working on the Old Bridge Trail. March 5<sup>th</sup>, 19<sup>th</sup> and 26<sup>th</sup>.

Councilor Pederson announced will be attending the Chamber Meeting tomorrow.

Councilor Cooke announced she will be attending the Traffic Safety & Transportation Commission tomorrow

Councilor Wise announced the Planning Commission Meeting is tomorrow.

Mayor Stricker spoke that the Parks Commission discussed Capital Improvement Projects. It was discussed on how to work through the projects. Mr. Corrigan would discuss projects and the process with the Parks Commission Chair.

Mayor Stricker also announced that the RVACT and MPO Meetings are next week.

**13. Adjournment**

**The Council Meeting was adjourned at 8:12 PM**

**Respectfully submitted by:**

\_\_\_\_\_  
City Recorder, Melissa Huhtala

**Attest:**

\_\_\_\_\_  
City Manager, Tom Corrigan

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For most of us, Talent is our home and around us is where our good neighbors and friends live. We bring up our children here. We celebrate here, we share community here, and we work together selflessly to make our lives better for each other as we stand together right here in Talent. Many of the common reasons we love Talent are because of the closeness of our community. It is on that common ground that Talent continues to flourish as the best place to be, to love, and to live. So I posed the question to friends of Talent, "What is the thing you love most about Talent?" The answers were fun to read and worth sharing here tonight.

I asked Ron Hodgdon, local artist and volunteer to six City Committees, what he loved about Talent. He said, *"It is where I continue to discover all the different aspects of a rich-full life with my family. It's the breadth and community of my friends; it suits my creative and business self, my outdoor natural-adventurous self, my community and spiritual self. Talent is actually more than where I live, it is my home."*

In 2015 your City government, under the leadership of your elected City Council, was progressive and productive. Many of the thoughtful, hard working people that serve Talent are here with us tonight. Please indulge me as I proudly introduce to you the finest elected officials and city staff in Southern Oregon. Tom Corrigan, Talent City Manager. Please introduce your Department Heads. Ryan Pederson, Talent Council President. Please introduce the Council. Friends and neighbors, please join me in a mighty thank you for our incredible team.

Our successes in 2015 are some of the most exciting that I have seen in the many years that I have served the City of Talent. I believe that this administration, the elected officials, the staff and the agenda, will come to be known for its genuine connection with the people's desire for Talent.

In November of 2014, the people of Talent voted for improved transparency and citizen accessibility to their government, environmental sustainability, small town economic development, continued improvements to infrastructure, fiscal responsibility and governmental efficiency. It is with the highest level of pride, that I have the opportunity to share the tangible ways this administration is responding to the people's priorities and making them a reality.

I asked Heather Ayers, teacher at Talent Middle School, what she loves about Talent and she said, *"The first thing I love about Talent is its heart: it's a small town that could easily get overshadowed and lost in the shuffle, but demands attention, and it makes people stop for a second look. Secondly, Talent's diversity – its mix of young and old, liberal and conservative, different ethnicities and economic groups – makes it a unique and wonderful place to live."*

**Talent citizens voted for transparency and governmental accessibility.** Transparency is a double edged sword. It is difficult to manage; it requires a great deal of attention and resource to achieve and yet, it is the portal to a healthy trusting relationship between citizens and their government. I chose the word relationship purposefully because I believe that Talent is at its best when we all strive for greater community awareness.

Councilor Abshire has worked to improve transparency for Talent as it relates to the City's financial information in order to provide greater accountability of tax payer's resources. He has long championed for this and I am confident that we will see his efforts come to fruition in 2016. Talent upgraded its accounting software, a program chosen in part for its capacity to provide better, more timely financial information to the citizens of Talent. Councilor Abshire's hard work will not go unfulfilled, and on behalf of all of us, I thank him for that.

This administration has had among the fewest closed door Executive Sessions at Council than we have had in the past five years. We are committed to keeping the closed door meetings to an absolute minimum, always striving for none.

A most exciting tool for transparency is that every Council meeting is recorded, and those recordings are posted to the City website for all to hear.

To improve citizen accessibility to government, Council approved a policy for commission and committee appointments to ensure that access to our governmental process is consistent and equal to all those who apply.

Lana Peery, Technology Services Director, is working with volunteers to build and install a volunteer data management program which will improve the volunteer experience and better match enthusiastic citizens with community efforts in need of champions.

Talent is installing re-codified, better indexed City ordinances and codes to our City website. This will provide the citizens of Talent improved access to the City's rules and regulations. This project has been a year in progress and its completion will be a great relief to Talent's City Recorder, Melissa Huhtala.

These are just a few examples of how your government is improving transparency and accessibility, and we thank everyone involved for their hard work.

When asked what she loves about Talent, Nancy Rush-Yates, teacher and city volunteer, said, *"I think what I love most about Talent is that so many folks here really care about our town and work hard to support it in so many diverse ways."*

**Talent voted for environmental sustainability.** This administration is not only proud of the work we have done, but we are profoundly grateful for the incredible citizen volunteer efforts. Talent loves our planet and all of its inhabitants, and we most certainly walk the environmental talk to our greatest ability.

Dolly Warden, chair of the Bee City USA Subcommittee, said, *"I like being able to walk around town in 40 minutes going to city hall, the post office, the coffee shop, the bank, and back home again. And I like meeting and greeting people I know along the way."*

Our story cannot be told without lauding the efforts of Together for Talent. The committee volunteers are responsible for clean up in Wagner Creek, for exploring ways to stop the use of herbicide and pesticide, and to rescue pollinators. They drive clean up and green up and lead community wide

recycling events. Their armies of citizen volunteers are weeding our parks, sorting trash, and lifting garbage from our precious waterways. We owe them a lot of gratitude. On behalf of Talent, thank you so very much.

Under the excellent leadership of Councilor Collins, with support from Councilor Wise, the City of Talent is exploring ways to quicken the City's response to environmental concerns. Proposed in this year's goals is the formation of a new environmental committee, which would be a recommending body to the Council tasked to develop an energy sustainability plan as its first mission. There are many environmental heroes in Talent. Please join me in thanking Councilor Collins and Councilor Wise for bringing them together to better serve Talent during this critical time for our planet.

Talent is grateful to Sam Becker, the Southern Oregon high school student whose senior project was to get Styrofoam banned in Medford and Talent. It is exciting to announce that he has been successful in both cities.

The City of Talent has so much to be proud of for our green power accomplishments. Recently, Talent was named a Green Power Community by the Environmental Protection Agency, ranking Talent as number one in Southern Oregon, 4<sup>th</sup> in the State and 17<sup>th</sup> in the Nation for our participation in the Blue Sky program.

The City of Talent is now buying 20% of all of its energy for City buildings from only renewable resources.

Tom Corrigan, City Manager, led the building of the new community center. The features include a storm water detention system. It is solar panel ready, has high rated reflective roof shingles, a high efficiency HVAC systems, an energy management system, and low flow plumbing all built To LEEDS accredited standards.

Talent has added a street sweeper to its fleet which is not only providing us with cleaner streets and storm water system, but Talent will also save money as we no longer need to contract this service at a higher cost to the City. Buying a street sweeper was a win-win-win for the City of Talent.

City staff efforts to protect our storm water went further, as the Community Development Department under the leadership of Community Development Services Director Zac Moody, implemented the storm water Education Program that included FLASH articles and updates to the City's website. In cooperation with the Bear Creek Watershed Council, Talent helped create regional signage dedicated for storm water education.

Brammo has generously agreed to provide the City of Talent an electric motorcycle for our police patrols. Brammo and City Manager Tom Corrigan made it all very simple; ask and ye shall receive.

Please join me in thanking our City volunteers, local businesses, and Talent's amazing City staff for making environmental issues a priority and providing meaningful solutions.

Councilor Collins said, *"I love how passionate, creative, and driven our community members are. Local is important to me and I enjoy having access to organic and humanely raised meat, fruit, and veggies from farms here in Talent... Oh yea, and WINE!"*

**Talent voted for small town economic development.** I found it interesting to discuss Economic Development with the community. It really does mean different things to different people. But the one thing most everyone says is that we must always strive to keep Talent's small town appeal.

Councilor McManus and Councilor Pederson understand that request very well. In early 2015, McManus and Pederson unveiled goals designed to discover what the City of Talent needs, in order to support economic growth.

The City and the Talent Chamber of Commerce conducted a survey of local businesses to find out what it takes to be a successful business here in Talent. The resulting report is the beginning of a plan design for 2016. Proposed in this year's goals is a plan to formalize an Economic Development Committee. If adopted, they will be tasked to create a plan to move local business forward and address the community's desire for a small town economy. Thank you to Councilor McManus and Councilor Pederson for moving our Economic Development plans in the right direction.

Also, Talent's Community Development Department received a technical assistance grant of \$20,000 from the Department of Land Conservation and Development. It will partially fund an Economic Opportunity Analysis in 2016. The final report will include an impact analysis of available commercial and industrial lands, address trends on Talent's economic development, and help us discover what Talent's competitive advantage is for attracting small town appropriate light industry.

When asked about Talent, Cynthia Care of Friends of Wagner Creek said, *"I love walking to do my errands in Talent, and greeting friends, old and new. Talent is a wonderful mix of people."*

Councilor McManus said, *"What I love about Talent is that the community represents the true meaning of the city's name. No matter how small we are, our talents in art, business, community support, and agriculture surpasses many to make it the only city in America worthy of its name."*

**Talent voted for continued improvements to infrastructure, fiscal responsibility and governmental efficiency.** While we focus on the improvements and installments to our infrastructure, please know that we make our strides in spite of the constant maintenance demands on Public Works Superintendent Bret Marshall to keep our roads sealed, to keep the water flowing to your faucets and to keep the parks well groomed.

Improvements to parks have been many. In 2015, Talent installed the number one requested amenity by citizen survey. The Splash Pad phase 1 was completed and opened to a large crowd of over-joyed little ones. Also in parks is a new dog pool and pet drinking fountain at the Bark Park and the beautiful new volleyball nets at Chuck Roberts Park.

In 2015, we added a section of property to parks along Wagner Creek just behind the Oak Valley subdivision which has long been designed into the City Parks Master Plan.

When asked, Paul Hadella, chairman of Talent's Parks and Recreation Commission said that he *"loves our clean, well-maintained parks. They offer something for everyone, from dog owners and nature lovers to kids who turned out in droves last summer to enjoy our new splash pad at Chuck Roberts."*

Turning to water infrastructure. In 2015, Talent City Council approved the purchase of new technology that will better monitor our water delivery system. This new technology, called SCADA, will allow operations managers to see how our water system is operating from online, from anywhere at any time. If there is a failure, Talent staff can respond immediately. This will be particularly important for Talent, as we now share water delivery lines with Ashland and Phoenix.

Other improvements to our infrastructure include better information management within our Community Development Department. Our development codes are being revamped, and our City maps including flood plain maps are being updated. The improvements not only make us ready to respond to growth with intentional planning, but they have also resulted in ratings that reduce community flood insurance premiums by 5%.

Talent Police Department, under Chief Mike Moran, works hard to keep our community safe and organized. We have had two promotions to Lt. and Corporal. Talent purchased two badly needed police vehicles, as well as the full deployment of officer body cams to insure transparency in their daily activities. Officers trained in Crisis Intervention for a better knowledge of interacting with people with mental illness. Officers responded to 3920 calls for service and still exceeded their community outreach goals with eight public meeting events.

Darin Welburn, Fire Chief for Jackson County Fire District 5, said, *"I love the small town feel with so many friendly people. I think the working relationships between the various departments are exceptional."*

Fiscal responsibility is an all too often loosely used term thrown around without backup! Administrative Services Director Denise Woodman continues Talent's legacy in finance with another clean unqualified audit report, healthy City reserves, and contingency funds and a 5% unappropriated ending fund balance to provide for City cash flow, when starting the next fiscal year. As of 2015, 15% of all customers receive their bills by email and 16% now have an auto pay feature in order to pay their monthly utility bill. A source of pride for Talent is that our current debt service remains at 4% of the total budget, stating clearly that we are not robbing Talent's future.

Two other important efforts are the City Charter Review and the Round About project on Valley View. The City Charter is the legal document that establishes Talent as a City within the county and establishes the structure under which the City must operate. Installed by the vote of the people, there is no higher authority within our City's government. The Talent Charter has been the subject of challenge several times since its last update in 2002. Some of the best minds in Talent, led by Councilor Cooke, set out to improve the City Charter. There are some very important suggested changes that are being considered, which may appear on the ballot of the upcoming General Election. The City of Talent owes Councilor Cooke many thanks for leading such a fine team in an effort to improve Talent's most important guiding document.

I cannot close this address without an update on the roundabout, known as the Valley View project. The public Plaza is nearly completed. Everyone should be able to now see the beauty of this most useful community space.

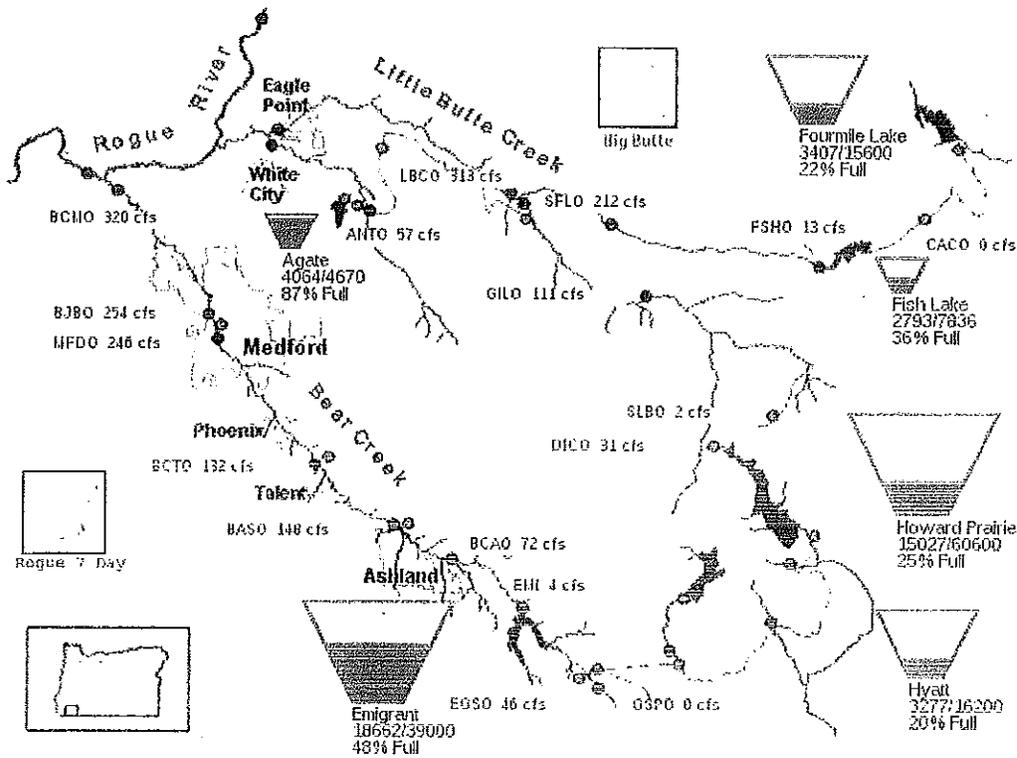
As many know, the remaining phase of the Valley View roundabout is designed over the property owned by the Talent Irrigation District. The Talent Urban Renewal Agency is assessing the property in partnership with the Talent Irrigation District so that we can best serve the citizens of Talent and the customers of the irrigation district in negotiations. We are dedicated to the notion that as long as we focus on the positive development of our community, we will have the project completed before 2019, which is when Talent Urban Renewal Agency ceases to exist. Once completed, Talent will finally realize the full potential of this design nearly 15 years in the making with better traffic flow through our downtown retail and into our neighborhoods on the west side of town. We are very grateful for the positive collaboration between the Talent Urban Renewal Agency and the Talent Irrigation District.

I will close with what I love most about Talent. *“Talent is truly a diverse City, with a great many perspectives, all them making it our home. If you hang around long enough, you can see the imprint we all have made together, and that is a pretty amazing thing.”*

Thank you and many blessing to our beautiful little City of Talent.

# US Bureau of Reclamation, Pacific Northwest Region Bear Creek and Little Butte Creek Basins

02/03/2016



PROVISIONAL DATA - SUBJECT TO CHANGE!

Average daily streamflows indicated in cubic feet per second.  
Reservoir levels current as of midnight on date indicated.  
Click on gaging stations (red dots) for streamflow hydrographs.

# ANNUAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2015

2014-2015

Talent Urban Renewal Agency

This report fulfills the requirements, prescribed in ORS.457.460, for the filing of an annual report detailing the financial activity of an urban renewal area established in Oregon.



TALENT URBAN  
RENEWAL AGENCY  
P.O. Box 445  
Talent, OR 97540

# Annual Report for Fiscal Year Ending June 30, 2015

TALENT URBAN RENEWAL AGENCY

## AGENCY HISTORY

The Talent Urban Renewal Agency (TURA) was formed in 1991. It is a separate legal and financial entity, with a financial structure different from that of a City. TURA maintains a separate budget and separate capital improvement program. This year the Talent City Council voted to become the Urban Renewal Board, as allowed by law, after numerous vacancies and the Executive Director's retirement. The City Manager will become the new Executive Director. This will become effective on July 1, 2015.

TURA's mission is to eliminate blight and, in the process, improve the safety, quality of life and economic wellbeing of those who live, work, and own property in the Talent area. Further, it is the mission of the Agency to improve the area's public infrastructure, to rehabilitate and redevelop the city's core area in a manner which respects its historic past, but recognizes the need for improved buildings, and to encourage a greater mix of businesses and services and the development of people-pleasing amenities.

The Agency designs and builds sidewalks; replaces old water lines; puts power lines underground; installs street lights and trees; builds green and civic spaces; assists economic development; and provides facade improvement grants for commercial and historic structures.

The Agency receives a portion of local property taxes, calculated by the county assessor each year according to changes in assessed value within the urban renewal boundary. Funding for projects comes from the private sale of bonds, which are repaid with a portion of property tax revenue over the life of the Agency, or through short term borrowing. The Agency plans to have all projects planned, taxation complete, and all borrowing paid off by July 17, 2019.

Urban renewal agencies are governed by Oregon Revised Statutes 457, which creates distinct differences between those agencies and their municipalities: urban renewal bonds are not general obligation bonds; voter approval is not required each time an urban renewal bond is issued; and agencies cannot spend tax revenue directly.

The maximum indebtedness established in 1991 for the Talent Urban Renewal Plan is \$17,127,276. The maximum indebtedness is the total amount of funds that can be spent on projects, programs, and administration in the urban renewal area over the life of the urban renewal plan.

Oregon state law allows cities to create urban renewal districts in size not to exceed twenty-five percent (25%) of the total assessed property value within the city limits. The base value of the Urban Renewal Area when established in 1991 and adjusted for an Option 1 Plan as a result of Measure 50 was

\$8,359,724 (“Frozen Base”), and does not exceed this limit. As of FY 14-15, the Assessed Value for the Area has increased to \$63,743,481.

## Urban Renewal Goals

TURA’s guiding document is the Talent Urban Renewal Plan and Report, as substantially amended 2005, which lists a series of goals and objectives to guide activities in the urban renewal area. Goals listed in the Plan are as follows:

- A. To enhance opportunities for residential, civic, cultural, and business property to be developed, redeveloped, improved, rehabilitated and conserved in ways which will ensure the vitality of the Area.
- B. To encourage the retention, expansion and development of diversified businesses that will produce jobs for the people of Talent and Jackson County; and
- C. Increase property values so that the Area will contribute its fair share to the costs of public services provided by the City, County, Schools and other Taxing Districts.
- D. To be responsive to the needs and the concerns of all people of Talent in the details of amending and implementing this Urban Renewal Plan;
- E. To encourage the maximum amount of public involvement, citizen participation in the formation and communication with other taxing districts in the implementation of the Urban Renewal Plan.
- F. To assist property and business owners in the rehabilitation, development or redevelopment of their buildings, property and/or leased space.
- G. To improve to City standards the Area's public streets, bicycle and pedestrian ways and utilities.
- H. To provide park facilities designed to serve the recreational needs of all age levels of Talent population;
- I. To provide streetscape improvements in areas of maximum pedestrian concentration;
- J. To provide adequate off-street parking for the convenience of people who drive to the Area;
- K. To improve the public transportation capability of the Area, including bus and rail transit.
- L. To leverage the Agency's financial resources to the maximum extent possible with other public and private investments and other public and private funding sources.

The entire Talent Urban Renewal Plan and Report can be obtained at the City Hall, 110 East Main Street in Talent. The Board has directed the Executive Director to put the completion of the roundabout and subsequent downtown development at the forefront of all goals. A list of current and future urban renewal projects can be viewed at [cityoftalent.org](http://cityoftalent.org), on the homepage under “Urban Renewal”.

## Projects completed in the last fiscal year:

*Rehabilitation/Façade Improvements Grants:* In FY 14-15, the final payment on the Farmers Insurance conceptual design services grant and partial funding for a much needed façade overhaul to convert a former gas station into a professional office at 2 Talent Avenue was made.

*West Valley View Master Plan:* In FY 14-15, TURA completed Phase 1C of this new street network plan situated in downtown Talent, which was first conceived as an urban renewal project in 2004 and will be completed in 2015. Phase 1C construction installed the long-awaited roundabout on West Valley which completed the final connection to Main Street (extended in 2013

during Phase 1B) as envisioned during a public planning process with over 60 community members in 2006. This has resulted in a new entryway into the traditional downtown, a safer four-way intersection at Main and Talent Avenue, future private development opportunities, an improved utility infrastructure, and direct connection to multiple public parking spaces on Seiber Street (Phase 1A) frequently used by Camelot Theatre patrons and, in future, customers of new businesses locating to this area. Phase 1C also installed “continental” style striped crosswalks for improved visibility, and installed a pedestrian “bump out” at the Talent Avenue/West Valley View intersection to provide pedestrians a safer, shorter crossing distance. Also installed were amenities such as additional street lighting on power poles, pedestrian-scale LED lampposts near the roundabout, and a seating area near the roundabout. . A downtown plaza with on-street parking on the segment of West Valley View between the roundabout and Talent Avenue will be completed. In anticipation of this, Phase 1D, being done this summer, overhead utility wires to three residences were placed underground in anticipation of future large-scale shade trees which will be planted in public areas

## FINANCIAL REPORTING

An annual audit is conducted each year by Pauly Rogers and Co. In addition, pursuant to ORS 457.460, a detailed accounting of the financial activity specifically related to the urban renewal area is required to be reported on an annual basis. The following sections respond to the requirements of this statute.

### Tax Revenue Received

*ORS 457.460 (a)*

For FY 2014-15, the Jackson County Assessor levied \$1,265,922 for TURA, composed of division of taxes and a special levy which is unique to urban renewal agencies formed prior to 1998 as a result of Measure 50. At year’s end, tax revenue actually received was \$1,234,156. Additional revenue was received in interest earnings.

### Expenditures

*ORS 457.460 (b)*

Year-end expenditures for FY 14-15 are shown in Table 1 (Capital Projects Fund) and Table 2 (Debt Service Fund).

**Table 1. CAPITAL PROJECTS FUND - Expenditures - FY 2014-2015**

Budget Categories	Expenditures
Personnel	\$51,420
Materials and Services	\$34,592
Capital Outlay	\$801,324
<b>Total Capital Project Fund Expenditures</b>	<b>\$887,336</b>

**Table 2. DEBT SERVICE FUND -- Expenditures -- FY 2014-2015**

Debt Payments	Expenditures
Principal	\$1,145,000
Interest	\$47,580
Transfers Out for Contract Obligations	\$490,000
<b>Total Debt Service Fund Expenditures</b>	<b>\$1,682,580</b>

## Estimated Tax Revenues for Current Fiscal Year (FY 15-16)

ORS 457.460 (c)

The estimated tax revenues budgeted for FY 2015-2016 are \$1,238,000. An additional \$6,455 is anticipated to come from interest earnings

## Adopted Budget for Current Fiscal Year (FY 15-16)

ORS 457.460 (d)

The adopted budget for FY 15-16 estimates tax revenue and other financial resources to be received, as well as expenditures planned for projects, administration, and repayment of debt, as shown in the Capital Projects Fund (Table 3) and the Debt Service Fund (Table 4) below:

**Table 3. CAPITAL PROJECTS FUND – Adopted Budget -- FY 2015-2016**

Item	Budget
<b>Beginning Fund Balance</b>	\$120,312
<b>Income</b> (grant, reimbursements, debt proceeds, transfer in from Debt Service Fund for Contract Obligations)	\$505,000
<b>Expenditures</b>	
Personnel	\$52,900
Materials and Services	\$40,000
Capital Outlay	\$497,600
Contingency	\$15,000
<b>Total Expenditures</b>	\$605,500
<b>Ending Fund Balance</b>	\$19,812

**Table 4. DEBT SERVICE FUND – Adopted Budget -- FY 2015-2016**

Item	Budget
<b>Beginning Fund Balance</b>	\$413,579
<b>Revenue</b> (including earned interest)	\$1,244,455
<b>Expenditures</b> (principal, interest, transfers out to Capital Projects Fund for Contract Obligations, and borrowing costs)	\$1,209,792
<b>Ending Fund Balance</b>	\$104,742
<b>Debt Reserve (required amount held in reserve)</b>	\$343,500

## Impact on Taxing Districts

ORS 457.460 (e)

Urban renewal agencies do not create an additional tax. Instead, during the agency’s lifespan, overlapping taxing districts “forego” a percent of their permanent rate. Once the urban renewal area is terminated, the taxing jurisdictions receive their full permanent rate. For the majority of taxing districts this impact is less than 1% of their permanent rate levy. The greatest impact is on the City of Talent, at 18.46% of its permanent rate. An analysis of the tax collection impact on the permanent rate of other tax districts is as follows:

**Table 5. Impact on Taxing Districts FY 14-15**

Taxing District	Revenue Forgone	2014-15 Annual Tax Revenues	% of Total Tax Revenues
Rogue Valley Transit	\$9,810	\$2,336,023	0.42%
Jackson County Soil & Water Conservation	\$2,737	\$872,107	0.31%
Jackson County	\$111,282	\$35,056,955	0.32%
City of Talent	\$178,955	\$969,603	18.46%
Education Service District *	\$19,513	\$6,146,610	0.32%
School District Phoenix-Talent *	\$234,934	\$7,738,353	3.04%
Rogue Community College	\$28,398	\$8,944,329	0.32%
Fire District #5	\$177,078	\$4,649,787	3.81%
Vector Control	\$2,346	\$748,268	0.31%
4-H Extension	\$2,737	\$872,107	0.31%
Library	\$28,789	\$9,069,912	0.32%
<b>Total</b>	<b>\$796,579</b>	<b>\$77,404,054</b>	

Source: Jackson County SAL4e Report

\*The School District and ESD are funded through the State School Fund on a per pupil allocation. There is no *direct* impact of urban renewal on their funding. The State School Fund is funded through property tax allocations but also through other state resources

# Council Agenda Report

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Meeting Date:	March 2, 2016	Primary Staff Contact:	Zac Moody
Department:	Community Development	E-Mail:	zmoody@cityoftalent.org
Staff Recommendation:	None	Estimated Time:	5 minutes

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## **ISSUE BEFORE THE COUNCIL**

Appointment of Citizen Advisory Committee (CAC) for the City's Economic Opportunity Analysis.

## **BACKGROUND**

At the last Council meeting, staff requested the Council authorize forming a CAC to assist in the review of the upcoming Economic Opportunity Analysis. As part of the formation of this group, Planning Commission was asked to review applications from potential CAC members and make a recommendation to the City Council.

Staff is looking to appoint ten citizens to the CAC to encourage a broad review of potential policies, goals and implementation strategies. Councilor Pederson and Commissioner French will be two of the ten CAC members but do not require appointment, therefore no applications for their membership is being reviewed.

Staff received eight applications. During the meeting, the Planning Commission discussed concerns about two of the CAC members; Josh LeBombard and Kathy Trautman. Their concerns were discussed among the Commission and the Planning Commission unanimously recommended that all citizen applicants be appointed to this committee.

Each applicant has expressed interest in the future economics of Talent and would be a good fit. The recommendations are as follows:

Charlie Hamilton  
Alexis McKenna  
Kathy Trautman  
John Harrison  
Nancy Buono  
Josh LeBombard  
Bobby Townsend  
Mike Davis

The CAC will meet four times between March and June and will provide comments to the Technical Advisory Committee and ultimately make a recommendation to the Planning Commission when the study is complete. Once this recommendation has been made, Staff will present the report and supplementary documents to the Planning Commission at a public hearing where the Planning Commission will be asked to make a formal recommendation to the Council.

**RELATED COUNCIL POLICIES**

N/A

**COUNCIL OPTIONS**

Appoint all citizen applicants, Appoint only certain citizen applicants, Appoint none of the applicants

**POTENTIAL MOTIONS**

None

**ATTACHMENT**

CAC Citizen Applications

**APPLICATION FOR COMMISSION or COMMITTEE**

**City of Talent**

**110 East Main Street/PO Box 445**

**Talent, OR 97540**

**PH (541) 535-1566 FAX (541) 535-7423**

**Web: [www.cityoftalent.org](http://www.cityoftalent.org) E-mail: [talent@cityoftalent.org](mailto:talent@cityoftalent.org)**

1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Citizen Advisory Committee ⇐⇐⇐

2. Name:

Bobby Townsend

3. Mailing address:

PO Box 1376

City Talent

State OR

Zip 97540

4. Residence address (if different)

15 Renault Avenue

City Medford

State OR

Zip 97501

5. Current occupation:

Business Development Director

(\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home:

Work: 201.1050 Cell: 541.646.8001

Email: bobby@organicalcohol.com

Fax: \_\_\_\_\_

7. How long have you lived in Talent?:

November 2007

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?:

May 1996

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No  If yes, please describe: \_\_\_\_\_



APPLICATION FOR COMMISSION or COMMITTEE

City of Talent

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1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Citizen Advisory Committee ⇐⇐⇐

2. Name: Charlie Hamilton

3. Mailing address: PO Box 1313

City Talent State OR Zip 97540

4. Residence address (if different) 151 Max Loop

City Talent State OR Zip 97540

5. Current occupation: General Contractor - owner of Suncrest Homes LLC  
(\*NOTE\* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: 541-535-7763 Work: 541-944-3976 Cell: 541-944-3976  
Email: Suncresthomes@gmail.com Fax: 541-512-0926

7. How long have you lived in Talent?: 25 years

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 25 years

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No  If yes, please describe: \_\_\_\_\_



APPLICATION FOR COMMISSION or COMMITTEE

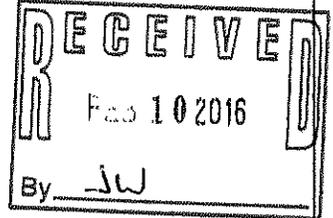
City of Talent

110 East Main Street/PO Box 445

Talent, OR 97540

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Web: www.cityoftalent.org E-mail: talent@cityoftalent.org



1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ CAC - 2016 Talent Economic Opportunity Analysis ⇐⇐⇐

2. Name: Alexis McKenna

3. Mailing address: PO Box 117

City Talent State OR Zip 97540

4. Residence address (if different) 311 Davidson Way

City Talent State OR Zip 97540

5. Current occupation: small business owner (counseling); university professor (\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: 541-535-6145 Work: Cell: Email: amckenna4cmsn.com Fax:

7. How long have you lived in Talent?: 8 years

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 8 years

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes No X If yes, please describe:

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

I have a personal interest in the topic. I am generally well-read, well-educated, and can be counted on to perform the tasks assigned to me.

11. Signature: Allyson McKean Date: 2/10/16

APPLICATION FOR COMMISSION or COMMITTEE

City of Talent

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1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Citizen Advisory Committee ←←←

2. Name:

Kathy Trautman

3. Mailing address:

100 E. Main Street, Suite A

City Medford State OR Zip 97501

4. Residence address (if different)

3524 Willow Springs Rd.

City Central Point State OR Zip 97502

5. Current occupation:

Business Development Manager - SOREDI

(\*NOTE\* If retired or unemployed, state your general or past profession)

6. Phone number(s):

Home: 541-664

Work: 541-773

Cell: 541-601-9793

Email:

Kathy@SOREDI.ORG

Fax:

7. How long have you lived in Talent?:

Do not live in Talent

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?:

Since 1971

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes

No

If yes, please describe:

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

SOREDI'S mission is to help businesses prosper to advance economic opportunities compatible with community values. We leverage our private-public partnerships, respecting every contribution. Talent is part of our region. It benefits all concerned to have a thriving community. I am qualified for appointment because SOREDI is the "pulse" of economic development in our region.

11. Signature:

Ruthy Thautman

Date:

2-9-16

APPLICATION FOR COMMISSION or COMMITTEE

City of Talent

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1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Citizen Advisory Board for Talent 2016 Economic Opportunity Analysis ⇐⇐⇐

2. Name: Nancy Buono

3. Mailing address: 240 Sweetbrier Drive

City Talent State OR Zip 97540

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Current occupation: Education Director

(\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: 516-810-6102

Email: buononancy@gmail.com Fax: 888-280-5717

7. How long have you lived in Talent?: 5 months

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 2 years

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No X If yes, please describe: \_\_\_\_\_

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

I'm passionate about living in this small town. There are so many different offerings for residents as well as the opportunity to actively participate in town governance and policies. The people here are fervent about our both quality of life and our stewardship for nature.

While we know how great this small city is, it needs a viable economic base for it to thrive and continue. We need to develop a 'brand' and signature for Talent, one that is worthy of its name. My 20+ years of work in marketing, PR, education, small business support and real estate could help me contribute to this cause. It would be an honor to work with other citizens and the town to help find our way forward, so we may maintain our small town charm and warmth, while offering something unique and of value to all of the Rogue valley. We have a great start, with a lovely community center, Bee City status and many thoughtful citizens. I'm looking forward to what we will create together.

11. Signature: \_\_\_\_\_

*Nancy Burns*

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

February 10, 2016

**APPLICATION FOR COMMISSION or COMMITTEE**

**City of Talent**

**110 East Main Street/PO Box 445**

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1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Economic Opportunities Analysis \_\_\_\_\_ ⇐⇐⇐

2. Name: Josh LeBombard

3. Mailing address: 100 E. Main Street, Suite A

City Medford

State OR

Zip 97501

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

5. Current occupation: Regional Representative- Dept. Land Conservation and Development

(\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: \_\_\_\_\_

Work: 541-414-7932

Cell: \_\_\_\_\_

Email: josh.lebombard@state.or.us

Fax: \_\_\_\_\_

7. How long have you lived in Talent?: N/A

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 9 years

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No X \_\_\_\_\_ If yes, please describe: \_\_\_\_\_

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

Department of Land Conservation and Development provided \$20,000 grant to the city to preform this work.

11. Signature: Josh LeBombard

Date: 2/11/16

**APPLICATION FOR COMMISSION or COMMITTEE**

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1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ CITIZEN ADVISORY COMMITTEE ⇐⇐⇐

2. Name: JOHN A HARRISON

3. Mailing address: 345 Willow Springs Dr

City Talent State OR Zip 97540

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Current occupation: Retired, Supervisor US Postal Service  
(\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: 541-897-0570 Work: \_\_\_\_\_ Cell: 619-253-2044  
Email: \_\_\_\_\_ Fax: \_\_\_\_\_

7. How long have you lived in Talent?: 18 months

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 18 months

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No X \_\_\_\_\_ If yes, please describe: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

I am very interested in the future of Talent and the 2016 Talent Economic Opportunity Analysis and believe

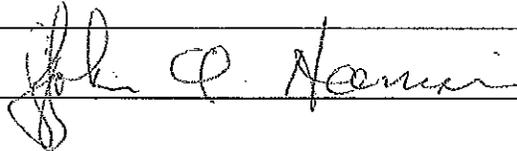
that my experience and education can assist the City of Talent.

BS Computer Tech

Accounting UN of Reno

Supervision

11. Signature:



Date:

02.09.2016

APPLICATION FOR COMMISSION or COMMITTEE

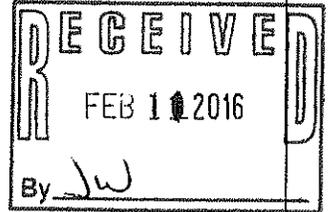
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Web: [www.cityoftalent.org](http://www.cityoftalent.org) E-mail: [talent@cityoftalent.org](mailto:talent@cityoftalent.org)



1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ CITIZEN ADVISORY COMMITTEE ←←←

2. Name: Mike Davis

3. Mailing address: 8475 Wagner Creek Rd

City Talent State OR Zip 97540

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Current occupation: Plumbing Contractor

(\*NOTE\* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: 541 535 6968 Work: 541 535 5063 Cell: 541 210 3129

Email: mikedavis555@charter.net Fax: \_\_\_\_\_

7. How long have you lived in Talent?: 31 Years

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: 39 Years

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No X If yes, please describe: \_\_\_\_\_

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

*See attached page.*

11. Signature: *Mike Davis*

Date: *2-11-16*

I have lived and operated a successful business in Talent for 31 years. My three children all attended school in the Phoenix/Talent school district.

I received a Bachelor's degree in Economics from Southern Oregon University in 1982. I previously served as a member of the Talent Architecture Committee and the Jackson County Plumbing Apprenticeship Committee. I currently serve as board member of the Southern Oregon Running Club. I have helped coach the Phoenix/Talent cross country and track teams for many years.

I believe the combination of my experience in business and my familiarity with the advantages and problems that the City of Talent faces uniquely qualified me to serve on the Citizen's Advisory Committee for Economic Development. I am invested in the future of Talent and hope this appointment will allow me to further contribute to its success going forward.

**ORDINANCE # 16-914-O**

**AN ORDINANCE PROVIDING FOR RULES AND REGULATIONS OF PUBLIC PARKS - DEFINING AND PUNISHING CERTAIN OFFENSES AGAINST THE PUBLIC GENERAL WELFARE. REPEALING ORDINANCE 72-286-O (AS AMENDED BY 91-528-O, 99-669-O, 99-674-O, 03-744-O, 04-753-O, 06-812-O, 11-860-O, & 13-869-O).**

**Commented [TT1]:** Consolidating Ordinances: 72-286-O, 91-528-O, 99-669-O, 99-674-O, 03-744-O, 04-753-O, 06-812-O, 11-860-O, & 13-869-O

WHEREAS,

THE CITY OF TALENT ORDAINS AS FOLLOWS:

**Article I Definitions:**

**Camp:** To set up, occupy, or to remain in or at a campsite

**Campsite:** Any place where any bedding, sleeping bag or other material used for bedding purposes, or any stove or fire, is placed, established or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack or any other structure, or any vehicle or part thereof.

**Companion Animals:** A dog or cat possessed by a person, business or other entity for purposes of companionship, security, hunting, herding or providing assistance in relation to a physical disability.

**Dwell:** To regularly or intermittently remain for such a period of time at or near a particular location, premises or area so as to create a circumstance normally or reasonably associated with inhabiting, living, or assuming a possessory interest in such area.

**Horse:** In addition to its ordinary meaning it also includes mules, donkeys and other rideable animals.

**Livestock:** Equines, cattle, sheep, goats, llamas, alpacas, and swine.

**Miscellaneous Protective Equipment:** Miscellaneous Protective Equipment includes, but is not necessarily limited to, elbow pads, kneepads, wrist pads, and other protective equipment suitable for Skateboard or Bicycle use. Said equipment must meet all applicable standards, be in good condition, and be properly deployed.

**Protective headgear:** Protective Headgear means a helmet that meets the requirements set by the Department of Transportation that conform, insofar as practicable, to national safety standards and specifications as required in ORS 815.052.

**Skateboard:** The term Skateboard includes skateboards, roller skates, in-line roller skates, blades, scooters, coasters, roller skis, and similar devices appropriate for use in the City Skate Park.

**Article II Regulated Enforcement Specifically Related to any City Owned Public Park:**

**Section 1. Fires**

No person shall build, light or maintain any fire within a city park except in a stove pit or fireplace designated for such purpose by the Talent City Council or its authorized agent or employee. Provided, however, that portable gas, gasoline and oil stoves may be used within said park if in safe operating condition.

**Fires - Unattended**

No person shall leave a fire unattended while in a city park, and no person shall leave a city park before extinguishing any fire built, lighted or maintained by himself in any such park

**Fires Near Brush, etc.**

No person shall build, set or maintain any fire so near to any pile of driftwood, underbrush, log, snag or stump as to constitute an immediate hazard to such driftwood, underbrush, log, snag or stump in a city park.

**Firearms**

Except as otherwise allowed by state law, no person shall discharge any firearm within or into any city park, nor shall any person bring into any city park any firearm unless said firearm is carried openly and is not loaded.

**Section 2. Animals**

No person shall in any manner pursue, kill, injure, hunt or molest any bird or animal within any such city park except for the control of predatory animals as may be ordered by the council of the City of Talent.

**Section 3. Plants - Structures**

No person shall pick, mutilate, dig or remove from the park any plant or plants or in any way deface or mutilate, burn, destroy, defile or remove any railing, building, seat, fence, park facility, other structure or tree within a city park or remove from the park any logs or wood.

**Section 4. Soil - Rock**

No person shall dig up or remove any soil, rock, stones or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast, or cause or assist in doing any of said things within the limits of a city park without the permission from the City of Talent.

**Section 5. Signs**

No person shall erect signs, markers, or inscriptions of any type within the limits of a city park without written approval of the City Planner and Parks & Recreation Commission. Allowed signs shall be limited to identification signs, directional signs and donor plaques.

**Section 6. Soliciting**

No person, while in a city park, may operate a concession, either fixed or mobile, or engage in the business or soliciting, selling or peddling any liquids or edibles for human consumption, or hawk, peddle or vend any goods, wares or merchandise, or connect a public address system to city power outlets in a city park without specific written authority from the city manager of Talent.

**Section 7. Hours of Usage**

City parks shall be open for usage only during daylight hours, with exceptions described below. Parks shall be closed and not for public use during the hours of darkness. Exceptions are:

- A. Lynn Newbry Park shall be open after dark only for the purpose of greenway users having access to the Bear Creek Greenway, during the Greenway's authorized usage hours (6:00 a.m. to 10:00 p.m.).
- B. City park usage after dark may be authorized by the city manager through an established permit process that has been authorized by resolution of City Council.

**Section 8. Request for Signs or Overnight Camping - Fees**

- A. Requests to place signs, markers or inscriptions or for overnight camping in any city park shall be on forms approved by the Board of Park and Recreation Commissioners.
- B. The city manager shall issue permits for the placement of signs, markers or inscriptions or overnight camping if approved by the Board of Park and Recreation Commissioners.
- C. Fees for permits issued under subsection B. of this section shall be set by resolution of the City Council.

**Section 9. Vehicles**

No automobiles, trailers or other vehicles shall be driven or parked in any areas other than those provided, maintained or designated for such purposes.

**Section 10. Speed Regulations**

No person shall drive a vehicle within a city park at a speed greater than is reasonable and prudent having due regard for traffic, surface and strength of roadways, hazards at intersections and other conditions then existing. In no case shall a person operate a vehicle in speeds in excess of fifteen (15) miles per hour, unless otherwise posted.

**Section 11. Companion Animals**

Other than within a designated public park or open space area (i.e. Dog Park, Bear Creek Greenway, etc.), as determined by the Talent Parks & Recreation Commission, it shall be an infraction for any person who owns, or is in possession or control of, companion animals, any domesticated animal or livestock to cause, or knowingly permit such animal to be within the boundaries of any park, except when accessing the Bear Creek Greenway, in the City of Talent. This section shall not apply to seeing-eye dogs, dogs for the deaf, any licensed/certified assistance therapy dogs, and police K9 dogs in the lawful performance of their duty. Only in designated fully enclosed fenced areas (i.e., Dog Park) may companion animals be allowed off leash.

**Section 12. Depositing Litter, Rubbish, Garbage or Trash**

- A. No person shall leave any bottles, cans, ashes, waste paper, rubbish or garbage in a city park except in receptacles designated for that purpose.
- B. It shall be unlawful for any person to haul household garbage, rubbish, or trash to the city park and deposit the same in the park or on public property.

**Section 13. Water Pollution**

No person shall wash any clothing or other material, or clean any fish in a lake or stream, nor in any way pollute any stream or lake in a city park.

**Section 14. Camping**

No camping, or dwelling shall be permitted in city parks except by written permission from the City of Talent.

**Section 15. Use of Skateboards, Scooters, and Bicycles**

A) Prohibited Use

The use of Skateboards, is prohibited in all City parks other than the Skate Park. All Skateboards and Bicycles operated in the Skate Park shall be operated exclusively by human power. Use of motorized Skateboard or Bicycles (whether gas or electric) is prohibited.

B) Skate Park Rules and Regulation

The City establishes the following rules and regulations pursuant to this Ordinance. The City reserves the right to adopt additional rules and regulations, which shall be posted at the Skate Park, and shall be enforceable as if they were fully set forth in this Ordinance.

1) Use of Protective Equipment

- (a) Any person operating a Skateboard or Bicycle, within the Skate Park

shall use protective headgear as defined in this Ordinance.

(b) Any person operating a Skateboard or Bicycle within the Skate Park should also wear appropriate Miscellaneous Protective Equipment as defined in this Ordinance.

2) Risk of Use. Use of the City Skate Park may constitute a hazardous recreational activity. All users of the skate park are deemed to do so at their own risk. No attendant will be on duty, and the City will not be responsible or liable for injury, death or theft of property.

3) Hazardous Conditions. Users of the skate park should not use the Skate Park when the skating surfaces are wet, slippery, damaged, hampered or blocked, or otherwise compromised. Users observing damage should promptly notify the City Department of Public Works. Inclement weather may be cause for park closure, at the City's discretion.

4) Prohibited Use. Users of the Skate Park are prohibited from acting in a careless manner that endangers or would be likely to endanger any person or property.

5) Loitering. Use of the Skate Park constitutes a potentially hazardous recreational activity, one that is often undertaken by individuals of young age or with little experience and who consequently increases the risk of injury to themselves and others. Serious injury may result to users of all skill levels, including, but not limited to colliding with or avoiding other users, falling on or scraping the concrete Skate Park surface or other objects, and injuries from unattended rolling or flying objects. Such injuries may include death, paralysis, brain injuries, broken bones, and other serious injuries. Safe use of the Skate Park requires careful concentration and a calm environment free from distractions, including, without limitation, loud noises, crowded conditions, threatening or otherwise intimidating behavior, and other kinds of behavior prohibited under this Ordinance. Loitering inside the fenced area for the purpose- or with the effect- of distracting Skate Park users is consequently strictly prohibited because it may cause or lead to injury by Skate Park users. It shall be unlawful for a person to behave in a manner or under circumstances manifesting the purpose or effect of distracting others from safely using the Skate Park. Such circumstances shall include any violation of this Ordinance or:

(a) Repeatedly beckoning to, stopping, or attempting to stop users or spectators of the Skate Park, or repeatedly attempting to engage passers-by in conversation;

(b) Repeatedly interfering with the free passage of other persons;

(c) Behavior that raises a reasonable suspicion that a person is about to engage in or is engaged in an activity that would violate this Ordinance or distract users of the Skate Park;

(d) Acting under circumstances that warrant justifiable alarm for the safety of Skate Park users or for the Skate Park property and, upon inquiry by a police officer, refusal to identify himself or herself and give a

reasonably credible account of his or her presence or purpose;

(e) Taking flight upon the approach or appearance of a police officer.

6) General Behavior. All persons must use the Skate Park safely and responsibly. Negligent or reckless behavior is prohibited in the Skate Park, including, but not limited to tandem riding, pushing, horseplay, bullying, profanity, or any other activity that could endanger the safety of users.

7) No Modifications. The Skate Park is to be used as designed. No modifications shall be made to the surface or features of the Skate Park, and no ramps, jumps, or obstacles shall be placed within the park.

8) Tobacco And Alcohol. Use of all tobacco products is prohibited in the Skate Park. Use or possession of alcohol is prohibited in the Skate Park.

9) Breakable Objects Prohibited. Glass or other easily breakable containers are prohibited inside the fenced area.

10) Amplified Music or Sound Prohibited. Use of amplified music or sound is prohibited.

11) Reservation of Rights to Close. The City reserves the right to close the park in the event of vandalism, graffiti, or aggressive behavior.

12) Exclusion from Skate Park. The City reserves the right to exclude users at such times as the City deems the Skate Park to be at full capacity.

13) Video Surveillance. The City reserves the right to subject the Skate Park to video surveillance at any or all times.

14) Right to Bar. The City reserves the right to eject and bar from the park any person who violates these rules and guidelines. Repeat violations may result in prohibition from future park usage.

### C) Impoundment

The Chief of Police and those sworn police officers acting under the command of the Chief of Police, upon probable cause that a person is in violation of the requirements within this section to wear protective headgear, may impound the skateboard, scooter, in-line skates, bicycle or other device at the time of the violation and issuance of a citation for said violation.

1) First Impoundment: The device impounded under this ordinance shall be returned, after conviction of the violator and satisfaction of the terms of the sentence, to the owner, or if the person shall be acquitted of the charge, the impounded personal property shall be forthwith returned to the persons from whom it was taken for impoundment.

2) Second Impoundment – Additional Impoundments: When the device is impounded a second time, or multiple times, due to violations of this ordinance,

it shall be disposed of according to the order of the court, provided that if the person shall be acquitted of the charge, the impounded personal property shall be forthwith returned to the persons from whom it was taken for impoundment.

**Section 16. Alcohol:**

The possession and use of alcohol is prohibited in all public parks. Permits can be issued for special events at the discretion of the city manager and when the applicant possesses a license for special events issued by the Liquor Control Commission.

**Section 17. Private Use of City Parks:**

Private use of city parks is permitted for specific purposes and under defined terms and conditions as are defined in the City Park Application Agreement. The city manager may issue permits for uses as authorized.

**Section 18. Authority**

In order to enforce all rules and regulations, and to maintain a sanitary and orderly appearance in city parks, any officer of the Police Department is vested with the authority to require, under penalty of law, all persons using said park to abide by the rules and regulations.

**Section 19. Penalties**

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$250.00

Duly enacted by the City Council in open session on \_\_\_\_\_ by the following vote:

Ayes: 0      Nays: 0      Abstain: 0      Absent: 0

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

**ORDINANCE NO. 16-915-O**

**AN ORDINANCE ESTABLISHING A PROGRAM FOR THE MAINTENANCE AND OPERATION OF TALENT CITY PARKS AND IMPOSING A SURCHARGE FOR ONGOING FUNDING. REPEALING ORDINANCE 05-795-O (AS AMENDED BY ORDINANCE 07-828-O).**

**Commented [TT1]:** Consolidating Ordinance 05-795-O & 07-828-O

WHEREAS, the public parks of the City of Talent, if not managed through a strong program of maintenance and operation, can deteriorate causing loss of function, beauty, opportunity for recreational and social activities, as well as the blighting of residential and commercial neighborhoods and other areas of the City and loss of property value; and

WHEREAS, the City Council has concluded that providing recreational programs at these parks and other public facilities will allow citizens of all ages the opportunity to learn leisure time skills that will have a positive effect on the community; and

WHEREAS, the City Council has concluded that helping to ensure adequate maintenance and operation of Talent public parks through adequate funding is a priority need; and

WHEREAS, to help satisfy these needs, the City has developed a funding mechanism involving a surcharge; and

WHEREAS, the City Council finds that this program for the maintenance and operation of Talent City Parks and the methodology of apportioning a surcharge is a reasonable and rational way to provide a safe, functioning public parks system;

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

The Parks Maintenance and Operations Act, attached hereto as Exhibit "A," is adopted into the General Ordinances of the City of Talent as a means of providing adequate parks maintenance and operations throughout the City of Talent as well as recreational programs.

In the event any section, subsection, paragraph, sentence or phrase of this ordinance or any administrative policy adopted herein is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remainder of the ordinance shall continue to be effective.

Nothing contained herein shall be construed as limiting the City's authority to levy special assessments in connection with public improvements and recreation programming pursuant to applicable law.

The surcharge herein constitutes a revenue raising device for the specific purposes described in the Ordinance. The surcharge is not intended to be a tax, and is

not subject to the property tax limitations of Article XI, Section 11(b), of the Oregon Constitution.

This Ordinance shall become effective within thirty (30) days of its adoption by the City Council.

Duly enacted by the City Council in open session on \_\_\_\_\_ by the following vote:

Ayes: 0      Nays: 0      Abstain: 0      Absent: 0

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

**EXHIBIT A**

**PARKS MAINTENANCE AND OPERATIONS ACT**

**Section 1. Title**

Sections 1 through 10 below shall be known as the Parks Maintenance and Operations Act.

**Section 2. Purpose and Intent**

A) The principal purpose of this Parks Maintenance and Operations Act is to safeguard, facilitate and encourage the health, safety, and welfare of the citizens and businesses of the City of Talent by helping to ensure the proper care and upkeep of Talent City parks. The Council finds that a continuous and consistent Parks Maintenance and Operations program provides important economic and social benefits to the public, including, but not limited to:

- 1) Provision of adequate resources for social and recreational opportunities.
- 2) Provision of adequate resources for the health, safety, and welfare of children.
- 3) Prevention of crime through the provision of healthy activities for Talent citizens.
- 4) Enhancement of the green spaces of the Talent community.
- 5) Enhanced protection of property.
- 6) Promotion of business and industry.
- 7) Promotion of community spirit and responsibly planned growth.

B) It is the intent of this Act to provide a funding mechanism to help pay for the benefits conferred on City residents and businesses by the provision of an adequate program of parks maintenance and operations, and further to help bring the Talent parks program up to an acceptable service level.

C) It shall not be necessary that the maintenance and operations expenditures from the Parks Maintenance and Operations Act specifically relate to any particular property from which the fees for said purposes were collected.

D) The structure of this Parks Maintenance and Operations Act is intended to be a surcharge for service within the City limits. However, it is not intended to provide full funding for City Parks. In the event that amounts collected under the Parks Maintenance And Operations Act are insufficient to properly operate City Parks, additional funding may be allocated by the City Council from other City funds; provided, however, that the City Council may direct the reimbursement to

such other funds if additional Parks Maintenance And Operations surcharge revenues are collected.

### **Section 3. Definitions and Calculations**

As used within this ordinance, the words and phrases below have the following definitions and meanings:

*Accessory Dwelling Unit (ADU):* Accessory Dwelling Unit on a single-family parcel shall be considered as a separate residential unit for purposes of assessment of this surcharge.

*Apartment House:* Any building or portion thereof, which contains three or more individual dwelling units, regardless of the ownership arrangement. In determining the number of units to be assessed the surcharge a 95% rate of occupancy shall be used in the calculation. (Total units in complex times 95% = number of units assessed surcharge.) Billable units shall be based on whole numbers therefore rounding up or down shall be occurring to achieve a whole number.)

*Developed Property:* A parcel or portion of real property on which an improvement exists. Improvements on developed property include, but are not limited to, buildings, parking lots, utilities infrastructure, and outside storage.

*Duplex:* Two family dwelling. In determining the number of units to be assessed the surcharge a 95% rate of occupancy shall be used in the calculation. (Total 2 units times 95% = number of units assessed surcharge. Billable units shall be based on whole numbers only.)

*Hotel/motel:* A part of a structure that is occupied or designed for occupancy by transients for lodging or sleeping, including a hotel, inn, tourist home or house, a bed and breakfast, motel studio hotel, bachelor hotel, lodging house, rooming house, dormitory, public or private club (that provides lodging), trailer or recreational vehicles providing transient housing that are subject to the Transient Room Tax as determined under the terms and conditions of Ordinance #556 shall not be subject to this surcharge to the extent that they are paying the Transient Tax to the City on a regular basis.

*Mobile Home Park:* Any lot on which two or more mobile homes are located and being used for residential purposes, other than as approved "guest house", and where the primary purpose of the property owner is to rent or lease the spaces and related or necessary facilities to the owners or occupants of the mobile homes, or to offer same in exchange for trade of services. Each space within the mobile home park is determined to represent a unit for assessment of the surcharge.

*Multiple Family:* A building or portion thereof, designed or used as a residence by two or more families or individual households, and containing two or more dwelling units. In determining the number of units to be assessed the surcharge a 95% rate of occupancy shall be used in the calculation. (Total units in complex time 95% = number of units

assessed surcharge.) Billable units shall be based on whole numbers therefore rounding up or down shall occur to achieve a whole number.

*Multiple Family Complex:* A group of two or more detached buildings used for residential purposes and located on a single tax lot with yard areas shared as common areas for all dwelling group occupants.

*Non-Residential Unit:* A use of property that is primarily not for personal, domestic accommodation, such as a business or commercial enterprise. A non-residential structure that provides facilities for one or more businesses shall have each distinct business occupation considered as a separate non-residential unit. The conducting of a business or businesses at two or more locations shall, for the purposes of this chapter, be deemed to be separate businesses and each thereof shall be subject to the surcharge provided for in this chapter. If two or more differently classified but otherwise related businesses are carried on in the same premises by the same owners, then the business shall be considered one non-residential unit; provided however, any business activity leased under concession to or owned, wholly or in part, by a different person or persons on the same premises shall be considered a separate non-residential unit. In determining whether different activities on the same premises are related to the primary use within the meaning of this section, normal and ordinary customs and usages of businesses of like nature shall be considered.

In addition to a single unit charge per business an additional surcharge shall be required based on the number of employees as reported in their Business License registration. Each increment of 10 employees shall constitute 1 unit for the assessment of the surcharge. Business License registration shall be reviewed annually in March to determine if there have been any changes to the number of employees. Adjustments shall be made as required to comply with this ordinance.

*Person:* A natural person; unincorporated association; tenancy in common; partnership; corporation; limited liability company; cooperative; trust; any governmental agency, including the State of Oregon but excluding the City of Talent; and any other entity in law or in fact.

*Residential Unit:* A residential structure that provides complete living facilities for one or more persons including, but not limited to, permanent provisions for living, sleeping, and sanitation. A home occupation business in a residential zone will be regarded only as a residential unit, not as a non-residential unit. An assessory dwelling unit on a single-family parcel shall be considered a separate residential unit. Multi-family residential property consisting of two or more dwelling units, condominium units or individual mobile home units shall have each unit considered as a separate residential unit.

*Responsible Party:* The person owing the Parks Maintenance and Operations surcharge. Two or more persons may be jointly and severally liable for payment of the Parks surcharge.

*Recreational Vehicle Park or Campground.* An area designated to accommodate recreational vehicles and/or tent campers and provide related and needed facilities and services. The surcharge assessed for such facilities shall be based on the number of spaces established for this purpose with each space equaling a unit for purposes of assessment of the surcharge.

*Transient Lodging:* See Hotel/Motel definition.

#### **Section 4. Imposition of Parks Maintenance and Operation Surcharge**

A) There is hereby created a Parks Maintenance and Operations surcharge to accomplish the purposes described in this ordinance.

B) There is hereby imposed upon the responsible party for each developed property in the City limits a Parks Maintenance and Operations surcharge of Three dollars (\$3.00) per unit per month for each residential unit and non-residential unit existing on that property. This fee is deemed reasonable and is necessary to pay for the maintenance and operations of public parks within the City of Talent. Billing shall be as a line item on the City's utility bill unless otherwise specified below.

C) Except as the fees may be reduced or eliminated under Section 8 below, the obligation to pay a Parks Maintenance and Operations surcharge arises when a responsible party uses or otherwise benefits from Talent City parks. It is presumed that Talent City Parks are used or that a benefit otherwise arises whenever the subject real property is a developed property.

D) Although this ordinance refers to "units" as a basis for calculating a Parks surcharges, the surcharges are not imposed *on* a property or on any portion thereof. The units are merely the measurement for determining the surcharge. The surcharge does not in any way create an *in rem* obligation in respect of property. The obligation to pay the surcharge is a personal obligation of the responsible party.

#### **Section 5. Dedication of Funds**

All surcharge revenues collected pursuant to the Parks Maintenance And Operations Act shall be distinctly and clearly noted in both the revenue and expenditure sections of the City Parks Fund budget and shall be used only for the maintenance, operation and administration of Talent City parks and costs incidental thereto as well as recreation programming in order to help provide for a safe, well-functioning parks maintenance and operations program. The surcharge paid and collected by virtue of this ordinance shall not be used for general or other governmental or proprietary purposes of the City except to pay for the equitable share of the cost of accounting, management and government that is attributable to the fund, which shall not exceed five percent (5%) of the gross revenues of the fund during any fiscal year.

## **Section 6. Collection**

- A) The effective starting date of this surcharge increase will be July 20, 2007, and will first appear on utility bills delivered in August 2007.
- B) Parks Maintenance And Operation surcharges shall be collected monthly. Statements for the surcharge shall be included as an additional item on the City monthly water utility billing wherever feasible, unless otherwise specified below.
- C) Unless another person responsible has properly agreed in writing to pay, and a copy of that writing is properly filed with the City, the person(s) normally responsible for paying the City's water utility charges are responsible for paying the Parks Maintenance and Operations surcharge.
- D) In the event a developed property is not served by a domestic water meter, or if water service is discontinued, the persons having the right to occupy the property shall pay the Parks Maintenance and Operations surcharge.
- E) The connection of a water meter or issuance of a building permit for a change of use will automatically initiate appropriate billing to the responsible party for surcharges under the Parks Maintenance and Operations Act. There shall otherwise be no charge for persons who have the right to occupy an undeveloped property until such time as a structure is built and a water meter is connected on that property.
- F) The imposition of surcharges shall be calculated on the basis of the number of residential or non-residential units supported, without regard to the number of water meters serving that property.
- G) Late charges shall be assessed to any Parks Maintenance and Operations surcharges not received within sixty (60) days of billing. Late charges shall be assessed on the same terms and conditions as those for delinquent water charges.
- H) At those times that a property is not occupied no surcharge shall be assessed.
- I) When a tenant or property owner moves out mid month the Parks surcharge shall be prorated based on the days of occupancy.
- J) The obligation to pay the Parks surcharge is personal to the responsible party. The City of Talent will not assess a subsequent owner of a property for uncollected amounts due from a previous owner (or responsible party under a lease or rental agreement), and will not withhold utility services to a subsequent owner.

## **Section 7. Exemptions**

A) The only exemption to this Ordinance shall be schools and water accounts where there are no structures (i.e. irrigation uses only). All other uses not defined above shall be subject to the surcharge.

B) The City Council may, by ordinance, exempt any additional class of users when it determines that the public interest deems it necessary or that the contribution to park use by such class is insignificant.

#### **Section 8. Program Administration**

A) The City Manager shall be responsible for the administration of the Parks Maintenance and Operations Act.

B) The City Manager shall be responsible for administering appeals to the Parks Maintenance and Operation surcharge under Section 9 of this ordinance.

C) The City Manager is authorized and directed to review the operation of this ordinance and, where appropriate, recommend changes thereto in the form of administrative procedures for adoption by the City Council by resolution. Such procedures if adopted by the Council shall be given full force and effect, and unless clearly inconsistent with this ordinance shall apply uniformly throughout the City.

D) The billing to non-residential units shall be reviewed annually to consider any changes in the number of employees and the number of units will be adjusted when warranted.

#### **Section 9. Appeal Process**

A) A Parks Maintenance and Operations surcharge may be appealed for change or relief in accordance with the following criteria.

1) Classification of Property. Any responsible party who disputes any interpretation given by the City as to property classification may appeal such interpretation. If the appeal is successful, appropriate relief will be granted. In such instances, reimbursement will be given for any overpayment, retroactive to the filing date of the appeal. Factors to be taken into consideration include, but are not limited to availability of more accurate information; equity relative to billing classifications assigned to other developments of a similar nature; changed circumstances; and situations uniquely affecting the party filing the appeal.

2) Financial Hardship. Any responsible party may claim a financial hardship. The City will determine financial hardship based on established guidelines. Any relief will be secondary to all other financial resources available to the responsible party. To be presumptively eligible for relief,

the responsible party's total family assets must not exceed fifteen thousand dollars (\$15,000.00), and the responsible party's gross family income must not be more than the Federal Poverty Level. The City may request verification of income, including, but not necessarily limited to W-2 employment wage forms, payroll stubs, and tax returns. The City may also request verification of assets, including, but not limited to bank statements, mortgage statements, and other information useful to the City to determine net assets.

B) An application for appeal shall state the reason(s) for appeal, and must include supporting documentation to justify the requested change or relief. An application will not be deemed complete until all information requested by the City has been provided.

C) The City Manager shall be responsible for evaluating appeals.

D) The City Manager will make all reasonable attempts to resolve appeals utilizing available existing information, including supporting documentation filed with the appeal, within thirty (30) days of the date the appeal was filed. If, however, more detailed site-specific information is necessary, the City Manager may request the applicant to provide additional information.

E) In any event, the City Manager will render a decision within ninety (90) days of the date the appeal was filed explaining the disposition of the appeal, along with the rationale and supporting documentation for the decision reached.

F) Decisions of the City Manager may be appealed to the City Council, and shall be heard at a public meeting. Upon such appeal, the City Council shall at its first regular meeting thereafter set a hearing date. The matter shall be heard solely upon the record. In no event shall a final decision be made later than ninety (90) days after the matter was formally appealed to the City Council.

G) Appeals filed within one hundred twenty (120) days of the effective date of this Ordinance shall not be subject to a filing fee. For new residents the payment of a filing fee for an appeal will begin 120 days after establishing a water service account. A fee for an appeal shall be fifty dollars (\$50.00). Should the appellant adequately justify and secure the requested change or relief no fee will be assessed. If a decision is not in favor of the appellant a fee for an appeal shall be assessed and may be added to the utility bill.

#### **Section 10. Enforcement**

A) In the event a responsible party's payment is less than the total amount due on the party's utility bill, the payment shall be applied first to fully satisfy all outstanding Parks Maintenance and Operations Surcharges, secondly to the Transportation Utility Fee, and the remainder to charges for water services.

B) In addition to other lawful enforcement procedures, the City may enforce the collection of charges required by this ordinance by withholding delivery of water to any premises where Parks Maintenance and Operations surcharges are delinquent or unpaid.

C) Notwithstanding any provision herein to the contrary, the City may institute any necessary legal proceedings to enforce the provisions of this ordinance, including, but not limited to injunctive relief and collection of charges owing. The City's enforcement rights shall be cumulative.

**ORDINANCE NO. 16-916-O**

**THE CITY OF TALENT'S FLOOD DAMAGE PREVENTION ORDINANCE AND ADOPTION OF THE MOST CURRENT VERSIONS OF THE FLOOD INSURANCE RATE MAPS (FIRM) AND FLOOD INSURANCE STUDY. AN ORDINANCE REPEALING ORDINANCE 04-752-O (AS AMENDED BY ORDINANCES 04-778-O & 11-859-O).**

**Commented [TT1]:** Consolidating Ordinance 04-752-O, 04-788-O, & 11-859-O

WHEREAS:

THE CITY OF TALENT ORDAINS AS FOLLOWS:

Section 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of Oregon has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Talent, does ordain as follows:

1.2 FINDINGS OF FACT

1.2.1 The flood hazard areas of Talent are subject to periodic inundation which may result in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

1.2.2 Potential flood losses include those caused by high velocity flows and erosion, and those caused by the cumulative effect of obstructions in areas of special flood hazards. Structures in special flood hazard areas and other obstructions increase flood heights and velocities, and, when inadequately anchored, may damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE: It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1.3.1 To protect human life and health;

1.3.2 To minimize expenditure of public money and costly flood control projects;

1.3.3 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

1.3.4 To minimize prolonged business interruptions;

1.3.5 To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;

1.3.6 To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard to minimize future flood blight areas;

1.3.7 To ensure that potential buyers are notified that property is in an area of special flood hazard; and,

1.3.8 To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES: In order to accomplish its purposes, this ordinance includes methods and provisions for:

1.4.1 Restricting or prohibiting uses that are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

1.4.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

1.4.3 Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

1.4.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and

1.4.5 Preventing or regulating the construction of flood barriers, which will unnaturally divert flood waters or may increase flood hazards in other areas.

Section 2.0 DEFINITIONS: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

2.1 "APPEAL" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

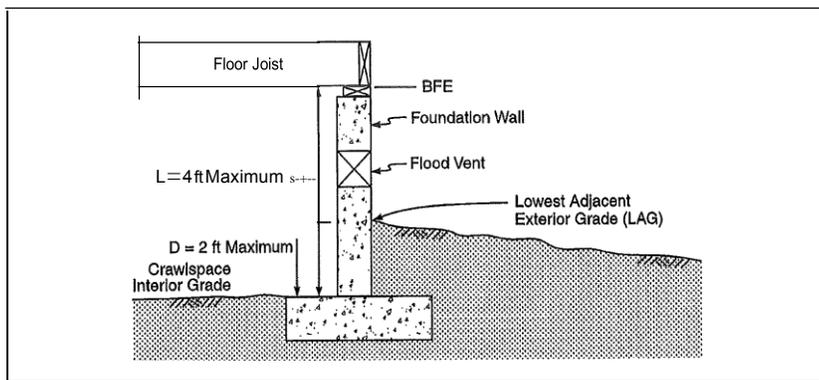
2.2 "AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letter A.

2.3 "BASE FLOOD" means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letter A.

2.4 "BASEMENT" means any area of the building having its floor subgrade (below ground level) on all sides.

2.5 "BELOW-GRADE CRAWL SPACE" means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height measured from the interior grade of the crawlspace to the top of the crawlspace foundation does not exceed 4 feet at any point (see illustration below).

Below-grade crawlspaces are allowed subject to the standards as found in FEMA Technical Bulletin 11-01, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas:



Below-Grade Crawl Space Illustration

2.6 "CRITICAL FACILITY" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, and installations which produce, use or store hazardous materials or hazardous waste.

2.7 "DEVELOPMENT" for the purposes of this ordinance, means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located or the storage of equipment or materials.

2.8 "ELEVATED BUILDING," for NFIP insurance purposes, means a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

2.9 "FLOOD" OR "FLOODING" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

2.10 "FLOOD INSURANCE RATE MAP (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

2.11 "FLOOD INSURANCE STUDY" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

2.12 "FLOODWAY" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

2.13 "LOWEST FLOOR" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built in a way that renders the structure in violation of the applicable non-elevation design requirements of this ordinance found in Section 5.2.

2.14 "MANUFACTURED HOME" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

2.15 "MANUFACTURED HOME PARK OR SUBDIVISION" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

2.16 "NEW CONSTRUCTION" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

2.17 "RECREATIONAL VEHICLE" means a vehicle that is:

- a) Built on a single chassis;
- b) 400 square feet or less when measured at the largest horizontal projection;
- c) Designed to be self-propelled or permanently towable by a light duty truck; and
- d) Designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use, not as a permanent dwelling.

2.18 "START OF CONSTRUCTION" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a

structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation of the property or accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

2.19 "STRUCTURE" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

2.20 "SUBSTANTIAL DAMAGE" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

2.21 "SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- a) Before the improvement or repair is started; or
- b) If the structure has been damaged and is being restored, before the damage occurred.

The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; OR
- b) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2.22 "VARIANCE" means a grant of relief from the requirements of this ordinance by permitting construction in a manner that would otherwise be prohibited by this ordinance.

2.23 "WATER DEPENDENT" means a structure for commerce or industry, which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

## Section 3.0 GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES: This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Talent Oregon.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD: The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Jackson County, Oregon and Incorporated Areas," dated May 3, 2011, with accompanying Flood Insurance Rate Maps, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file in the Talent Community Development Department office.

3.3 PENALTIES FOR NONCOMPLIANCE: No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$300.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Each day of noncompliance may be adjudged a separate violation. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS: This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION: In the interpretation and application of this ordinance, all provisions shall be:

3.5.1 Considered as minimum requirements;

3.5.2 Liberally construed in favor of the governing body; and,

3.5.3 Deemed neither to limit nor to repeal any other powers granted under State statutes.

3.6 WARNING AND DISCLAIMER OF LIABILITY: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance

shall not create liability on the part of the City of Talent, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

## Section 4.0 ADMINISTRATION

### 4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

4.1.1 Development Permit Required: A development permit shall be obtained before construction or other development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS," and for all development including fill and other activities, also as set forth in the "DEFINITIONS.

4.1.2 Application for Development Permit: Application for a development permit shall be made on forms furnished by the Community Development Department, and may include but not be limited to plans in duplicate, drawn to scale, showing the nature, location, dimensions, and elevations of the area in question; and the locations of existing or proposed structures, fill, storage of materials, and drainage facilities. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed;
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2; and
- d) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development. (Note that alterations or relocation of natural watercourses are prohibited under normal circumstances.)

4.2 DESIGNATION OF THE FLOOD PLAIN MANAGER: The Community Development Department is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE FLOOD PLAIN MANAGER: Duties of the Flood Plain Manager shall include, but are not limited to:

#### 4.3.1 Permit Review

- a) Review all development permits to determine that the permit requirements of

this ordinance have been satisfied.

b) Review all development permits to determine that they have obtained all necessary permits from all Federal, State, or local governmental agencies from which prior approval is required.

c) Review all development permits to determine if any part of the proposed development is located in the floodway. If any part of the proposed development is located in the floodway, assure that the encroachment provisions of Section 5.3 are met.

4.3.2 Use of Other Base Flood Data: When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Flood Plain Manager shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, to administer Sections 5.2, SPECIFIC STANDARDS, and 5.3 FLOODWAYS.

4.3.3 Information to be Obtained and Maintained:

a) Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 4.3.2, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and determine whether or not the structure contains a basement.

b) For all new or substantially improved floodproofed structures

i) Verify and record the actual elevation (in relation to mean seal level), and

ii) Maintain the floodproofing certifications required in Section 4.1.

c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3.4 Alteration of Watercourses: Alteration or relocation of a natural watercourse is not permitted as a flood hazard mitigation project under this ordinance. In the unlikely circumstance that the alteration or relocation of a water course is necessary in the response and/or recovery stages of a natural disaster, the Flood Plain Manager shall provide notice to the Department of Land Conservation and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. In that unlikely circumstance, the City shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4.3.5 Interpretation of FIRM Boundaries: The Flood Plain Manager shall make

interpretations, where needed, about the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

**4.4 APPEALS AND VARIANCES:** The Planning Commission shall hear and decide appeals and requests for variances from the requirements of this ordinance.

**4.4.1 APPEALS:** The Planning Commission shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Flood Plain Manager in the enforcement or administration of this ordinance. Those aggrieved by the decision of the Flood Plain Manager, or any taxpayer, may appeal such decision to the Planning Commission. In considering an appeal of the decision of the Flood Plain Manager, the Planning Commission shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and all of the following:

- a) The danger that materials may be swept onto other lands to the injury of others;
- b) The danger to life and property due to flooding or erosion damage;
- c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d) The importance of the services provided by the proposed facility to the community;
- e) The necessity to the facility of a waterfront location, where applicable;
- f) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
- g) The compatibility of the proposed use with existing and anticipated development
- h) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
- i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
- k) The costs of providing governmental services during and after flood

conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

4.4.2 VARIANCES: A Variance may be permitted by the Planning Commission based upon the consideration of the factors listed in 4.4.1 (a-k) above, and the variance criteria that follow. The Planning Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

a) The Variance requested is a variance from the elevation standard for new construction or substantial improvements to be erected on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (a-k) in Section 4.4.1 have been fully considered. As the lot size increases the technical justification required for issuing the variance increases; OR

b) The Variance requested is for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section; OR

c) The variance requested is for a nonresidential building in very limited circumstances, the request is to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria in Section 4.4.2, and otherwise complies with this ordinance; AND ALL OF THE FOLLOWING:

d) Variances shall not be issued within a designated floodway; and

e) The Variance requested is the minimum necessary, considering the flood hazard, to afford relief; and

f) All of the following findings have been made:

i) Failure to grant the variance would result in exceptional hardship to the applicant;

ii) Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, the creation of nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

#### 4.4.3 PLANNING COMMISSION DECISION

a) Any applicant for whom an appeal is decided or a variance is granted shall be given written notice that the structure will be permitted to be built as requested,

and subject to any applicable conditions of approval, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced flood damage prevention standard allowed for this specific application.

b) The Flood Plain Manager shall maintain the records of all appeal and variance actions, and shall report any variances to the Federal Insurance Administration upon request.

## Section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS: In all areas of special flood hazards, the following standards are required:

5.1.1 Anchoring: Anchoring is required for all substantial improvements, and new and replacement dwellings in the regulatory floodplain or in the 500-year floodplain, as follows:

a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

b) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

5.1.2 Construction Materials and Methods

a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located to prevent water from entering or accumulating within the components during conditions of flooding.

5.1.3 Utilities

a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system; and,

b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge

from the systems into flood waters;

c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### 5.1.4 Subdivision Proposals

a) All subdivision proposals shall be consistent with the need to minimize flood damage. Subdivision lot layout shall be designed to avoid conflicts with flood damage prevention strategies, and to protect water-related resources, as demonstrated in this ordinance and in Article 12 of the Talent Zoning Ordinance;

b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

d) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 10 lots or 2 acres (whichever is less).

5.1.5 Review of Permits Where Base Flood Data is Not Available: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. The developer has two options in a flood plain without base flood elevation data: 1) provide base flood elevation information at developer's expense, or 2) elevate structures at least two feet above grade.

5.2 SPECIFIC STANDARDS: In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3.2, Use of Other Base Flood Data, the following provisions are required:

#### 5.2.1 Residential Construction

a) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated two feet above the base flood elevation.

b) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces

on exterior walls by allowing for the entry and exit of floodwaters. A registered professional engineer or architect must either certify designs for meeting this requirement or meet or exceed the following minimum criteria:

- i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- ii) The bottom of all openings shall be no higher than one foot above grade.
- iii) Openings may be equipped with screens, louvers, or other coverings or devices if they permit the automatic entry and exit of floodwaters.

5.2.2 Nonresidential Construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including a basement floor, elevated two feet above the base flood elevation; or, together with requirements for utility and sanitary facilities set out below, shall:

- a) Be floodproofed so that below the flood protection level (two feet above base flood level), the structure is watertight with walls substantially impermeable to the passage of water;
- b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Flood Plain Manager, as set forth in Section 4.3, above;
- d) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2.1;
- e) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g.. A building floodproofed to the base flood level will be rated as one foot below).

5.2.3 Manufactured Homes: All manufactured homes to be placed, or substantially improved within an A or Shaded X Zone on the community's FIRM on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated two feet above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

5.2.4 Recreational Vehicles: Recreational vehicles placed on sites within A and Shaded X Zones on the community's FIRM either:

- a) Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use; be on its wheels or jacking system, and be attached to the site only by quick disconnect type utilities and security devices, with no permanently attached additions; OR
- b) Meet the requirements of 5.2.3 above, including the elevation and anchoring requirements for manufactured homes.

5.3 FLOODWAYS: Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

5.3.1 No new or replacement structures or substantial improvements are allowed within thirty-five feet of the floodway, as established in Article 12 of the Talent Zoning Ordinance. In addition, Article 12 establishes wetland and riparian area setbacks that may be stricter than the floodway setback in some cases. A structure existing within 35 feet of a floodway is a non-conforming structure, and no expansion or substantial improvement of a non-conforming structure is allowed, as established in Article 16 of the Talent Zoning Ordinance.

5.3.2 Other encroachments are also prohibited, including fill, water-related facilities and roads, unless certification by a registered professional civil engineer is provided demonstrating that such encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge.

5.4 ENCROACHMENTS: The cumulative effect of any proposed development, where combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

Duly enacted by the City Council in open session on \_\_\_\_\_ by the following vote:

Ayes: 0      Nays: 0      Abstain: 0      Absent: 0

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

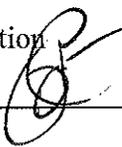


# City Council Agenda Report

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## *Agenda Item- CIP Project Allocation for Splash Pad*

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Meeting Date:	March 2, 2016	Primary Staff Contact:	Denise Woodman <i>dfw</i>
Department:	Finance/Administration	E-Mail:	denise@cityoftalent.org
Staff Approval:	Thomas J. Corrigan 	Secondary Contact:	

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### **Issue before the Council:**

The Public Works Department has requested additional funding estimated at \$6,313.87 for the Splash Pad as Phase 2. The initial Phase 1 of the Splash Pad is overspent by \$2,564.88 and will need to be covered by Parks funding within the Capital Improvement fund as well. The City Manager would like to move Parks Fund allocation within the Capital Improvement Fund as outlined below.

– Reallocate \$10,000 from Parks Land Acquisition to Splash Pad Phase 1 & 2

### **Staff Recommendation:**

Staff recommends reallocating Park Land Acquisition funds to the Splash Pad Phase 1 & 2 within the Capital Improvement Fund for further development of the Splash Pad.

### **Background:**

Parks funding has been set aside over time for the purchase of additional park lands. There is \$55,156 set aside in Park Land Acquisitions. The current direction of Parks is to make improvements within the existing parks. The Splash Pad is one of the main attractions at Chuck Roberts Park.

### **Council Options:**

Council may approve, deny or modify this request.

### **Potential Motions:**

Consensus Approval

### **Attachments:**

None



Justin M Puls Concrete Construction  
PO Box 160  
Eagle Point OR 97524  
justinpulsconcrete@hotmail.com  
OCB #170930

# Estimate

Number: E180

Date: 2/23/2016

**Billed To:**

Chance Metcalf  
Talent Public Works  
200 Suncrest Rd  
Talent, OR., 97540

**Ship To:**

Justin M Puls Concrete Construction  
PO Box 160  
Eagle Point, OR, 97524

**Project:**

Splash phase 2

Description	Amount
Approximately 600 sq ft of broom finish concrete around splash pad with two ada access points.	\$3,200.00
Approximately 60 linear feet of stripped and faced broom finish edges.	\$600.00
16 foot long bench estimated 16" tall & 12" wide to be poured in place. price based on time and materials.	\$1,460.00

**Sub Total** \$5,260.00

**Total** \$5,260.00

The estimate for the splash pad Phase II work is as follows:

- 600 Square feet of concrete with 2 ADA access points and 16 feet of sitting wall \$5260
  - 40 feet of 34" black steel railing with vertical slats and posts \$1054
- Total: \$6314

BID SCHEDULE

1.0 General Bid Specifications

PROJECT IDENTIFICATION: Tennis Courts Reconstruction & Resurfacing at Holmes Park

BID TO: City of Medford  
Attn. Jennifer Huston  
Purchasing Agent  
411 W 8<sup>th</sup> Street, Room 380  
Medford, Oregon 97501

RESPONDENT Copeland Paving, Inc Name of Respondent  
140 aggregate ave Address  
GRANTS PASS, OR 97527

1.1 The undersigned Respondent agrees, if this Bid is accepted, to enter into an agreement with OWNER, in the form defined in the Bid Documents, to perform and furnish the Work as specified or indicated in the Bid Documents for the Bid Price and within the Bid Times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

1.2 In submitting this Bid, Respondent represents, as more fully set forth in the Agreement, that:

- A. This Bid will remain subject to acceptance for 10 days after the day of Bid opening;
- B. The Owner has the right to reject this Bid;
- C. Respondent will sign and submit the Agreement with the other documents required by the Respondent Requirements within 10 days after the date of Owner's Notice of Award;
- D. All applicable federal taxes, state of Oregon taxes and City of Medford taxes are included in the Bid Price.
- E. If awarded a contract Respondent will commence the Work no later than seven (7) days after the date of receipt of Notice to Proceed
- F. Respondent has examined copies of all the Bid Documents;
- G. Respondent has visited the site and become familiar with the general, local and site conditions;
- H. Respondent is familiar with federal, state, and local laws and regulations;
- I. Respondent has correlated the information known to Respondent, information and observations obtained from visits to the site, reports and drawings identified in the Bid Documents and additional examinations, investigations, explorations, tests, studies and data with the Bid Documents;
- J. This Bid is genuine and not made in the interest of or on behalf of an undisclosed person, firm or corporation and is not submitted in conformity with an agreement or rules of a group, association, organization or corporation; Respondent has not directly or indirectly induced or solicited another Respondent to submit a false or sham Bid; Respondent has not solicited or induced a person, firm or corporation to refrain from Responding; and Respondent has not sought by collusion to obtain for itself an advantage over another respondent or over OWNER.
- K. If awarded a contract, Respondent shall comply with Oregon Revised Statutes, ORS 279C.800 to 279C.870 and pay workers not less than current BOLI Prevailing Wages.

SECTION 00300  
 BID SCHEDULE-

- L. If awarded a contract that the Contract shall contain a provision that the contractor shall pay and perform according to the conditions required by ORS 279C.505, 279C.520, and 279C.830.
- M. Respondent will sign and submit the Agreement with the Bonds and other documents required by the Respondent Requirements within 10 days after the date of Owner's Notice of Award;
- N. The cost of all required Performance Bonds and Labor and Material Payment Bond are included in the Bid Price.

**BASE BID ITEMS**

The following bid items contain general descriptions for each bid item and reference groups of tasks that are described elsewhere within this contract document in greater detail and in Section 00320, Section 01011 Scope of Project. **The contractor must submit the attached First-Tier Subcontractor Disclosure Form within two hours of bid opening.** The form is located in section 00680.

#1.	<b>MOBILIZATION: movement of personnel, equipment, materials, and incidents onto the construction site.</b>  <u>Ten thousand dollars</u> (Words) \$ <u>10,000<sup>00</sup></u> (Figures)	Lump Sum /LS All  Dollars/LS  /LS \$ <u>10,000<sup>00</sup></u>
#2.	<b>TEMPORARY WORK ZONE TRAFFIC CONTROL(Complete):</b>  <u>Five thousand eight hundred sixty four + 50 dollars</u> (Words) \$ <u>5864<sup>00</sup></u> (Figures)	Lump Sum /LS All  Dollars/LS  /LS \$ <u>5864<sup>00</sup></u>
#3.	<b>EROSION CONTROL:</b>  <u>Fifteen hundred dollars</u> (Words) \$ <u>1500</u> (Figures)	Lump Sum /LS All  Dollars/LS  /LS \$ <u>1500<sup>00</sup></u>
#4.	<b>SUBGRAGE VAPOR BARRIER:</b> 10 mil Stego Industries vapor barrier.  <u>one dollar + FIFTY FOUR cents</u> (Words) \$ <u>1.54</u> (Figures)	Square Yards /SY All <b>2,333</b>  Dollars/SY  /SY \$ <u>3592<sup>82</sup></u>
#5.	<b>PAVEMENT REMOVAL AND GRINDING EXISTING HMAC:</b> 2-4" Deep, remove, grind, and reuse HMAC rubble as aggregate fill material.  <u>0<sup>06</sup>/<sub>100</sub> cents</u> (Words) \$ <u>0<sup>06</sup></u> (Figures)	Square Feet /SF All <b>21,000</b>  Dollars/SF  /SF \$ <u>12,600<sup>00</sup></u>

SECTION 00300  
 BID SCHEDULE-

#6.	<b>BASE REMOVAL:</b> 24" Deep, 2 tennis courts; <u>Fifteen + <math>\frac{50}{100}</math> dollars</u> (Words) <u>\$ 15<sup>50</sup></u> (Figures)	Cubic Yards <b>1,144</b> Dollars/CY /CY	/CY All \$ <u>17,732<sup>00</sup></u>
#7.	<b>AGGREGATE BASE:</b> Subbase per Galli recommendation either Section A or Section B. Lowest lump sum quoted. <u>Twenty + <math>\frac{00}{100}</math> dollars</u> (Words) <u>\$ 20<sup>00</sup></u> (Figures)	Ton <b>1,600</b> Dollars/Ton /Ton	/Ton All \$ <u>32,000<sup>00</sup></u>
#8.	<b>LEVEL 2, 1/2 INCH DENSE HMAC - BASE:</b> 2 Tennis Courts <u>eighty + <math>\frac{00}{100}</math> dollars</u> (Words) <u>\$ 80<sup>00</sup></u> (Figures)	Ton <b>145</b> Dollars/Ton /Ton	/Ton All \$ <u>11,600<sup>00</sup></u>
#9.	<b>LEVEL 2, 3/8 INCH DENSE HMAC- TOP:</b> 2 Tennis Courts; <u>Eighty four + <math>\frac{00}{100}</math> dollars</u> (Words) <u>\$ 84<sup>00</sup></u> (Figures)	Ton <b>145</b> Dollars/Ton /Ton	/Ton All \$ <u>12,180<sup>00</sup></u>
#10.	<b>REMOVE AND REPLACE WITH NEW APPROXIMATELY 420' OF 10' FENCING FABRIC &amp; FENCE POSTS FOR ACCESS TO PAVING. FENCE POSTS WERE REMOVED ARE TO BE SLEEVED AND REINSTALLED TO RETAIN CURRENT LAYOUT:</b> To include all hardware, framework, base wire, etc. Fencing and posts to be same grade as existing fencing. <u>thirty two thousand eight hundred seventy + <math>\frac{00}{100}</math></u> (Words) <u>\$ 32,870<sup>00</sup></u> (Figures)	Lump Sum /LS Dollars/LS /LS	/LS All \$ <u>32,870<sup>00</sup></u>
#11.	<b>REMOVE AND REPLACE WITH NEW, APPROXIMATELY 160' OF 4' FENCING FABRIC &amp; FENCE POSTS FOR ACCESS TO PAVING. FENCE POSTS THAT WERE REMOVED ARE TO BE RELOCATED IN THE SAME LOCATIONS AND SLEEVED TO RETAIN CURRENT LAYOUT:</b> To include all hardware, framework, base wire, etc. Fencing and posts to be same grade as existing fencing. <u>five thousand six hundred forty seven + <math>\frac{00}{100}</math></u> (Words) <u>\$ 5,647<sup>00</sup></u> (Figures)	Lump Sum /LS Dollars/LS /LS	/LS All \$ <u>5,647<sup>00</sup></u>

SECTION 00300  
 BID SCHEDULE-

#12.	<b>4-COAT PLEXIPAVE ACRYLIC LATEX SYSTEM OR            DECCOLOR ACRYLIC LATEX SYSTEM:</b>	Lump Sum	/LS	All
	Application is for entire surface of two tennis courts;			
	<u>Twenty one thousand + <math>\frac{00}{100}</math></u> (Words)	Dollars/LS		
	\$ <u>21,000</u> (Figures)	/LS		\$ <u>21,000</u> <sup>00</sup>
#13.	<b>NEW MAN GATES ON COURT FENCING:</b>	Lump Sum	/LS	All
	Construction to match existing man gates.			
	<u>one thousand three hundred twenty three + <math>\frac{00}{100}</math></u> (Words)	Dollars/LS		
	\$ <u>1323</u> <sup>00</sup> (Figures)	/LS		\$ <u>1323</u> <sup>00</sup>
#14.	<b>(2) SETS OF NEW TENNIS EQUIPMENT:</b>	Lump Sum	/LS	All
	Posts, nets, center anchors/straps. See scope of work for details.			
	<u>four thousand nine hundred</u> (Words)	Dollars/LS		
	\$ <u>4900</u> <sup>00</sup> (Figures)	/LS		\$ <u>4900</u> <sup>00</sup>

**TOTAL BASE BID:**

one hundred seventy two thousand eight hundred eight +  $\frac{82}{100}$   
 (Words) \$ 172,808<sup>82</sup>  
 (Figures)

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 BID SCHEDULE-

**Bid Alternate #1.** **PAVEMENT REMOVAL:** 2-4" deep. Cost increase to remove pavement and not reuse rubble as fill material. Disposal per ODOT Section 00621.42 of this document. **Lump sum /LS All**

Zero Dollars/LS  
 (Words)  
 \$ 0 /LS \$ Ø  
 (Figures)

**Bid Alternate #2.** **LANDSCAPING:** Remove all Juniper, Hypericum, Blackberry, Mugo Pine, and underbrush in landscape bed on west side border in the shape of a horseshoe. (See Attached Map) Trees are to be retained per specification. Level with topsoil and replant with 500 1gal Blue Pacific Juniper. Plant spacing is to be 4'. Add (1) new irrigation valve, off marked mainline pipe, and add spray head irrigation (MP Rotators) to all plants and trees per specifications. Finish with 4" of beauty bark across entire area. **Lump sum /LS All**

Forty six thousand four hundred + 20 Dollars/LS  
 (Words) 700 dollars  
 \$ 46,400<sup>20</sup> /LS \$ 46,400<sup>20</sup>  
 (Figures)

**Bid Alternate #3.** **LEVEL 3, 1/2 INCH DENSE HMAC IN LIEU OF LEVEL 2 - BASE ON TENNIS COURTS:** 2 Tennis Courts; **Ton /Ton All**

Zero Dollars/Ton  
 (Words)  
 \$ 0 /Ton \$ Ø  
 (Figures)

**Bid Alternate #4.** **LEVEL 3, 3/8 INCH DENSE HMAC IN LIEU OF LEVEL 2. - TOP ON TENNIS COURTS:** 2 Tennis Courts; **Ton /Ton All**

Zero Dollars/Ton  
 (Words)  
 \$ 0 /Ton \$ Ø  
 (Figures)

**Bid Alternate #5.** **CEMENT TREATMENT IN LIEU OF AGGREGATE BASE:** Cement treatment per Galli recommendations of 5% 16 inch deep for 2 Tennis Courts; **Lump Sum /LS All**

Thirty nine thousand seven hundred twenty + 00 Dollars/LS  
 (Words) 100  
 \$ 39,720<sup>00</sup> /LS \$ 39,720<sup>00</sup>  
 (Figures)

**Bid Alternate #6A.** **BASKETBALL, COVERED AREA, AND PATHWAY RESURFACING:** 1 Basketball Court, Covered Shade Canopy Area, and Partial Pathway Area. Pavement removal, base removal, and aggregate base as outlined in the Division 3. Level 3 HMAC for base and top layers. **Lump Sum /LS All**

Twenty nine thousand Two hundred eighty eight + 00 Dollars/LS  
 (Words) 100  
 \$ 29,288<sup>00</sup> /LS \$ 29,288<sup>00</sup>  
 (Figures)

SECTION 00300  
 BID SCHEDULE-

Bid Alternate #6B.	<b>BASKETBALL, COVERED AREA, AND PATHWAY RESURFACING:</b> 1 Basketball Court, Covered Shade Canopy Area, and Partial Pathway Area. Pavement removal, rock base removal, and Cement treatment in lieu of 6A. Level 3 HMAC for base and top layers.	Lump Sum	/LS	All
		Dollars/LS		
	(Words)			
	\$ <u>Can not get machine into area</u>	/LS		\$ <u>Blank</u>
	(Figures)			
Bid Alternate #8.	<b>REMOVAL AND REINSTALLATION OF EXISTING SHADE STRUCTURE:</b> To include sleeving of poles and reinstallation.	Lump Sum	/LS	All
		Dollars/LS		
	(Words) <u>eleven thousand two hundred fifty + <sup>00</sup>/<sub>100</sub></u>			
	\$ <u>11,250<sup>00</sup></u>	/LS		\$ <u>11,250</u>
	(Figures)			
Bid Alternate #9.	<b>TOPSOIL FOR ROOT PROTECTION:</b> Topsoil needed to raise path to protect root system of two pine trees adjacent to shade structure. Grade is to create fall to catch basin on south end of shade canopy.	Lump Sum	/LS	All
		Dollars/LS		
	(Words) <u>seven thousand seven hundred forty one + <sup>00</sup>/<sub>100</sub></u>			
	\$ <u>7,741<sup>00</sup></u>	/LS		\$ <u>7,741<sup>00</sup></u>
	(Figures)			
Bid Alternate #10.	<b>4-COAT PLEXIPAVE ACRYLIC LATEX SYSTEM OR DECOCOLOR ACRYLIC LATEX SYSTEM:</b> Application is for entire surface of basketball court plus striping per specifications.	Lump Sum	/LS	All
		Dollars/LS		
	(Words) <u>Ten thousand + <sup>00</sup>/<sub>100</sub></u>			
	\$ <u>10,000</u>	/LS		\$ <u>10,000<sup>00</sup></u>
	(Figures)			

SECTION 00300  
BID SCHEDULE-

By my signature below, I hereby attest to the willingness to comply with the wage provisions set forth in ORS 279.348 through 279.365.

By my signature below, I hereby affirm that I  am  am not (check appropriate line) a "resident bidder". "Resident Bidder" means a bidder that has paid unemployment taxes or income taxes in this state during the twelve calendar months immediately preceding submission of this bid, has a business address in this state, and has stated in this bid whether the bidder is a "resident bidder".

BIDDER

The name of the bidder submitting this Bid is:

Copeland Paving, Inc.

Doing business at: 140 Aggregate Ave

GRANTS PASS <sup>Street</sup> OR 97527  
City State Zip

(541) 862-2390  
Phone

Which is the address to which all communications concerning this Bid and with the contract shall be sent.  
Jerry@copelandasphalt.com or P.O. Box 220 Murphy, OR 97533

The names of the principal officers of the corporation submitting this Bid, or of the partnership, or of all persons interested in the Bid as principals are as follows:

<u>Robert S. Copeland</u>	<u>President</u>
<u>Jerry Reedy</u>	<u>Secretary</u>

IF SOLE PROPRIETOR OR PARTNERSHIP

IN WITNESS hereto the undersigned has set his/her hand the 1 day of Sept, 2015.

Jerry Reedy  
Signature of Bidder

Secretary  
Title

IF CORPORATION

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed

by its duly authorized officers this 1<sup>st</sup> day of September, 20 15.

Name of Corporation Copeland Paving, Inc.

BY Jerry Kew

TITLE Secretary

ATTEST Jane Pruitt

WORKERS' COMP INFORMATION  
(REQUIRED BY BUREAU OF LABOR & INDUSTRIES)

Construction Contractors Board Registration Number: 16480

Workers' Comp Insurance Company: SALF Corp

Workers' Comp Policy/Binder Number: 249450

**FIRST-TIER SUBCONTRACTOR DISCLOSURE FORM  
(OAR 137-040-0017)**

PROJECT NAME: TENNIS PARK RECONSTRUCTION & RESURFACING  
AT HOLMES PARK  
BID CLOSING: DATE: SEPTEMBER 2, 2015, 2:00 PM PST

**DISCLOSURE DEADLINE DATE: TIME:**

This form must be submitted within two (2) hours of the advertised bid closing date and time; no later than the DISCLOSURE DEADLINE stated above.

List below the Name, Address, Dollar Value, Construction Contractor Board (CCB) number if required, Contact Name and Telephone Number of each subcontractor that will be furnishing labor or materials that are required to be disclosed. Enter "NONE" if there are no subcontracts that need to be disclosed. (IF NEEDED ATTACH ADDITIONAL SHEETS.)

NAME / ADDRESS	DOLLAR VALUE / CCB#	CATEGORY OF WORK	CONTACT NAME/PHONE #
1) <i>Porter W. Yett Company</i> 5949 Cully Blvd Portland, OR 97085	\$ 24,100 CCB# 35788	<i>Pulverizing spread cement</i>	<i>Porter Yett</i> 503 282-3251
2) <i>Baynon Sports</i> 19608 SW 129th Tualatin, OR	\$ 26,820 CCB# 164916	<i>Surfacing</i>	<i>Coby Taylor</i> 503-539-7930
3) <i>Quality Fence</i> 114 W. Pink St Central Point, OR	\$ 36,755 CCB# 8936	<i>Fencing</i>	<i>Rick Dolmage</i> 541-664-2281
<i>Mountain View</i> CCB# 15639 <i>Landscape</i>		<i>Landscape</i>	<i>Kristin</i> 541-761-1908

The above listed first-tier subcontractor(s) are providing labor and/or materials with a Dollar Value equal to or greater than: *8093*

*PO Box 404* 50% of the total Contract Price, but at least \$15,000 (including all alternates). If the Dollar Value is less than \$15,000 do not list the subcontractor above; or \$350,000 regardless of the percentage of the total Contract Price.

FAILURE TO SUBMIT THIS FORM BY THE DISCLOSURE DEADLINE WILL RESULT IN A BID SUBMITTED BECOMING NON-RESPONSIBLE AND SUCH BIDS SHALL NOT BE CONSIDERED FOR AWARD!

Bids which are submitted by bid Closing, but for which the separate disclosure submittal has not been made by the specified deadline, are not Responsive and shall not be considered for Contract award.

SECTION 00680  
FIRST-TIER SUBCONTRACTOR DISCLOSURE FORM

Form Submitted by (Respondent's Name):

Copeland Paving, Inc.

Contact Name: Dennis Krois Phone #: 541-659-0678

Deliver Form to Agency: City of Medford

Person Designated to Receive Form: Jennifer Huston Phone #: (541) 774-2035

Agency's Address: City of Medford  
411 West 8th Street, Room 380  
Medford, OR 97501

UNLESS OTHERWISE STATED IN THE ORIGINAL SOLICITATION, THIS DOCUMENT SHALL NOT BE FAXED. IT IS THE RESPONSIBILITY OF BIDDERS TO SEPARATELY SUBMIT THIS DISCLOSURE FORM AND ANY ADDITIONAL SHEETS, WITH THE BID NUMBER AND PROJECT NAME CLEARLY MARKED, AT THE LOCATION INDICATED BY THE SPECIFIED DISCLOSURE DEADLINE. SEE INSTRUCTIONS TO BIDDERS.

\*\*\*\*\*

END OF SECTION