

Chapter 3.20

(Repealed by Ordinance 94-2-1, 1994)

Chapter 3.21

FISCAL ASSISTANCE FOR CITY STREET AND BRIDGE WORK

Sections:

- 3.21.010 Title.
- 3.21.020 Definitions.
- 3.21.030 Appropriations.
- 3.21.040 Grants for city streets and bridges.
- 3.21.050 Loans.
- 3.21.060 Sinking fund for streets and bridges.
- 3.21.070 Agreements authorized by statute.

3.21.010 Title. This chapter shall be known as the fiscal assistance for city street and bridge work ordinance. (Ord. 94-2-1, 1994)

3.21.020 Definitions. As used in this chapter, unless the context clearly indicates otherwise:

- A. "City" means any incorporated city located within Douglas County, Oregon.
- B. "Street and bridge work" means and includes construction, reconstruction, maintenance, or repair of a city street or bridge or an off-street parking facility that benefits city street traffic. (Ord. 99-2-1, §1, 1999)
- C. "County Road Official" means the Director of the Douglas County Public Works Department. (Ord. 94-2-1, 1994)

3.21.030 Appropriations.

A. The county road official is authorized to request annual appropriations from the county's general road fund for grants or loans to cities. All grants or loans requested by the county road official shall be subject to appropriations in accordance with the Oregon Local Budget Law.

B. Any funds appropriated and disbursed pursuant to this chapter shall be expended only upon city street and bridge work.
(Ord. 94-2-1, 1994)

3.21.040 Grants for city streets and bridges.

A. Except as provided in subsections B, C, and D, of this section the amount of the annual grant for the following cities will be:

Canyonville	\$27,200
Drain	\$21,000
Elkton	\$20,000
Glendale	\$20,000
Myrtle Creek	\$69,200
Oakland	\$20,000
Reedsport	\$84,600
Riddle	\$20,200
Roseburg,	\$403,400
Sutherlin	\$143,600
Winston	\$97,600
Yoncalla	\$21,600

(Ord. 2004-03-01, 2004)

B. The county road official may recommend appropriation of road funds for a grant to a city in excess of the amount allowed by subsection A of this section for city street or bridge work that will directly and materially benefit the county road system.

C. If less than the total amount requested by the county road official for grants is appropriated in the county budget, the amount of each grant shall be reduced proportionately.

D. The board of commissioners may initiate and approve a grant to a city for city street or bridge work in excess of the amount allowed by subsection A of this section if the board determines that the city street and bridge work directly or indirectly will provide material benefits to the operations and facilities of county government. (Ord 99-2-1 §2, 1999)

E. Prior to disbursement of any grant funds to a city, the governing body for the city shall execute a grant agreement in a form approved by the county counsel which shall provide that the funds may be used only for street or bridge work. (Ord. 94-2-1, 1994; Ord 99-2-1 §2, 1999)

3.21.050 Loans.

A. Any loan to a city under this section shall be secured by local improvement assessment liens against properties benefitted by the improvement. The local improvement assessments shall be made in accordance with applicable Oregon Revised Statutes, city ordinance, and city charter. At the time a city requests a loan the city shall furnish sufficient information on the value of the benefitted properties to assure the county road official and the board of commissioners that assessment liens against benefitted properties will provide adequate collateral for the loan.

B. The governing body for the city shall execute a loan agreement in a form approved by the county counsel. The loan agreement shall:

1. Describe the street or bridge improvement to be funded by the loan;
2. Require the city to use loan proceeds only for the street or bridge work described in the loan agreement;
3. Obligate the city to repay the loan in accordance with a payment schedule stated in the loan agreement; and
4. Pledge payments on assessments against benefitted properties for repayment of the loan.

C. Prior to disbursement of any loan funds to a city, the governing body for the city shall provide an opinion of counsel from the city attorney certifying that:

1. the governing body of the city has full legal right and authority to execute the loan agreement required by subsection B of this section;
2. the city has full legal right and authority to undertake and complete the improvement funded by the loan;
3. the debt incurred by the city shall constitute a legal, valid, and binding obligation of the city that will be enforceable in accordance with terms of the loan agreement; (Ord. 94-2-1, 1994)
4. the loan does not violate any debt limitation created by the Oregon Constitution, Oregon Revised Statutes, city ordinance, or city charter;
5. the city has full legal right and authority to pledge the sources of repayment for the loan;
6. assessments against benefitted properties have been made by the governing body of the city in compliance with all applicable procedures required by statute, city ordinance, and the city charter; and
7. the loan agreement has been duly and lawfully executed in accordance with applicable statutes, city ordinances, and the city charter. (Ord. 94-2-1, 1994)

3.21.060 Sinking fund for streets and bridges. Each city may elect to establish a sinking fund for street and bridge work and may accumulate funds disbursed pursuant to this chapter in the sinking fund. If funds are not utilized at the end of the fifth year of accumulation, the amount accumulated shall revert to the county road fund. (Ord. 94-2-1, 1994)

3.21.070 Agreements authorized by statute. Nothing contained in this ordinance shall be construed to limit the authority of the county and any city to enter into a discrete agreement for funding a street or bridge project pursuant to ORS 190.003 to 190.110, 368.722 or 373.260. (Ord. 94-2-1, 1994)

Chapter 3.30

(Repealed by Ordinance 92-9-1, 1993)