

Date: 12/3/2025

To: Shady Cove City Council, Interim City Administrator

Subject: Request to Schedule Election for Mayor & Council, In Accordance With Our City Charter

We, the residents of Shady Cove, request that the Council fulfill their duties per the City Charter to schedule elections for the currently appointed Mayor (Lena Richardson) and currently appointed Councilors (Kathy Nuckles and Jeffrey Vanier). The City has already failed to get vacancies on the ballot for the November, 2025 General Election; we don't want another delay. The City Charter's language is clear and unambiguous – **appointed** members can only serve until the next **available** election date, which is now the upcoming May 19th Primary election.

[The-Charter-of-the-City-of-Shady-Cove-1.pdf](#) Section 21. Filling Vacancies: “*In the event of a vacancy in the council, the remaining council members may appoint a member to serve until the next available election date, at which time the position will be filled by election for the balance of the unexpired term*”.

We request that the City acknowledge this responsibility, and provide a timeline with specific, actionable steps to meet the deadlines for the May 19th, Oregon Primary election. We request a timeline be made available in two weeks for a Council motion, as we believe we've already provided most of the information. If the City believes this request is inaccurate, we request that you provide a response within two weeks, including your justification.

Our understanding of the steps in the elections process is below, and we would like to underscore the following points:

- The Shady Cove City Charter is binding law
- We have confirmed the elections timeline with Jackson County.
- Jackson County Elections office has informed us that the City will incur no cost for Primary & General elections.
- The election to fill July resignations is already delayed; it should have been held in November 2025
- Residents have a right to escalate this matter to the Oregon Secretary of State's Elections Division if the City refuses to act.

Process to get a Council Vacancy on the Ballot.

We understand that we have an interim Administrator who may not be familiar with this process. Our understanding is below, and we note that Jackson County's elections office can also help the City in this matter. You may contact Ms. Trisha Myers, Jackson County Elections Program Manager (myerstl@jacksoncountyor.gov / 541-774-6137) for further guidance.

a. The City Council must officially declare the vacancy in a public meeting.

b. The City Council adopts a resolution calling for the election.

The council must pass a resolution or ordinance directing that the vacant position be placed on the next available election ballot. The resolution should specify:

- Position title
- Term length (to complete unexpired term)
- Election date (e.g. May or November special election)
- Filing deadlines and procedures for candidates

Position	Remaining Term	Notes
Mayor	Through 12/31/2026	Will also be required to run in General election, November 2026
Councilor	Through 12/31/2026	Will also be required to run in General election, November 2026
Councilor	Through 12/31/2028	Will be required to run in General election, November 2028

c. The City Coordinates with the County Elections Office

The city must notify the Jackson County Clerk of its intent to place the position on the ballot.

They are required to submit documentation including:

- The council resolution
- Ballot title and explanatory statement
- Candidate filing forms and deadlines

d. The City Opens the Candidate Filing Period

The City recorder or elections officer (presumably the City Administrator) must:

- Publish a notice of election
- Accept candidate filings (by declaration or petition)
- Ensure compliance with ORS Chapter 254 (election procedures)

e. The election is conducted, results certified, and new Mayor/Councilors take office.

The county elections office will administer the election and certify the results. As there appears to be no charter override, we expect candidates would take office immediately after the May 19th election results are certified.

Key Dates for May 19th, 2026 Primary Election.

Jan 19 th , 2026	First day for candidates to file candidate statement for voter's pamphlet
Feb 27 th , 2026	County/City/District Ballot title filing deadline (SEL 805)
March 3 rd , 2026	Last day for incumbents to file for candidacy
March 10th, 2026	Last day for new or appointed candidates (Richardson/Nuckles/Vanier) to file for candidacy Note: Section 17b of House Bill 4024 (2024) changed the candidate filing deadline for incumbent public office holders. An incumbent seeking re-election to the same office must file their declaration of candidacy seven days before the applicable filing deadline for non-incumbents. However, incumbent candidates that were appointed to the position they are seeking election to are subject to the same filing deadline as non-incumbent candidates.
March 12 th , 2026	Voters' pamphlet filing deadline (candidate statements)
March 13 th , 2026	Candidate withdrawal deadline
March 19 th , 2026	County/City/District measure filing deadline (measures arguments). Final deadline for Shady Cove to notify Jackson County Clerk of intent to place Mayor/Council positions on the ballot.
March 23rd, 2026	Voters Pamphlet filing deadline (measure arguments)
April 22, 2026	Voters pamphlets mailed
April 28 th , 2026	Last day to register to vote
May 1, 2026	Ballots mailed to voters
May 19 th , 2026	Election Day