



## AMENDED AGENDA

### CANBY CITY COUNCIL REGULAR MEETING

September 19, 2012

7:30 PM

Council Chambers

155 NW 2<sup>nd</sup> Avenue

*Mayor Randy Carson*

*Council President Walt Daniels*

*Councilor Richard Ares*

*Councilor Tim Dale*

*Councilor Traci Hensley*

*Councilor Brian Hodson*

*Councilor Greg Parker*

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### CITY COUNCIL REGULAR MEETING

#### 1. CALL TO ORDER

A. Pledge of Allegiance and Moment of Silence

#### 2. COMMUNICATIONS

#### 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

*(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)*

#### 4. MAYOR'S BUSINESS

#### 5. COUNCILOR COMMENTS & LIAISON REPORTS

#### 6. CONSENT AGENDA

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)*

A. Approval of Minutes of the September 5, 2012 City Council Regular Meeting

#### 7. RESOLUTIONS & ORDINANCES

A. Res. 1141, Authorizing the Issuance and Negotiated Sale of Full Faith and Credit and Refunding Obligations for the Purpose of Financing Capital Improvements and Refund Certain Outstanding Obligations of the City in an Aggregate Principal Amount Not to Exceed \$14,900,000; Designating an Authorized Representative, Underwriter and Special Counsel; Authorizing Appointment of a Financial Advisor; Authorizing Execution and Delivery of a Financing Agreement and an Escrow Agreement; Authorizing an IGA with the Canby Urban Renewal Agency; and Related Matters Pg. 1

B. Res. 1143, Adopting the City of Canby Drug & Alcohol Policy for Use with DOT Regulated Employees and Identifying an Effective Date Pg. 8

**8. NEW BUSINESS**

**9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**

**10. CITIZEN INPUT**

**11. ACTION REVIEW**

**12. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation**

**13. ADJOURN**

\*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 before the meeting to Kim Scheafer, MMC, City Recorder at 503.266.4021 ext. 233. A copy of this Agenda can be found on the City's web page at [www.ci.canby.or.us](http://www.ci.canby.or.us). City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.

**TO: Mayor Carson; Canby City Council**  
**FROM: Greg Ellis**  
**DATE: September 19, 2012**  
**SUBJECT: Authorizing Resolution 1141 – Bond Issue**

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**Issue:**

The City of Canby will be issuing bonds for several projects and for the refunding of a 2003 and 2004 bond issue. One of the first tasks required to in order to do that is the passage of an Authorizing Resolution that allows staff to complete several components of the bond sale process.

**Background:**

The Urban Renewal Agency (URA) has authorized the sale of bonds in order to complete a number of projects including construction of a new 22,000 square foot library, renovation of the current library to be used for consolidation of all administrative function in the City, remodeling of the current City Hall for the purpose of a Council Chamber/Community Center and the extension of Sequoia Parkway to SE 13<sup>th</sup> Avenue to include a bridge over the railroad.

In addition, because bond rates are currently very low, staff investigated the potential savings of refinancing two earlier bond issues; 2003 and 2004. Refinancing of these two bonds would result in a net savings of \$179,873 over the life of the bonds and would not extend the date of the final payment.

The attached resolution contains the suggested “not to exceed” amount of the bond issue of \$14.9M which consists of \$12.7M for the projects indicated above and \$2.2M for the refinancing of the 2003 and 2004 bonds.

**Summary:**

Passage of the attached resolution allows staff to begin the bond issue process which will result in the construction of a new library, renovation of the existing library, renovation of the current City hall, extend Sequoia Parkway to 13<sup>th</sup> Avenue and refinance 2003 and 2004 bonds.

**Recommendation:**

Staff recommends passage of Resolution 1141.

**Attached:**

Resolution 1141

## RESOLUTION NO. 1141

**A RESOLUTION AUTHORIZING THE ISSUANCE AND NEGOTIATED SALE OF FULL FAITH AND CREDIT AND REFUNDING OBLIGATIONS FOR THE PURPOSE OF FINANCING CAPITAL IMPROVEMENTS AND REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,900,000; DESIGNATING AN AUTHORIZED REPRESENTATIVE, UNDERWRITER AND SPECIAL COUNSEL; AUTHORIZING APPOINTMENT OF A FINANCIAL ADVISOR; AUTHORIZING EXECUTION AND DELIVERY OF A FINANCING AGREEMENT AND AN ESCROW AGREEMENT; AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY; AND RELATED MATTERS.**

WHEREAS, the City of Canby, Clackamas County, Oregon (the “City”), is authorized by its Charter and Oregon Revised Statutes (“ORS”) Section 271.390 to enter into financing agreements to finance real or personal property which the City determines is needed; and

WHEREAS, the City hereby determines that the acquisition, construction, equipping and furnishing of a new library, renovation of the existing library and City Hall, and certain road and bridge improvements are needed (the “**New Money Project**”); and

WHEREAS, the City desires to obtain up to \$12,700,000 of financing for the New Money Project; and

WHEREAS, on December 23, 2003 the City entered into that certain Loan Agreement #B03004 with the State of Oregon, acting by and through its Economic and Community Development Department (the “State”) in the maximum amount of \$1,300,000 (the “**2003 Loan**”); and

WHEREAS, on November 2, 2004 the City entered into that certain Loan Agreement #B04004 with the State in the maximum amount of \$1,962,920 (the “**2004 Loan**”); and

WHEREAS, the City has determined that present value savings may be achieved by refunding the 2003 Loan, which may be called and redeemed on any date on and after December 1, 2011 at 102% of par if redeemed prior to November 30, 2012, with not less than ninety (90) day prior written notice, or earlier if waived; and

WHEREAS, the City has determined that present value savings may be achieved by refunding the 2004 Loan, which may be called and redeemed on any date on and after December 1, 2012 at 102% of par if redeemed prior to November 30, 2013, with not less than ninety (90) day prior written notice, or earlier if waived; and

WHEREAS, the refunding of the 2003 Loan and the 2004 Loan is collectively referred to herein as the “**Refunding Project**” and the New Money Project and the Refunding Project are collectively referred to herein as the “**Project**”.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

**Section 1. Authorization.** The City hereby authorizes:

A. Issuance and Sale of Obligations. The City authorizes the issuance and negotiated sale of Full Faith and Credit and Refunding Obligations, Series 2012 (the “**Obligations**”) in one or more series which may be issued in an aggregate amount not to exceed \$14,900,000 by the escrow agent, for and on behalf of the City, to finance the Project. The Obligations shall be issued at a true effective rate of interest not to exceed five percent (5.0%) per annum and shall be issued at not less than ninety-nine percent (99.0%) of par value (not including original issue discount) and shall mature not later than twenty-six (26) years from the date of issuance.

B. Financing Agreement. The City authorizes the execution and delivery of one or more financing agreements (the “**Financing Agreement**”) to finance the Project in a form satisfactory to the Authorized Representative, as defined below.

E. Escrow Agreement. The City authorizes the execution and delivery of one or more escrow agreements between the City and the escrow agent (the “**Escrow Agreement**”), in a form satisfactory to the Authorized Representative, as defined below, pursuant to which the escrow agent shall execute the Obligations representing the principal amount payable under the Financing Agreement, and evidencing the right of the escrow agent to receive the City’s payments under the Financing Agreement (the “**Financing Payments**”).

**Section 2. Security.**

The Financing Payments for the Obligations shall be payable from the general, non-restricted revenues of the City and other funds which may be available for that purpose, including taxes levied within the restrictions of Sections 11 and 11b, Article XI of the Constitution of the State of Oregon. The obligation of the City to make Financing Payments shall be a full faith and credit obligation of the City, and is not subject to appropriation. The Owners of the Obligations shall not have a lien or security interest on the property financed with the proceeds of the Obligations. As determined by the Authorized Representative and as additional security for the Financing Payments, the City may pledge to the Owners of the Obligations its rights to any Tax Increment Revenues or reserve funds pursuant to an intergovernmental agreement with the Canby Urban Renewal Agency (the “Agency”).

**Section 3. Designation of Authorized Representative.**

The City hereby authorizes the City Administrator, Assistant City Administrator or Finance Director or any designee of the City Council (the “**Authorized Representative**”) to act

as the authorized representative on behalf of the City and determine the remaining terms of the Financing Agreement as delegated in Section 4 below.

#### **Section 4. Delegation of Final Terms and Sale of Obligations and Additional Documents.**

The Authorized Representative is authorized, on behalf of the City, to:

- A. determine whether the Obligations will be issued in one or more series;
- B. determine whether the 2003 Loan and/or the 2004 Loan shall be refunded and take whatever action is necessary to refund one or both loans if the Authorized Representative determines a refunding is in the best interest of the City;
- C. negotiate the terms under which the Obligations shall be sold, to enter into a Purchase Agreement for sale of the Obligations, and to execute and deliver the Purchase Agreement;
- D. establish the maturity and interest payment dates, dated date, principal amounts, optional, extraordinary and/or mandatory redemption provisions, interest rates, denominations, and all other terms under which the Obligations shall be issued, sold, executed, and delivered;
- E. negotiate the terms of and approve the Financing Agreement and the Escrow Agreement as the Authorized Representative determines to be in the best interest of the City, and to execute and deliver the Financing Agreement and the Escrow Agreement;
- F. determine whether the Obligations shall be Book-Entry certificates and to take such actions as are necessary to qualify the Obligations for the Book-Entry System of DTC, including the execution of a Blanket Issuer Letter of Representations;
- G. seek to obtain a rating on the Obligations, if determined by the Authorized Representative to be in the best interest of the City;
- H. determine whether to purchase municipal bond insurance or other credit enhancement for the Obligations, negotiate and enter into agreements with providers of credit providers, and expend proceeds to pay credit enhancement fees;
- I. approve, execute and deliver a Tax Certificate;
- J. approve, execute and deliver a continuing disclosure certificate pursuant to SEC Rule 15c2-12, as amended (17 CFR Part 240, §240.15c2-12) for each series of Obligations;
- K. deem final, approve of and authorize the distribution of the preliminary and final Official Statements to prospective purchasers of the Obligations;
- L. engage the services of escrow agents or trustees and any other professionals whose services are desirable for the financing;

M. enter into an intergovernmental agreement with the Agency in which the Agency agrees to pay tax increment revenues to the City in amounts and at times that are sufficient to allow the City to pay all or a portion of the amounts due under the Financing Agreement and Obligations from those tax increment revenues (the “**Intergovernmental Agreement**”);

N. pledge or otherwise commit the amounts the City receives under the Intergovernmental Agreement to pay amounts due under the Financing Agreement; and

O. execute and deliver a certificate specifying the action taken pursuant to this Resolution, and any other documents, agreements or certificates that the Authorized Representative determines are necessary and desirable to issue, sell and deliver the Obligations in accordance with this Resolution and take any other actions which the Authorized Representative determines are necessary or desirable to finance the Project with the Financing Agreement and the Obligations in accordance with this Resolution.

#### **Section 5. Compliance with Internal Revenue Code.**

The City hereby covenants for the benefit of the Owners of the Obligations to use the Obligation proceeds and the Project financed with Obligation proceeds in the manner required, and to otherwise comply with all provisions of the Code. The City makes the following specific covenants with respect to the Code:

A. The City will not take any action or omit any action if it would cause the Financing Agreement or Obligations to become arbitrage bonds under Section 148 of the Code.

B. The City shall operate the Project financed with the Obligations so that the Obligations do not become “private activity bonds” within the meaning of Section 141 of the Code.

C. The City shall comply with appropriate Code reporting requirements.

D. The City shall pay, when due, all rebates and penalties with respect to the Obligations which are required by Section 148(f) of the Code.

The covenants contained in this Section 5 and any covenants in the closing documents for the Obligations shall constitute contracts with the owners of the Obligations, and shall be enforceable by them. The Authorized Representative may enter into covenants on behalf of the City to protect the tax-exempt status of the Financing Agreement and the Obligations.

#### **Section 6. Appointment of Special Counsel.**

The City appoints Mersereau Shannon LLP as special counsel to the City for the issuance of the Obligations.



## **Section 7. Appointment of Underwriter.**

The City appoints Wedbush Securities as the underwriter for the issuance of the Obligations.

## **Section 8. Appointment of Financial Advisor.**

The Authorized Representative is authorized to appoint a financial advisor to the City if in the opinion of the Authorized Representative it is deemed necessary or advisable.

## **Section 9. Resolution to Constitute Contract.**

In consideration of the purchase and acceptance of any or all of the Obligations by those who shall own the same from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the City with the Owners and shall be deemed to be and shall constitute a contract between the City and the Owners. The covenants, pledges, representations and warranties contained in this Resolution or in the closing documents executed in connection with the Obligations and the other covenants and agreements herein set forth to be performed by or on behalf of the City shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Obligations over any other thereof, except as expressly provided in or pursuant to this Resolution.

## **Section 10. Intent to Reimburse.**

It is the reasonable official intent of the City to reimburse itself for the capital expenditures associated with the New Money Project with the proceeds of such bonds in the principal amount not to exceed \$12,700,000. This declaration of official intent is given pursuant to United States Treasury Regulations Section 1.150-2.

## **Section 11. Effective Date.**

This resolution shall take effect on the date of its adoption.

This resolution is adopted by the Canby City Council this 19<sup>th</sup> day of September, 2012.

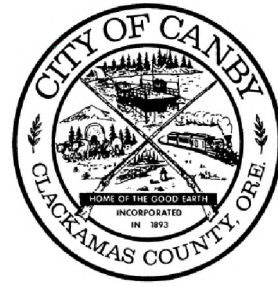
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Randy Carson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder



# MEMORANDUM

To: Mayor Carson and Canby City Council  
From: Amanda Zeiber, Asst City Administrator/HR Director  
Date: September 19, 2012  
Through: Greg Ellis, City Administrator  
Re: Resolution No. 1143

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## ***Background Summary***

As part of a Triennial State Management Review by the FTA (Federal Transit Administration), the City of Canby was selected as one of two external sites for review. The review was conducted in June 2012. The FTA report identified a deficiency in the City's transit service. FTA reviewers determined that the City's Drug & Alcohol Policy lacked proof of adoption by the City Council and did not identify an effective date.

Section III-14a of the Oregon State Management Plan for Public Transportation programs requires that certain grant sub recipients develop and adopt an anti-drug use and alcohol abuse policy in accordance with 49 CFR Part 655.

Lack of an adopted Drug and Alcohol policy is a significant finding and could jeopardize the City's ability to receive future [5307, 5309, and 5311] grant funding, as well as review of any existing 5311 sub recipient grants.

Staff developed a policy that covers individuals performing safety-sensitive functions. The policy is drafted for safety and for compliance with the FTA regulations 49 CFR Parts 40 and 655. The policy is mandated under DOT (the U.S. Department of Transportation) and FTA regulations.

The policy was reviewed and negotiated with AFSCME.

## ***Recommendation***

Staff recommends that the Council adopt Resolution 1143, adopting the City of Canby Drug and Alcohol Policy for Use with DOT Regulated Employees and identifying an effective date.

## ***Attached***

Resolution No. 1143

**RESOLUTION NO. 1143**

**A RESOLUTION ADOPTING THE CITY OF CANBY DRUG & ALCOHOL  
POLICY FOR USE WITH DOT REGULATED EMPLOYEES AND IDENTIFYING AN  
EFFECTIVE DATE**

**WHEREAS**, the City of Canby is committed to a safe and drug free workplace; and

**WHEREAS**, for individuals performing safety-sensitive functions, an employee substance abuse testing program is mandated under U.S. Department of Transportation (DOT), and Federal Transit Administration (FTA) regulations; and

**WHEREAS**, Section III-14a of the Oregon State Management Plan for Public Transportation programs requires that certain grant sub recipients develop and adopt an anti-drug use and alcohol abuse policy in accordance with 49 CFR Part 655; and

**WHEREAS**, the City of Canby has these Drug and Alcohol Testing policies for safety and for compliance with the FTA regulations 49 CFR Parts 40 and 655.

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Canby, as follows:

To adopt the City of Canby Drug & Alcohol Policy for Use with DOT Regulated Employees and to identify an effective date, attached hereto as Exhibit "A".

This resolution shall take effect September 19, 2012.

**ADOPTED** this 19<sup>th</sup> day of September 2012, by the Canby City Council.

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Randy Carson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

**CITY OF CANBY, OREGON  
DRUG AND ALCOHOL POLICY  
FOR USE WITH DOT REGULATED EMPLOYEES**

**Effective September 19, 2012**

The City of Canby ("CITY") is committed to a safe and drug free workplace. For individuals performing safety-sensitive functions, an employee substance abuse testing program is mandated under U.S. Department of Transportation (DOT), Federal Transit Administration (FTA) regulations. City of Canby has these Drug and Alcohol Testing policies for safety and for compliance with the FTA regulations 49 CFR Parts 40 and 655.

This Policy includes communication of resources for employees who voluntarily seek assistance before an alcohol or drug dependency problem affects their work performance or is discovered through a drug and alcohol test.

This Drug and Alcohol Testing Policy is intended to comply with FTA regulations.

***The effective date of this policy is September 19, 2012 and has been approved and adopted by the City Administrator.***

This policy applies to the job classifications which are safety sensitive, but may not be limited to: drivers, dispatchers and fleet maintenance workers. These job classifications are considered safety-sensitive positions and individuals filling these positions are subject to this policy as a condition of employment.

This policy provides guidelines for circumstances under which this Department of Transportation (DOT) mandated testing will be conducted.

Individuals covered by this policy have been provided a copy of these DOT provisions and by your signature, you are verifying that you have read and understand the policy. Employees should note that in addition to the required DOT regulations they are also subject to any other CITY drug and alcohol policy.

The following conditions and activities are expressly prohibited:

The manufacture, sale, use, or possession of alcohol, any controlled or illegal substance, or prohibited drug (except strictly in accordance with medical authorization) or any other substances that may impair job performance or pose a hazard, when use or possession occurs on CITY premises or property, or during work time, or while representing the CITY in any work-related fashion.

Reporting for work having consumed alcohol; or used illegal or prohibited drugs, on or off-duty; or controlled substances at a time, or in such quantities, or in a manner that may impair work performance is prohibited. The covered employee may be tested for controlled substances at any time during his/her work day. Alcohol testing will be conducted just before, during or after

performing safety-sensitive functions. For purposes of this policy, having any detectable level of an illegal or controlled drug, or alcohol with an alcohol concentration of .02 or greater, in one's system while covered by this policy will be considered to be a violation.

### **Alcohol and Drug Problems**

In some cases alcohol and drug abuse can be a result of chemical dependency that can be successfully treated with professional help. Individuals who are having problems with alcohol or drug use are encouraged to seek voluntary counseling and treatment. The individual is responsible for seeking help when needed, and prior to any discovery of a substance abuse problem on the job. The following Substance Abuse Professional can provide help and referrals:

Sue Blayre  
Blayre Agency  
525 Ferry Street SE, # 304A  
Salem, OR 97301  
503.884.3271

In addition, the City offers an Employee Assistance Program, which is a free and confidential counseling and referral service for you. Assistance is available 24 hours a day by calling toll free 800-433-2320 or visiting [www.cascadecenters.com](http://www.cascadecenters.com).

### **Education and Training**

It is the CITY's policy that training and education programs will be made available to all covered employees and independent contractors. Supervisors and managers will receive at least 2 hours of instruction on supervisory responsibilities, effects of alcohol and drug use, procedures of the CITY's drug and alcohol program, and indicators of probable alcohol misuse and drug use. Only supervisors and managers who have received the above training are qualified to make the determination to send employees for drug and alcohol testing. Covered employees will receive at least 60 minutes drug and alcohol training covering: effects on an individual's health, work, and personal life; signs and symptoms of drug and alcohol problems; and available methods of intervention.

### **Definitions**

**"Alcohol"** means the intoxicating agent in beverage alcohol.

**"Alcohol concentration (or content), BAC"** means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

**"Alcohol use"** means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**"Contractor"** means a person or organization that provides a safety-sensitive service for a recipient, subrecipient, employer, or operator consistent with a specific understanding or

arrangement. The understanding can be a written contract or an informal arrangement that reflects an ongoing relationship between the parties.

**"Covered Employee"** means any person, including an applicant or transferee, who performs or will perform a safety-sensitive function for an entity subject to 49 CFR Part 655.

**"Drug"** has the meaning of any controlled substances, prescription, or over-the-counter medication.

**"EBT (or evidential breath testing device)"** means an EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL), and identified on the CPL as conforming with the model specifications available from the National Highway Traffic Safety Administration, Office of Alcohol and State Programs.

**"Employer"** means a recipient or other entity that provides mass transportation service or which performs a safety-sensitive function for such recipient or other entity. This term includes subrecipients, operators, and contractors.

**"FTA"** means the Federal Transit Administration, an agency of the US Department of Transportation.

**"Licensed Medical practitioner"** means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

**"Medical Review Officer (MRO)"** means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

**"Performing (a safety-sensitive function)"** means a covered employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

**"Prohibited drug"** means marijuana, cocaine, opiates, 6-Acetylmorphine, amphetamines, MDMA, phencyclidine.

**"Recipient"** means an entity receiving Federal financial assistance under 49 US Code 5307, 5309, 5311 or under section 103(e)(4) of title 23 of the United States Code.

**"Refuse to submit (to an alcohol or controlled substances test)"** means that a covered employee:

- Fails to appear for any test within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.

- Fails to remain at the testing site until the testing process is complete; provided that an applicant who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused the test. The testing process commences once the applicant has been provided the specimen collection cup.
- Fails to provide a urine specimen for any drug test required by 49 CFR Part 655 or DOT agency regulations, if the employee leaves after the testing process has commenced.
- Fails to provide an adequate amount of saliva or breath for any alcohol test required by 49 CFR Part 655 or DOT agency regulations. An applicant, in the case of a pre-employment test, who does not provide an adequate amount of breath or saliva because he or she has left the testing site before the testing process commences is not deemed to have refused to test.
- In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the provision of a specimen.
- Fails or declines to take a second test the employer or collector has directed.
- Fails to provide a sufficient amount of urine when directed, unless it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure to provide.
- Fails to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- Fails to undergo an additional medical examination, as directed by the MRO as part of the verification process, or as directed by the Designated Employer Representative (DER) concerning the evaluation part of the "shy bladder" procedures in 49 CFR Part 40, subpart I.
- Fails to sign the certification at Step 2 of the alcohol testing form (ATF).
- Fails to cooperate (e.g., refuse to empty pockets when so directed by the collector, fail to wash hands after being directed to do so by the collector) or otherwise interferes with any part of the testing process.
- Is reported by the MRO as having a verified adulterated or substituted test result.
- For an observed collection, fails to follow the observer's instructions to raise his/her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he/she has any type of prosthetic or other device that could be used to interfere with the collection process.
- Possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
- Admits to the collector or MRO that he/she has adulterated or substituted the specimen.

**"Performing"** (a safety sensitive function) means a covered employee is considered to be performing a safety sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

**"Safety-sensitive function"** means:

- Operating a revenue service vehicle, including when not in revenue service;

- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Drivers License;
- Controlling movement or dispatch of a revenue service vehicle;
- Maintaining a revenue service vehicle or equipment used in revenue service, unless the recipient receives Section 5307 funding and is in an area of less than 200,000 population; or, Section 5311 funding and contracts out such services.
- Carrying a firearm for security purposes.

**“Substance Abuse Professional”** means licensed physician (Medical Doctor or Doctor of Osteopathy); or a licensed or certified psychologist, social worker, or employee assistance professional; or an addiction counselor (certified by the National Association of Alcohol and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse). All must have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

**“Vehicle”** means a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, work truck, vessel, or other CITY driven equipment. A “mass transit vehicle” is a vehicle used for mass transportation.

### **Prohibitive Conduct**

The following is considered prohibitive conduct under this policy:

1. No covered employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. No covered employee shall use alcohol while performing safety-sensitive functions.
3. No covered employee shall perform safety-sensitive functions within four hours after using alcohol. *On call employees* are prohibited from consuming alcohol during the specified hours that he/she is on-call. The following procedure shall be followed:
  - (a) The opportunity for the covered employee to acknowledge the use of alcohol at the time he/she is called to report to duty and the inability to perform his/her safety-sensitive function.
  - (b) The requirement that the covered employee take an alcohol test, if the individual has acknowledged the use of alcohol, but claims ability to perform his/her safety-sensitive function.
4. No covered employee shall refuse to submit to a random, reasonable suspicion, or follow-up drug and/or alcohol test required by 49 CFR Part 655. A refusal to test for drugs constitutes a verified positive drug test result.
5. No covered employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the individual uses any controlled substance, except when



the use is pursuant to the instructions of a licensed medical practitioner, who has advised the individual that the substance will not adversely affect his/her ability to safely and effectively perform his/her assigned duties.

6. Prescription Medications: The appropriate use of legally prescribed medications is not prohibited. However, the employee has the responsibility to discuss the potential effects of any prescription medication in relation to his/her safety-sensitive job duties with the prescribing medical practitioner including its potential to impair mental functioning, motor skills, or judgment. The employee must refrain from performing any safety-sensitive function any time their ability to safely perform their job duties is adversely impacted by the use of a prescription medication or any time the prescribing medical practitioner indicated that the employee's fitness-for-duty may be compromised.
  - a) A legally prescribed drug means the employee has a prescription or other written approval from a medical practitioner for his/her use of a drug in the course of medical treatment. The written statement must include the employee's name, the name of the substance, quantity/amount to be taken, and the period of authorization.
  - b) The misuse or abuse of prescription medications is prohibited. Examples of misuse and/or abuse include:
    - Use of a medication that is not prescribed for the employee.
    - The employee exceeds the prescribed dosage or frequency of use.
    - Use of medication for purposes other than their intended use.
    - Use of any medication that contains alcohol within four hours of performing safety-sensitive functions.
    - The use of any prescription medications that adversely impacts the employee's ability to safely perform his/her safety-sensitive job functions.
  - c) In some instances employees may be able to judge how a substance is impacting him/her. As such, the employee has the responsibility to inform the prescribing medical practitioner of performance altering side effects and request medical disqualification from performance of his/her safety-sensitive duties. The employee is encouraged to discuss/consider alternative treatments that do not have the performance altering side effects.
  - d) Additionally, an employee will be medically disqualified from the performance of safety-sensitive functions if the medical practitioner determines that the employee's medical history, current condition, side effects of the medication being prescribed and other indications pose a potential threat to the safety of coworkers, the public and/or the employee.
  - e) The medical practitioner statements and any other medical information obtained through this process are confidential information and will be maintained in confidential medical files in the HR Manager's office.

If, as a result of testing under this policy, the individual is found to have the presence of controlled substances in the body which is a result of the use of his/her legally prescribed medication that has not been reported, the individual shall be removed from service until it is determined that the use of medication will not impair his/her ability to safely and effectively perform assigned duties.

7. No covered employee shall report for duty, remain on duty, or perform a safety-sensitive function, if the individual tests positive for prohibited drugs.

### **Other Related Alcohol Conduct**

A covered employee tested under the requirements of this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall be removed immediately from performing safety-sensitive functions until the individual's alcohol concentration measures less than 0.02; or the start of the individual's next regularly scheduled duty period, but not less than eight (8) hours following administration of the test.

### **Controlled Substances and Alcohol Testing**

The covered employee may be tested for controlled substances at any time during his/her work day, except pre-employment, and alcohol testing will be conducted just before, during or after performing safety-sensitive functions.

In addition, any covered employee who receives a negative dilute controlled substances test result will be required to submit a second test. Once notified the applicant/covered employee must proceed immediately to the collection site.

Employees and / or applicants will be subject to testing as follows:

### **Pre-Employment**

Covered employees will be tested for prohibited drugs, and the employer must receive notification of a verified negative drug test result, prior to the individual performing any safety-sensitive function. An individual may not transfer from a non safety-sensitive function to a safety-sensitive function until he/she takes a drug test with a verified negative test result. A covered employee who has been removed from the random testing pool for more than 90 consecutive calendar days, regardless of the reason, shall submit to a pre-employment test with a verified negative result prior to resuming performance of safety-sensitive functions. If the applicant or employee's test is canceled, then he/she must take another pre-employment drug test. An applicant who tests positive on a pre-employment test will not be hired and will not be eligible to reapply for employment with the City of Canby.

The CITY will make required inquiries to all previous DOT covered employers to obtain information regarding any verified positive drug test results, any alcohol test results 0.04 or greater, or any refusals to test that occurred within the past two (2) years. This information will be obtained by employee's written consent. This consent is a condition of employment. Refusing to provide consent will result in the job offer being withdrawn. If an applicant or transferring employee's test is canceled, then he/she must take another pre-employment drug test.

In instances where a covered employee is on extended leave for a period of 90 days or more, regardless of reason, and is not in the random testing pool, the employee will be required to take a drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

In addition, an applicant who tests positive on any DOT mandated pre-employment drug test, after August 1, 2001, must provide documentation of the employee's successful completion of DOT return-to-duty requirements (i.e. an evaluation by a substance abuse professional, education and/or treatment, and a negative DOT pre-employment test all of which meet the requirements of 49 CFR Part 40). The driver/applicant will be responsible to pay for the pre-treatment evaluation, education and/or treatment, and the subsequent pre-employment test.

### **Random**

The employer is using a consortium/third party administrator to facilitate the random selection and notification to the employer of the covered employee(s) and individual contractor(s) selected for testing. The consortium/third party administrator is:

Bio-Med Testing Service Inc.  
1952 McGilchrist St. SE  
Salem, OR 97302  
503-535-6654

Covered employees and individual contractors will be subject to random alcohol and controlled substance testing under the following program:

1. Random selection of covered employees and individual contractors will be made by a scientifically valid method using a computer-based random number generator that is matched with the individual's Employer identification number.
2. Each covered employee shall have an equal chance of being drawn each time selections are made.
3. Selections for testing are unannounced and reasonably spread throughout the calendar year.
4. Random selections are made to ensure testing for controlled substances is conducted at not less than the minimum annual 50% rate and alcohol is conducted at not less than the minimum annual 10% rate, **or** the rates as established by the Federal Transit Administration (FTA).
5. A covered employee shall only be tested for alcohol just before, during, or after performing safety-sensitive functions, however, he/she may be tested for controlled substances anytime while performing work for the employer.
6. Once a covered employee is notified of selection for random alcohol and/or controlled substances testing he/she shall proceed to the test site immediately.

### **Reasonable Suspicion**

Covered employees will be tested for alcohol and/or controlled substances whenever the employer has reasonable suspicion that the individual has violated any of the drug and alcohol

policy (for example, if the employer observes physical signs of drug or alcohol use, such as slurred speech, unsteady gait, dilated pupils, odor of alcohol or controlled substances, etc.; or if observed unusual behavior suggesting the use of controlled substances or alcohol in violation of the CITY policy).

Reasonable suspicion drug testing is authorized when the supervisor's observation of the covered employee's behavior occurs anytime during the workday. Reasonable suspicion alcohol testing is authorized only if the supervisor's observation of the covered employee's behavior has been made during, just preceding, or just after the employee was performing any safety-sensitive function.

Reasonable Suspicion documentation is evaluated by the HR Director (or the City Administrator, if the supervisor in question is the HR Director) to prevent abuse of Reasonable Suspicion testing. In the interest of safety, such review can occur after removing the employee from service and sending the employee to testing.

The alcohol test must be completed within two (2) hours of the observation, if not, the CITY must document the reasons for the delay, and shall continue to have the test conducted up to eight (8) hours following the observation. After eight (8) hours the attempt to test will cease, and the CITY must again provide the reasons for the test not being administered.

If an alcohol test is not completed within the two (2) or eight (8) hour time periods, the employer shall prepare and maintain on file a record stating the reasons the test was not administered within the appropriate time frames.

The CITY shall not permit a covered employee to report for duty, remain on duty, perform, or continue to perform any safety-sensitive functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech, or performance indicators of alcohol misuse, until:

- 1) An alcohol test is administered and the employee's alcohol concentration measures less than 0.02 percent; or
- 2) The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following the supervisor's determination that reasonable suspicion exists.

Supervisors and any CITY representative that may be expected to serve in a supervisory capacity, and who may be required to make a reasonable suspicion determination, must have received at least 60 minutes of training on the indications of probable drug use and an additional 60 minutes training on the indicators of probable alcohol misuse. Only those individuals who have received this two (2) hours of training are qualified to make these decisions.

### **Post-Accident Testing**

As soon as practicable following an accident, each surviving covered employee on duty in the vehicle at the time of the accident shall be tested for prohibited drugs and alcohol. Any other

covered employee whose performance could have contributed to the accident, as determined by the employer using the best information at the time of the decision, shall be tested for prohibited drugs and alcohol if any of the following conditions are met:

1. If the accident involved the loss of human life (fatality).
2. If the accident involved bodily injury to any person who, as a result of the accident, immediately receives medical treatment away from the scene of the accident.
3. If the accident involved one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle. Disabling damage includes any damage, which precludes the departure of a motor vehicle from the scene of an accident in its usual manner in daylight after simple repair. This includes damage to vehicles that could have been driven, but would have been further damaged by such movement (i.e. limped away).

A covered employee may not consume alcohol for eight (8) hours following an accident that requires the DOT alcohol test. The alcohol test must be completed within two (2) hours of the accident, if not, the covered employee or independent contractor must advise the CITY of the reasons for the delay, and shall continue to have the test conducted up to eight (8) hours following the accident. After eight (8) hours the attempt to test will cease, and the individual must again provide the reasons for the test being administered

If an alcohol test is not completed within the two (2) or eight (8) hour time periods, the employer shall prepare and maintain on file a record stating the reasons the test was not administered within the appropriate time frames. Upon request, these records shall be submitted to the FTA Administrator.

A controlled substances test shall be administered as soon as practicable following the incident, up to 32 hours following the accident. After 32 hours the attempt to test will cease, and the covered employee or individual contractor must provide the reasons for the test not being administered properly. All covered employees will be required to undergo urine and breath testing if they are involved in an accident with a transit revenue service vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance cannot be completely discounted as a contributing factor to the accident.

A covered employee must remain readily available for testing, or may be deemed by the CITY to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident, or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that the CITY is unable to perform a drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), the CITY may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

### **Return-to-Duty**

No covered employee found to be in violation of the "Prohibitive Conduct" section of the policy will be permitted to return-to-duty involving safety-sensitive functions until the individual has a verified negative controlled substances test and/or an alcohol test with a result less than 0.02 alcohol concentrations.

No covered employee found to be in violation of the "Other Related Alcohol Conduct" section of this policy will be permitted to return-to-duty involving safety-sensitive functions until the individual has an alcohol test with a result of less than 0.02 concentration, or the start of the individual's next regularly scheduled duty period, but not less than eight (8) hours from the time of the initial test.

### **Failure to Cooperate**

Individuals who are subject to this policy are expected to comply fully with any required testing as a condition of employment. Failure to do so (including, for example and not limited to, refusing to sign certification statement on the alcohol testing form, refusing to test, obstructing the testing process, failing to make oneself available for a required test, failing to provide an adequate urine or breath sample for testing, attempting to adulterate or substitute a specimen, or in any way tampering with a required test) will cause the covered employee to be immediately relieved from performing safety-sensitive functions. This will also be considered a violation of CITY policy that will subject the individual to discipline, up to and including termination of employment and/or contract. These actions are considered a refusal to test and will constitute a verified positive drug test result.

The CITY also reserves the right to involve law enforcement officials for any conduct it believes might be in violation of local, state or federal law.

### **Testing Procedures**

Controlled substances and alcohol testing will be conducted in accordance with procedures of 49 CFR Part 40, as amended. Detailed collection and alcohol testing procedures are available to all covered employees and can be obtained from the HR Director.

### **Urine Specimen Collection**

Specimen collections will be conducted in accordance with the procedures of 49 CFR Part 40, as amended. The collection procedures are designed to ensure the security and integrity of the specimen provided by each covered employee and those procedures will strictly follow federal chain-of-custody guidelines. Moreover, every reasonable effort will be to preserve the individual's privacy as much as possible consistent with ensuring an accurate result. Covered employees will be required to empty their pockets before providing the drug test specimen.

Under normal circumstances the applicant or covered employee will be afforded complete privacy in the restroom for providing the urine sample. Certain situations do require the urine sample be provided under same gender direct observation. Those situations include:

- The temperature on the original specimen was out of range; or
- The original specimen appeared to have been tampered with (ie unusual color, odor, foam, etc); or
- The laboratory reported to the MRO that a specimen was invalid, and the MRO reported to the CITY that there was not an adequate medical explanation for the result; or
- The MRO reported to the CITY that the original positive, adulterated, or substituted test results had to be cancelled because the test of the split specimen could not be performed; or
- The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen to the CITY as negative-dilute and a second collection must take place under direct observation; or
- All return-to-duty or follow-up drug tests.

When that occurs, the donor will be required to follow the observer's instructions to raise their clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there is any type of prosthetic or other device that could be used to interfere with the collection process.

Refusing to permit an observed collection or possessing or wearing a prosthetic or other device that could be used to interfere with the collection process are considered a refusal to test and will constitute a verified positive drug test result.

### **Laboratory Analysis**

Only a laboratory certified by the Department of Health and Human Services (DHHS) will be retained by the CITY to perform the analysis of the urine specimen for controlled substances. The initial screening test will be performed by immunoassay and will test for substances and at cutoff levels required by 49 CFR Part 40. All specimens identified as positive on the initial screening test will be confirmed using gas chromatography/mass spectrometry techniques at cutoff levels required by 49 CFR Part 40.

### **Breath Alcohol**

Testing will be conducted by a qualified technician according to 49 CFR Part 40 procedures. Either a breath or saliva sample will be used for the screening test. If the result of the screening test is an alcohol concentration of 0.02 percent or greater, a breath alcohol confirmation test shall be performed on an EBT (evidential breath testing device). Devices used for either the screening or confirmation testing shall be identified on the Conforming Products List (CPL) approved by the National Highway Safety Administration (NHSA).

### **Medical Review**

All controlled substances test results will be reviewed by a Medical Review Officer (MRO) before being reported to the CITY. The MRO will attempt to contact the covered employee to discuss the test results before reporting positive results to the CITY.

The Medical Review Officer for the City of Canby is:

Dr. Benjamin Gerson  
10551 Decatur Rd, Ste. 200  
Philadelphia, PA 19154  
Phone: 215-637-6800  
Fax: 215-637-6998

### **Notification of Results**

The CITY will notify the affected covered employee of any controlled substances test that is reported positive by the MRO and will immediately remove the employee from performing safety-sensitive functions. An employee may request a copy of controlled substances test results from the CITY with a written request. In addition, the CITY will notify applicants of the results of pre-employment controlled substances testing if the applicant requests that information in writing within 60 days after we notify the applicant that he/she has or has not been hired.

### **Reanalysis of Original Specimen or Split Specimen Retest**

Within 72 hours of the MRO notifying the individual of a verified positive controlled substances test, he/she may request the reanalysis of the original specimen. Only the MRO may authorize such a reanalysis, and such a reanalysis may take place only at laboratories certified by the Department of Health and Human Services (DHHS). If the reanalysis fails to reconfirm the presence of the drug or drug metabolite, the MRO shall cancel the test.

All covered employees have a right to request the reanalysis of the original specimen. The cost of the split specimen retest will be the employee's responsibility to pay. Payroll deduction may be necessary to cover the costs associated with the split specimen retest.

### **Confidentiality**

Records required under this policy, including test results, will be maintained in a secure location with controlled access. Each covered employee shall upon written request, be entitled to receive copies of his/her own records, and to have copies of his/her records made available to any subsequent employer. Information may also be disclosed to the relevant, local, state or federal agencies, or in connection with judicial, administrative or related proceedings (e.g., grievances and arbitration) initiated by or on behalf of the employee.

### **Evaluation and Referral**

DOT regulations require that any covered employee who violates the prohibitions of the alcohol and controlled substances rules of 49 CFR Part 655 be advised of available evaluation resources and be evaluated by a Substance Abuse Professional. In addition to the CITY's Employee Assistance Program, the following Substance Abuse Professional can provide help and referrals:



Sue Blayre  
Blayre Agency  
525 Ferry Street SE, # 304A  
Salem, OR 97301  
503.884.3271

**Consequences**

Employees violating this policy or federal regulations will be prohibited from performing any safety-sensitive functions as defined by this policy and may be subject to disciplinary action up to and including termination of employment. The CITY also reserves the right to involve law enforcement officials for any conduct, which it believes, might be in violation of local, state or federal law.

**Questions?**

If you have any questions about this policy or the regulations, you may contact the Designated Employer Representative (DER): - City of Canby HR Director 503.266.4021.

This policy replaces and supersedes any previously distributed policy.

The policy has been approved by:

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Signature

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Printed Name and Title

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Date

**CITY OF CANBY, OREGON  
DRUG AND ALCOHOL POLICY  
FOR USE WITH DOT REGULATED EMPLOYEES**

**CERTIFICATE OF ACKNOWLEDGEMENT**

I hereby acknowledge that I was notified that the City of Canby would require me to complete a pre-employment drug test.

**CERTIFICATE OF RECEIPT**

I hereby certify that on the date shown below I received a copy of City of Canby Drug and Alcohol Policy for Use With DOT-Regulated Employees, consisting of fifteen (15) pages including these Certificates of Receipt, and a copy of drug and alcohol awareness training materials. I agree to comply with this policy, including any required alcohol or controlled substance testing.

**CERTIFICATE OF TRAINING**

I hereby certify that I have reviewed the drug and alcohol awareness training materials included with City of Canby Drug and Alcohol Policy.

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Signature

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Printed Name and Title

Date

-----**Do Not Write Below – For Office Use**-----

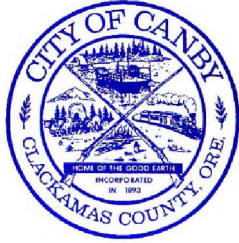
Time and Date of Pre-employment Test: \_\_\_\_\_

Time and Date Test Result Received: \_\_\_\_\_ Reported By: \_\_\_\_\_

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

*(Original to be kept in employee file.)*

*(Employee to receive duplicate copy.)*



# City of Canby Bi-Monthly Report

## Department: Administration

### For Months of: July & August 2012

To: The Honorable Mayor Carson & City Council  
From: Kim Scheafer, MMC, City Recorder  
Prepared by: Erin Burckhard, Office Specialist  
Through: Greg Ellis, City Administrator  
Date: September 10, 2012

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**1. Business Licenses** – Thirty-nine new business licenses were issued during the months of July and August 2012. This compares to 42 new licenses issued during July and August 2011. Forty-three business licenses were inactivated during the months of July and August 2012. This compares to 36 inactivated during the same period in 2011. One hundred eighty-four business license renewals were sent out, compared to 164 in 2011. The total number of businesses licensed with the City of Canby is 1,143. Six hundred forty-nine of these have Canby addresses.

**2. Complaints/Inquiries** – Thirty-eight complaints/inquiries were received during July and August 2012, 35 of which have been resolved. Fourteen were resolved within 24 hours. Thirteen follow-up cards were mailed and eight were returned with Excellent and Good ratings. We received no Poor ratings during this tracking period.

The following comments from citizens were received that exemplify the satisfaction with the service received by City employees:

*"You make it feel like the small town it was when I moved here in 1980. Thanks!"*

*"I called – it was fixed in a very short time – cool!"*

*"Very good fixing of the problem. They made sure it was the right light and were done in 15 minutes."*

**3. Training/Meetings** – Kim Scheafer attended an Open House at Clackamas County Elections on July 23

- Kim Scheafer attended the NE 4<sup>th</sup> Avenue ribbon cutting on August 7
- Kim Scheafer attended NIMS in Oregon Training on August 16 with Lt. Tro

**4. Special Animal Permits** – One Special Animal Permit was issued during the months of July and August 2012.

**5. Sidewalk/Park Vending Permit** – None.

**6. Liquor Licenses Processed** – One liquor license application was processed for Thai Corner Cuisine (previously Hot Chicks Bento).

**7. Miscellaneous** – Sue Ryan, Deputy City Recorder, earned the Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC) in August.

- The City's electronic newsletter was distributed to 1,043 email addresses in July and 1,046 August 2012.



## **City of Canby Bi-Monthly Monthly Report**

### **Department: Court**

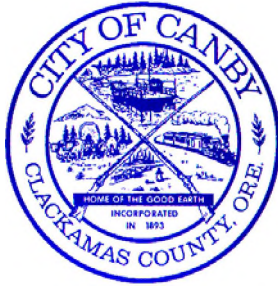
### **For Months of: July & August, 2012**

To: The Honorable Mayor Carson & City Council  
From: Kim Scheafer, MMC, City Recorder  
Prepared by: Kathy Mashek, Office Specialist  
Date: September 4, 2012

- Thirteen people attended the seatbelt class for the month of July & August. This generated \$260.00 toward the purchase of helmets.
- Court trials for the months of July & August were held for six defendants. This required six officers, at various times, to come to testify.
- Four hundred sixty-seven were filed and 453 cases were concluded during these months.
- Revenue for both months was \$86,684.18. Out of the amount collected, Oregon Department of Revenue received checks totaling \$16,874.96 and Clackamas County received \$370.35.
- Thirty-five defendants appeared with attorneys. With the defendants there were a total of three different attorneys present.

#### **Training/Meetings:**

- Jane Moe-Wright observed Court proceedings in Wilsonville on August 21.



## **Bi-Monthly Finance Department Report**

**To:** Mayor Randy Carson & City Council Members  
**From:** Sue Engels, Finance Director  
**Through:** Greg Ellis, City Administrator  
**Covering:** July & August 2012  
**Compiled by:** Suzan Duffy

In addition to providing services and responding to inquiries from both internal and external customers, and performing the tasks listed statistically on the last page, the Finance Department reports the following items of interest this period.

- The **Adopted 2012-2013 Budget** book was finalized and submitted to the required entities in July. It was also made available on the City's website.
- Year-end accruals, preliminary closing entries and fixed asset additions were posted in preparation for the **annual financial audit** scheduled to begin September 4<sup>th</sup>.
- New **sewer rates** were implemented this period, including updates to commercial and industrial usage. The usage rates are provided by Canby Utility.
- Finance staff arranged the annual **Employee Benefits Fair** held in July at the Canby Adult Center. This provided all staff an opportunity to get information on current benefits as well as optional programs promoting health and well-being.
- **Salary and benefit rates** were updated this period in accordance with the adopted budget and various agreements.
- **Transit Tax** returns came in steadily this period. One highlight was successfully bringing into compliance a business who had not filed since October of last year.

- **Accounts Payable** was active this period in encumbering contracted funds for the new fiscal year and processing large payments for this busy construction season.

- **Utilities information on the City website** has been totally revamped and expanded. Rates, authorities and forms are now easily available. A separate page lists the multiple payment options available for customer convenience. We enjoyed teaming with Tech Services in getting this accomplished.

- After training at State Lands, a new system of **tracking unclaimed funds** is being put in place. There is a requirement to forward the funds from uncleared checks to the State after certain steps are taken. We have also researched and received some funds belonging to the City of Canby that were being held by the State.

- The first of planned quarterly meetings of the **Caselle User Group** was held in July to provide a forum for the users of the City's municipal accounting software. Employees in the areas of Court, Business License, Transit Tax, Accounts Payable, Payroll, Utility Billing, General Ledger and Tech Services were all in attendance to share information, concerns and tips about the software and other tech-related issues.

- Other activities included responding to a large public records request, attending a webinar regarding financial reporting and drafting job description updates.

- **Staff spotlight: Sharon Tramel** is a Finance Office Specialist III responsible for Payroll. She started working for the City in 1998 and served in various administrative support roles until taking over Payroll in 2000. In the years since, Sharon's reliability in ensuring that 110+ employees—and the federal and state government—are paid accurately and on-time, has been unsurpassed. With great attention to detail, she also performs cash receipting, bank reconciliations, salary and benefit budgeting and various other tasks in support of the Finance Department. Sharon loves the sun, and relishes it whether gardening or fishing in Oregon or vacationing in more tropical locales. She and her husband Darvin live in Aurora with their son—already about to be a 4<sup>th</sup> grader!--and a menagerie of interesting pets.

Statistics this period:

- **Accounts Payable**

Invoices:	659
Invoice entries:	1067
Encumbrances:	49
Manual checks:	7
Total checks:	429

- **Payroll**

Timesheets processed:	467
Total checks and vouchers:	539
New hires/separations:	2/0

- **Transit Tax Collection**

Forms sent:	0
Delinquent notices sent:	24
Non-filed notices sent:	149
Collection notices sent:	4
Accounts sent to collections:	2
Accounts opened/closed:	38/50
Returns posted:	629

- **Utility Billing**

Bills sent:	9032
Counter payments:	320
Accounts opened and closed:	143
Lien payoffs:	5
Lien payoff inquiries:	21
Collection notices sent:	22
Accounts sent to collections:	6

- **General Ledger**

Total journal entries:	631
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- **Cash Receipts Processed**

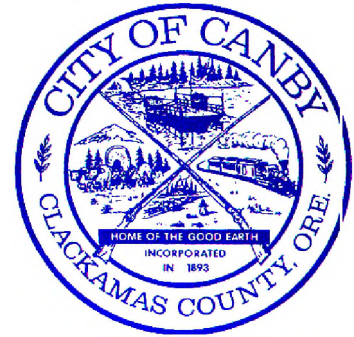
Finance:	927
Utility:	483

- **Cemetery**

Total property purchases recorded:	7
Total interments recorded:	15



CANBY PUBLIC LIBRARY  
BI-MONTHLY STAFF REPORT  
July – August 2012



TO: Honorable Mayor Carson and City Council

FROM: Penny Hummel, Library Director

THROUGH: Greg Ellis, City Administrator

DATE: September 6, 2012

**Circulation.** Overall (print and electronic) circulation remains steady at approximately 30,000 items a month. However, we are seeing a steady increase in e-book circulation: compared to July and August of 2011, e-book circulation has increased 41% (from 922 to 1,307 items).

**Grants to the library.** We learned in August that the library was selected to receive two national grants, which both will make a real difference in our ability to serve the Canby community. Target is providing \$2,000 to support the library's program Book by Book/Libro por Libro, a program started in 2011 that provides free books in both English and Spanish to children at community and library events, as well as a bookshelf at the Canby Center. Book By Book/Libro por Libro provides the opportunity to reach children and families who might not otherwise use the library, or who may have not even visited the library before. In this way, we are taking the library out of the building and directly into the community where it is most needed. Response to the program thus far from the community has been very positive. One participant wrote: *"Gracias por los free libros. Es muy bueno obtener libros aquí ya que así no hay excusas para leer con ellos."* ("Thank you for the free books. It is very good to get books here, now there are no excuses not to read with them.")

The second grant we received in August was from the Gilder-Lehrman Institute of American History. The library was chosen to host a national traveling exhibit *Civil War 150* and also received \$1,000 to support scholar-led discussions on the Civil War to accompany the exhibit, which will visit Canby in early 2013. With this grant support, the library will plan a multipart Civil War discussion series as a follow up to the very successful *1776* series in early 2012.

**Collection Development.** According to recent LINCC statistics, the Canby Public Library added 12,595 books and other items to its collection in FY12-13, third only to the Lake Oswego (17,646) and Wilsonville (13,438) libraries in such additions. This significant improvement in our collection has been accomplished in part by careful consideration of all materials donated to the library by the community; about 200 quality books and DVDs are added each month, with an annual value of about \$36,000.



**New library planning.** On August 22, Canby's Urban Renewal Agency approved the 2<sup>nd</sup> Avenue site for the new library, as well as a plan to renovate the current library building into new city administrative offices. Our work this fall will focus on the first steps that will lead towards opening our new library in early 2015.

**Summer Reading.** This annual extravaganza helps kids return to school ready to learn. Over 1,000 children and youth participated by filling out reading logs; our top teen reader was Emma Evans with 185 hours and our top reader/read-to-me's were Steven Aguirre, Nancy Garcia, Matt Morris, Stephen Morris, Maddy Muldoon, and Mary Riegg, who all logged in 45 hours. Almost 1100 participants enjoyed 18 summer reading programs including puppet shows, music, magic, and, of course, the Reptile Man. Support for Summer Reading was provided this year by the Friends of the Canby Public Library and a Ready to Read grant from the Oregon State Library.

In addition, 390 adults participated in our adult summer reading program. Five won \$20 gift certificates generously provided by Cutsforth's Thriftway. We thank them for this important support of the library.

**Community involvement.** Volunteers donated 665 hours in July and August, helping the library by pulling holds, sorting, shelving, processing and mending books, staffing the Friends of the Library Bookstore, and assisting with library programming and events.

**Upcoming programming.** The library has a full roster of events planned for the fall, including:

- 75<sup>th</sup> birthday celebration on Sept. 15, with additional programs through the fall (see brochure for complete details).
- Weekly e-reader classes, each Wednesday at 11 am
- Monthly book groups:
  - Fiction/Nonfiction: third Thursdays at 2 p.m.
  - History: 4<sup>th</sup> Wednesdays at 4 p.m.
- Storytimes: Wednesdays at 10:30 a.m. (Book Babies); Mondays at 10:30 a.m., Fridays at 11 a.m. and Saturdays at 11 a.m. (Spanish)
- Movie nights (in English): 2<sup>nd</sup> Thursday at 6 p.m.
- Movie nights (in Spanish): 3<sup>rd</sup> Thursday at 6 p.m.
- Introduction to computers: September – December (alternating in English and Spanish), Tuesdays at noon.
- Fall and Winter Gardening: September 25 at 6:30 p.m.
- Edible Landscaping: October 16 at 6:30 p.m.
- Create a Fall Centerpiece: October 23 at 6:30 p.m.

# **PLANNING & DEVELOPMENT SERVICES JULY/AUGUST 2012 BI-MONTHLY REPORT**



**TO:** *Honorable Mayor Carson and City Council*  
**FROM:** *Bryan Brown, Planning Director*  
**DATE:** *September 6, 2012*  
**THROUGH:** *Greg Ellis, City Administrator*

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The following report provides a summary of the Planning and Development Services activities for the months of July and August, 2012. Please feel free to call departmental staff if you have questions or desire additional information about any of the listed projects or activities. This report includes planning activities, a listing of new land use applications being processed and building permit site plan review construction projects.

## **Plan Preparation**

- 1. Highway 99E Corridor & Gateway Design Plan.** The final draft plan was completed and handed over to City staff to move through the adoption process. The Plan is intended to refine and supplement the City's Transportation System Plan for the 99E highway corridor. It outlines long-term design objectives with a list of recommended projects and includes a recommendation for some development code text amendment to assist in obtaining implementation assistance toward the design objectives during private development or redevelopment projects that front on the highway. Staff has scheduled a joint Council and Planning Commission work session to assist in explaining the contents of this long-range plan for the future of the 99E highway corridor.
- 2. Canby Land Needs Study.** No activity this period. However, staff continues to participate in work the County is doing to complete a rural city's coordinated population forecast which will provide a crucial element for completing a new buildable lands needs analysis for Canby.
- 3. Downtown Parking Study.** The final recommendation from the updated Downtown parking study was delivered to the City in August. It generally confirmed overall results from the original 2001 study while providing additional short, middle, and long range recommendations related to assuring that parking issues are adequately addressed in the downtown area over time. Review and adoption of the updated parking study is set to occur before the Council on October 17, 2012.
- 4. Dog Park Design.** Internal agreements among departments are now in place for use of the "Sisters Home Site" for the new city dog park. Final arrangements are being made through the County to proceed with the demolition and partial reuse of the existing structures on the property and to secure necessary permits.
- 5. GIS "GeoMoose" Web Site Access.** Dean Anderson met with staff on July 19 to demonstrate use of the demonstration GIS site he has developed for use by the City

and the data that is currently available. He asked for additional staff input on additional layers of needed information to install on the system. We are very close to having a new web mapping site available for general staff use. Additional layers of requested data are being installed by Dean at this time as provided by staff.

### **City Program/Project Participation**

- 6. Transportation/Parks System Development Charge Study & Fee Update.** The FCS Group – John Ghilarducci, and Doug Gabbard – approached the end of their analysis and are setting forth the final parameters of the new methodology. Staff has scheduled a work session where our consultants will familiarize the Council with the basis for the new fees for October 17, 2012.
- 7. Community Park Improvements.** After obtaining agreement from Matilda – representing the City's park department, the Fish & Wildlife agency is now moving forward with revised simpler design improvements around community pond.
- 8. Planning Commission.** The Planning Commission held a meeting on July 9 to consider and make a recommendation to Council on the Hope Village Annexation and a meeting on July 23 to consider the Fred Myer Fuel Station which was continued to resolve application issues to a September 24, 2012 meeting.
- 9. Code Enforcement Issues.** Planning staff assisted the code enforcement officer with signage issues, a high weeds/trees complaint, an illegally converted residential garage, and a commercial tenant wall installation that occurred without a permit.

### **Regional Activity Participation**

- 10. Clackamas County Coordinated Population Forecast for Five Rural Cities.** Our last communication with the County was on July 18 where the project manager indicated research had progressed on completing the background report utilizing 2025 household projections from Metro. We will be receiving a copy of the report to provide feedback soon and discuss Metro's 2035 projections and how that data impacts this project.
- 11. Clackamas County Transportation System Plan.** *The City continues to provide input through the Council's C-4 coordinating efforts.*
- 12. Metro 2035 Forecast of Households and Employment.** Metro released their long-term 2045 forecast and staff attended a briefing session in July to hear an explanation of how it was done. Feedback occurred in August. They are required by law to provide a regional growth forecast which results in the allocation or distribution of households and employment across the region by Traffic Analysis Zones. All planning must be based on this forecast. Clackamas County is utilizing and questioning where needed the accuracy of the data that pertains to them and to Canby as well.
- 13. French Prairie Forum Meetings.** *Ongoing.* Staff attended the August meeting where discussion focused on where local governments have and might share service responsibilities moving forward for greater efficiencies and cost savings.
- 14. Clackamas Fair Housing Workgroup.** Director was requested to participate and attended 3 meetings of a fair housing workgroup in order to provide input on the

County's preparation of an Analysis of Impediments to Fair Housing and to assist in prioritizing action steps to better address issues of housing discrimination.

#### **15. Miscellaneous Dept. Activities**

- Planning staff attended the August Bike and Pedestrian Committee meeting and the Parks Board meetings.
- Director participated in Oregon City Planning Directors Association Board meeting teleconference on July 20.
- Hosted a coordination meeting with a new Wilsonville long-range planner in August.
- Attended two façade application meetings – one in July with Trinity Church and one in August with American Legion.

#### **Development Activity**

##### **16. Pre-Application Conference(s):**

- none

##### **17. Land Use Applications Submitted July 1 through August 31, 2012:**

- Lot Line Adjustment (LLA 12-01) submitted by the City of Canby to adjust the old police building property to accommodate a sale to the adjacent property owner located at the northwest corner of SE Sequoia Parkway and SE 4<sup>th</sup> Ave.
- Lot Line Adjustment (LLA 12-02) submitted by the City of Canby as a part of the Local Improvement District arrangements for the new Walnut Street alignment and paving project in the Pioneer Industrial Park to provide Walnut Street access to one of the undeveloped properties.

##### **18. Pre-Construction Conference(s) Held:**

- Dragonberry Produce warehouse pre-construction meeting held on July 24, with a follow-up value engineering meeting with planning staff on August 22 as they continue to search for ways to meet their target contract price point before proceeding.

##### **19. Land Use Consultations.**

- Staff has continued to consult with local clients concerning a possible new building for a local commercial service business, a possible expansion to a local restaurant, and an inquiry about where mini-storage warehouse would be allowed.

#### **Permits Reviewed for County Approval**

##### **Site Plan Reviews for July and August**

SP 12-20	Dana Geister	Bonus Room& Remodel Attic	883 NE 10 <sup>th</sup> Ave
VOID	Duplicate Number		
SP 12-22	Richey/Pederson	Home Addition	744 NW 13 <sup>th</sup>

SP 12-23	Tiedeman/PLS Homes	New Home	1394 NE 17th
SP 12-24	Tiedeman/PLS Homes	New Home	1380 NE 17th
SP 12-25	Dragonberry	Produce Dist. Warehouse	386 S Sequoia
SP 12-26	Adam Cnossen	Replace existing concrete pad	560 NE 13th
SP 12-27	Tom Whelchel	Finish existing attic space	1620 SE 11th
SP 12-28	Michael Ballerwell	Demo of Garage/Barn	458 N Locust
SP 12-29	Tiedeman/PLS Homes	New Home	701 N Ivy
SP 12-30	Canby School Dist	R&R Windows, Knight School	501 N Grant
SP 12-31	Robert Wescott	New Home	538 NW 14th
SP 12-32	Mathew Draper	Remodel Cooler Walls	165 S Hazel Dell
SP 12-33	Zoar Lutheran Church	Remove Storage House	190 SW 3 <sup>rd</sup> Ave
SP 12-34	Wilson Const.	Apply Roof Sealant	1190 NW 3 <sup>rd</sup>
SP 12-35	Cutsforth	Apply Roof Sealant	225 NE 2 <sup>nd</sup>
SP 12-36	Robert Zimmer	Patio Cover	1434 N Fir
SP 12-37	Crisp Homes	New Home	887 NW 2 <sup>nd</sup> Ave
SP 12-38	Crisp Homes	New Home	885 NW 2 <sup>nd</sup> Ave
SP 12-39	Sheveland	Patio Cover	1351 S Pepperwood

SN 12-10	Sign Wizards	Police Facility Wall Sign	1175 NW 3rd
SN 12-11	Will Somme	Police Facility Monument Sign	1175 NW 3rd
SN 12-12	North Willamette	Habitat Restore Wall Signs	411 S Redwood

### **Building Permits for July and August 2012**

No permits were issued by City

### **Active Permits Finalled**

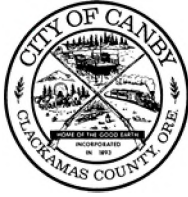
#### **July**

- ✚ 2 Single Family Residential Homes
- ✚ 1 Commercial Fire Sprinkler Installation
- ✚ 1 Residential Truss Replacement
- ✚ 1 Commercial Tenant Improvement
- ✚ 1 Re-Roof for Shimadzu

#### **August**

- ✚ 1 Detached Residential Garage
- ✚ 1 Residential Mechanical Permit
- ✚ 1 Solar Panel Installation for Police Facility
- ✚ 2 Permit Application for Permits Cancelled
- ✚ 10 Expired Permits





## City of Canby Bi-Monthly Report

### Department: Police

### July and August 2012

To: The Honorable Mayor Carson & City Council  
 From: Chief Bret Smith  
 Date: Sept. 10, 2012

#### Monthly Stats

Description	July	August
Calls for Service	1315	1190
Juvenile Arrests	16	8
Adult Arrests	108	91
Accidents	12	8
Crime Reports	68	72
Traffic Citations	238	221
Parking Citations	5	4
False Alarm Calls	29	29
Abandoned Vehicle / Parking Complaints	13	22
Animal Complaints	6	4
Other Ordinance Viol. Complaints	14	6
Total Code Enforcement Calls for Service	52	43

#### Training

##### *July 2012*

M. Smith	July 23-25	NGCRC Gang Conference	Chicago, IL
Ethington	July 12	Glock Armors Course	Newberg PD
Scharmota M. Smith	July 19	The Ultimate leader	Eugene, OR
Larrison	July 15-20	National SRO Conference	Reno, NV
Murphy Schoenfeld Mead Scharmota Floyd	July 10-12	ONEA	Eagle Crest Resort
Schoenfeld Kitzmilller Green	July 18-21	Active Shooter Instructor Course	Oregon City/Clackamas
All Officers	July 25	Department Firearms Qualification	CRGC
Koehnke Stanislaw	Jul 30 - Aug 3	Basic SWAT	Camp Rilea, OR

##### *August 2012*

Larrison	Aug 5-8	Oregon SRO Conference	Eagle Crest Resort
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## Meetings & Events Attended – Chief Smith / Lt. Tro

- Monthly Chief's Meeting – Milwaukie PD
- Chief Al Orr – Tigard PD
- Commander Bob Day
- Chief Scott – Woodburn PD
- Canby Community Response Team Mtg. – Develop. Services Conference Room
- Glen Norling - FBI
- Chaplain Bill Roberts
- Police Facility Tour – Tigard PD
- LGPI (Local Government Personnel Institute) Conference
- Karen Hill 0 OCTS Channel 5
- NIMS – Clackamas County Emergency Management
- Police Facility Tours – All shifts, Canby Police Department
- Police Facility Tour – Councilors Hensley, Daniels, Parker, Dale, Mayor Carson
- Mid Manager Meeting
- South Metro Gang Task Force Mtg. – Woodburn PD
- Oregon Chiefs of Police Association Mtg.
- Rotary – Weekly
- Clackamas County Criminal Justice Council Quarterly Mtg.
- Light the Night Steering Committee
- All Hands (City Leaders) Mtg.
- Canby Adult Center lunch service – Monthly
- C800 Meeting / Fire & Law Services Mtg. (CCOM – Clackamas County Dispatch)
- Clackamas County Communications (CCOM 911) User Meetings – Monthly

# Year End Report

**From:** Eric Laitinen, Aquatic Program Manager

**Date:** September 10, 2012

**Re:** Bi-monthly Report

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The Canby Swim Center is up and running again after a week closure for annual maintenance. David and Nathan made sure the mechanical system received servicing and that everything is in good repair. The pool deck received a fresh coat of paint and the whole building was cleaned and many other areas got a fresh coat of paint too. Every year the pool tank is emptied, cleaned and re-filled again, it is painted every two or three years. Painting was not necessary this year which meant a two week shorter closure.

This fiscal year, which started in July has began very well. Revenue is \$5,000 ahead of last July and August and last year was a very good year. Attendance has also started ahead of 2011. This year's attendance had a 1,700 swim bump over 2011 in the same two months. Many of the programs had better attendance this year, but we also ran a public swim special for August and it nearly doubled our numbers for afternoon public swims. Usually August starts to drop off as school gets closer, but having \$2.00 public swims brought in many more people and kept August busy. July and August swimming lessons were also great, as the attendance numbers for those were also 500 ahead of 2011.

The outlook for 2012-13 is excellent. The pool looks great thanks to David Biskar, Nathan Templeman and their crew. We had a great first two months and we hope that it will continue to build through-out the year.



**FROM :** ERIC LAITINEN, AQUATIC PROGRAM MANAGER  
**SUBJECT:** MONTHLY REPORT FOR JULY 2012  
**DATE:** SEPTEMBER 10, 2012

CANBY SWIM CENTER JULY 2012	ADMIT 2011	ADMIT 2012	PASS 2011	PASS 2012	TOTAL 2011	TOTAL 2012	YTD TOTAL II-I2	YTD TOTAL II-I3
MORNING LAP	47	65	246	283	293	348	293	348
ADULT RECREATION SWIM	95	87	563	603	658	690	658	690
MORNING WATER EXERCISE	80	54	306	295	386	349	386	349
PARENT/ CHILD	288	424	0	0	288	424	288	424
MORNING PUBLIC LESSONS	1448	1771	0	0	1448	1771	1448	1771
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	56	78	195	153	251	231	251	231
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	604	620	39	33	643	653	643	653
PENGUIN CLUB	0	0	457	660	457	660	457	660
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	0	0
CANBY GATORS	0	0	707	576	707	576	707	576
MASTER SWIMMING	0	10	0	80	0	90	0	90
EVENING LESSONS	1235	1270	0	0	1235	1270	1235	1270
EVENING LAP SWIM	39	70	97	119	136	189	136	189
EVENING PUBLIC SWIM	915	802	86	52	1001	854	1001	854
EVENING WATER EXERCISE	98	78	84	61	182	139	182	139
ADULT LESSONS	0	0	0	0	0	0	0	0
GROUPS AND RENTALS	152	201	0	0	152	201	152	201
KAYAK	0	0	0	0	0	0	0	0
OUTREACH SWIMMING	523	488	0	0	523	488	523	488
<b>TOTAL ATTENDANCE</b>	<b>5,580</b>	<b>6,018</b>	<b>2,780</b>	<b>2,915</b>	<b>8,360</b>	<b>8,933</b>	<b>8360</b>	<b>8933</b>

**FROM :** ERIC LAITINEN, AQUATIC PROGRAM MANAGER  
**SUBJECT:** MONTHLY REPORT FOR AUGUST 2012  
**DATE:** SEPTEMBER 10, 2012

CANBY SWIM CENTER AUGUST 2012	ADMIT 2011	ADMIT 2012	PASS 2011	PASS 2012	TOTAL 2011	TOTAL 2012	YTD TOTAL II-I2	YTD TOTAL II-I3
MORNING LAP	35	83	298	285	333	368	626	716
ADULT RECREATION SWIM	87	67	680	600	767	667	1425	1357
MORNING WATER EXERCISE	70	45	278	298	348	343	734	692
PARENT/ CHILD	433	268	0	0	433	268	721	692
MORNING PUBLIC LESSONS	1416	1617	0	0	1416	1617	2864	3388
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	50	69	186	140	236	209	487	440
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	557	1090	40	20	597	1110	1240	1763
PENGUIN CLUB	0	0	255	383	255	383	712	1043
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	0	0
CANBY GATORS	0	0	191	342	191	342	898	918
MASTER SWIMMING	0	0	0	26	0	26	0	116
EVENING LESSONS	1050	1239	0	0	1050	1239	2285	2509
EVENING LAP SWIM	94	107	102	128	196	235	332	424
EVENING PUBLIC SWIM	615	865	58	72	673	937	1674	1791
EVENING WATER EXERCISE	130	81	72	60	202	141	384	280
ADULT LESSONS	0	0	0	0	0	0	0	0
GROUPS AND RENTALS	160	92	0	0	160	92	312	293
KAYAK	0	0	0	0	0	0	0	0
OUTREACH SWIMMING	0	0	0	0	0	0	523	488
<b>TOTAL ATTENDANCE</b>	<b>4,697</b>	<b>5,623</b>	<b>2,160</b>	<b>2,354</b>	<b>6,857</b>	<b>7,977</b>	<b>15217</b>	<b>16910</b>



July and August, 2012  
Monthly Reports

Facilities Maintenance – Dan Mickelson  
Fleet Service – Joe Witt  
Parks Department – Jeff Snyder  
Public Works – Jerry Nelzen

Facilities Maintenance  
July & August 2012  
Prepared by Dan Mickelsen

It has been a busy couple months. I did take off a week to help out at the Canby Rodeo and then wound up sicker than a dog for two weeks. So my report is really for five weeks minus the time off around the 4<sup>th</sup> of July. I once again have to thank Suzan and Sue in the Finance Department for helping me amend the janitorial budget due to the size of the new Police Department. I foresee other adjustments coming my way due to the increased size of the new facility.

Police Dept: 6 w/o repairs. Along with spending numerous hours going back and forth with Masterclean over janitorial services there was a bit of excitement with a supposed gas leak. The call came in as we were all walking out the door on July 26<sup>th</sup>. As I was driving to the P.D. I was thinking where the gas could be coming from. Then it dawned on me there is no gas at the P.D. The Fire Dept crew showed up and started sniffing out numerous locations. Once I found out where the smell was initially coming from I asked them to check a small floor drain below a back flow device and soon after out they come. I went inside and refilled the drain and all is good. Once again one of the HVAC units lost a fan motor which was replaced, and I also took care of some additional plumbing issues. I did attend several onsite training meeting at the new Police Department dealing with HVAC, Fire Alarms, Hot Water Heaters, mixing valves etc. 24 hrs total.

Adult Center: 3 w/o repairs. I made repairs on the roof top kitchen exhaust fan and replaced the circulation pump on the swamp cooler. I also pressure washed and re stained all of the cedar shingles on the exterior of the building. 37 hrs total.

City Hall: Other than attending a meeting or two and the City Health and Fitness fair all was good.

Finance and Transit: 1 w/o repair. Due to a temporally lost set of keys, all of the locks in the building were being re keyed, then at the last minute the keys were found and we were able to return the changed locks back and leave the rest alone. 2 hrs total.

Library: 5 w/o repairs. The flooded rest room is still ongoing. Spraying bee nests, replacing ballasts, fixing a hole in an exterior door and rebuilding the exterior water hydrant were all taken care of. 7 hrs total.

Planning and Building: 4 w/o repairs. We were nailed by graffiti on the exterior of the building and of course the graffiti remover I used took the paint off of the building as well, nuts. So that needed re primed and repainted. I also hauled some pallets for the IT dept took care of a plumbing issue and re adjusted the door closer again. 9.75 hrs total.

Shop Complex: I started work on the "Heated Bay" project. Just when I thought things were going good at Clackamas Co. Building things went south. I made a return trip with the heater specs and managed to convince the plan pre viewer that I felt that having the trusses re engineered because of a 73 pound heater was a little extreme. I hung wood beams onto the steel

tubing for mounting over head doors, went out and received more electrical price quotes and door quotes. Construction should start any day now. We also had a leak in the men's rest room due to a failed solder joint on copper pipe fitting. I removed the sheet rock and exposed the problem and had Canby Utility call the insurance company. They balked at paying for any repairs, so I re blocked the wall, sheet rocked and mudded, primed and painted the wall. I also rebuilt one of the water fixtures. 42.75 hrs total.

Public Works: I attended the pre-con for Dragon berry produce and did 4 E.S.C. inspections. 9 hrs total.

## Fleet Services

Bi-Monthly Report : July / August 2012

Prepared by Joe Witt, Lead Mechanic

### July 2012

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$120.00	\$6.33	\$0.00	\$126.33
Adult Center	0	\$0.00	\$0.00	\$468.74	\$468.74
Collections	5	\$1,117.50	\$244.28	\$284.21	\$1,645.99
Facilities	1	\$187.50	\$6.89	\$69.64	\$264.03
Fleet Service	2	\$187.50	\$303.70	\$126.19	\$617.39
Parks	11	\$3,836.25	\$791.45	\$1,313.04	\$5,940.74
Police	11	\$7,331.25	\$3,752.09	\$5,725.63	\$16,808.97
Streets	9	\$2,456.25	\$1,501.64	\$1,531.37	\$5,489.26
Transit (CAT)	28	\$11,534.00	\$12,515.98	\$7,263.23	\$31,313.21
Wastewater Treatment	2	\$697.50	\$136.10	\$264.85	\$1,098.45
Total Work Orders Processed for the Month	<b>70</b>	Totals*			<b>\$63,773.11</b>

\*Total includes labor, materials and fuel for all departments:

### August 2012

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$52.50	\$12.66	\$0.00	\$65.16
Adult Center	3	\$375.00	\$67.78	\$51.93	\$494.71
Collections	6	\$536.25	\$64.60	\$359.56	\$960.41
Facilities	3	\$311.25	\$18.20	\$71.38	\$400.83
Fleet Service	2	\$251.25	\$23.45	\$69.60	\$344.30
Parks	11	\$1,867.50	\$1,199.07	\$327.75	\$3,394.32
Police	21	\$7,867.50	\$1,752.64	\$2,894.62	\$12,514.76
Streets	16	\$4,987.50	\$3,860.00	\$1,367.98	\$10,215.48
Transit (CAT)	32	\$9,033.75	\$3,120.86	\$4,357.62	\$16,512.23
Wastewater Treatment	5	\$1,350.00	\$42.83	\$164.24	\$1,557.07
Total Work Orders Processed for the Month	<b>100</b>	Totals*			<b>\$46,459.27</b>

\*Total includes labor, materials and fuel for all departments: **Note: August 2012 Fuel Costs Includes Only August 1, 2012 thru August 15, 2012**

#### Fleet Service Highlights

Fleet Service working with other City Departments kept the City's vehicles and equipment on the road performing their duties. Fleet Tech's attended a Chrysler Engine Performance Training Seminar

## **Parks Maintenance**

By Jeff Snyder, Parks Maintenance Lead Worker

July – August 2012

### **Park Renovations**

The project manual for the Northwood Park renovation was reviewed. I submitted my recommendations of change to Gordon Munro of Kennedy Jenkins Consultants.

The extension of the Eco Park parking lot was completed. The additional ten parking spaces are already being utilized.

### **Park Maintenance**

In July mowing, edging and string trimming were still in full swing. Irrigation adjustments and repairs were addressed as needed. The parks turf areas were fertilized towards the end of July and the shrubs were trimmed and fertilized as needed. The spraying of weeds and fence lines started to slow by the middle of August. Playground repairs were addressed as found and all the natural areas and trail edges have been cut down to reduce the fire hazard risk. Doors fountain and other park amenities were repaired as needed. Two hazard trees were cut down by True Care Tree Service at Community Park. We cleaned up and hauled off all of the debris. The department also limbed up some other hazard trees at Community Park. All wood chips generated from the chipping projects were utilized on the nature trails. Staff assisted the WWTP with the digging of a water line trench. The pressure washing of playground equipment, buildings and sidewalks was started. Staff also limbed up the trees and field mowed the 6.1 acre PD property off of Sequoia Parkway.

The Parks Department spent 4.5 hours addressing graffiti and vandalism the last two months. Regular maintenance was performed at the 29 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, City Hall, Community Park (River), CPIP sign, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Klohe Fountain, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Northwood Estates Park, Sequoia PD property, Simnitt Property, Skate Park, Shop Ground, Swim Center, Legacy Park, Territorial Estates Future CLC Park, Transit Building, Transit Bus Stop, Triangle Park, Vietnam Era Veterans Memorial, Wait Park & Willow Creek Wetlands.

### **Meetings attended**

I meet with Curran-McLeod Engineers to discuss the Eco Park parking lot extension.

Matilda, Ben and I met with Gordon Munro from Kennedy/Jenkins Consultants to review the Northwood Park project manual.

Ben and I met with Group Mackenzie to do an owner training; training was stopped once it was determined the project not complete.

Jerry and I met with Group Mackenzie regarding the design of the sidewalk from the PD to the Skate Park.

A tour of Maple, Wait and Legacy Parks was given to Councilor Hensley and Daniels to determine bike rack quantity and placement.

We all watched a personal protective equipment video.

We all attended the Cities benefits fair.

I attended the Lead workers meeting.

### **For your Information**

The Parks Department is responsible for 200 acres of property.

We reviewed 31 Park Maintenance 1 applications and turned in or top 5 choices to HR.

Department: PUBLIC WORKS  
For Month of: July and August 2012  
Prepared by: Jerry Nelzen

**1. Streets:**

During the month of July the Public Works Department put out barricades for General Canby Days parade and (3) block parties for the celebration of the 4<sup>th</sup> of July holiday. Continued working with Urban Renewal and the contractors for NW 1<sup>st</sup> Avenue Reconstruction project. NE 4<sup>th</sup> Avenue Rebuild has been completed with new sidewalks, paving and striping, ready for the upcoming Fair in August.

The crew received and located 80 locates for July.

<b>Streets</b>	<b>Total Hours</b>
Street Sweeping	63
Street Sweeper Maintenance	3
Street Maintenance	375.5
Street Sign Manufacturing	21
Street Sign Maintenance	44.5
Street Sign Installation	6
Street Light Repair	35
Tree Trimming	68.5
Tree Removal	32
Vactor Usage	14

**2. Sewer and Storm System:**

The crew cleaned lift stations in Canby. Cleaned and video inspected sewer mains and laterals upon citizen's requests. Replaced 14 catch basins with G-2 catch basins around town in preparation of the Street Maintenance Paving project.

<b>Sewer</b>	<b>Total Hours</b>
Sewer Maintenance/Repair	10
Sewer Laterals	8
Lift Station Maintenance	30
Locating Utilities	37
Sewer Inspections	.5
Drying Beds	2
<b>Storm</b>	
Catch Basin Maintenance	87
Dry Well Maintenance	5.5
Storm Line Maintenance/Cleaning	34
Vactor Usage	4
Drying Beds	5



### 3. **Street Sign/Trees/Lights:**

The crew during the month of July removed tress and clear tree limbs out of the City's right-of-way. The crew replaced numerous streets and faded stop signs. The crew fixed or repaired 20 street lights for July.

### 4. **Miscellaneous:**

<b>Miscellaneous</b>	<b>Total Hours</b>
Meetings	31
Warehouse Maintenance	5
Equipment Cleaning	9
Work Orders	14
Other	20.5

## **August 2012**

### 1. **Streets:**

The Street Maintenance Paving project started and will be completed towards the end of September. Jerry has been working with Clackamas County with their striping projects for the streets in Canby under their jurisdiction along with the Public Works crew striping our roadways. Cleaned streets before and after Kiddy Capper parade from animal debris and candy wrappers and also swept NE 4<sup>th</sup> from 99E to N Locust removing debris off the sidewalks and streets.

The crew received and located 100 locates for August.

<b>Streets</b>	<b>Total Hours</b>
Street Sweeping	101
Street Sweeper Maintenance	5
Street Maintenance	460.5
Sidewalks	18.5
Street Sign Manufacturing	28
Street Sign Maintenance	26
Street Sign Installation	26
Street Light Repair	13
Tree Trimming	28
Tree Removal	63.5

## 2. Sewer and Storm System:

The crews located sewer laterals for homeowners on NE 4<sup>th</sup> and N Knott and NW 14<sup>th</sup> and N Elm Streets. The crew installed four G-2 catch basins at NW 9<sup>th</sup> and N Hawthorne Court before NW 9<sup>th</sup> Avenue was paved.

<b>Sewer</b>	<b>Total Hours</b>
Sewer Cleaning	2
Sewer Maintenance	13
Sewer TV'ing	6.5
Sewer Laterals	4
Lift Station Maintenance	18
Locating Utilities	48
Drying Beds	2
<b>Storm</b>	
Catch Basin Maintenance	133.5
Storm Line Maintenance/Repair	1
Storm Line Inspections	1.5
Drywell Maintenance	11
Drying Beds	8

## 3. Street Sign/Trees/Lights:

The crew during the month of August fixed 14 street lights, trimmed back limbs in the City's right-of-way and replaced faded signs. Removed shrubs out of the bike lanes on NE Territorial Road and removed a dead Pine tree out of the right-of-way on S Ivy Court.

## 4. Miscellaneous:

The crew worked with Economic Development placing barricades for events at Wait Park, Slice of Summer, National Night Out, 3 on 3 basketball, weddings and Canby Car Show..

<b>Miscellaneous</b>	<b>Total Hours</b>
Meetings	.5
Warehouse Maintenance	400.5
Equipment Cleaning	16
Training/Schools	1

# City of Canby Bi-Monthly Report

## Department: Transit



For: the months of July & August, 2012

Date: September 10, 2012

Prepared by: Julie Wehling

Through: Greg Ellis, City Administrator

### 1) Funding Issues:

- a) Monthly Elderly and Disabled transportation reports were submitted to TriMet.
- b) ODOT Quarterly Reports and reimbursement requests submitted for the 4<sup>th</sup> quarter of FY 2011-12.
- c) RCShein & Associates found pass-through two partners for one outstanding Business Energy Tax Credit (BETC) #29003 which resulted in two deposits totaling \$314,373. According to our agreement the payment to RCShein & Associates will be \$24,556.74 for finding and processing this credit. The Transit Department will net \$289,816.26 in unbudgeted revenue from this transaction.

### 2) Ridership:

Total ridership for the first two months of FY 2012-13 is up by 2.88% as compared to the previous fiscal year. During the first two months of the fiscal year CAT provided:

- a) 13,248 rides in July (5.39% more than July of 2012).
  - 1,267 demand responsive rides (Shopping Shuttle & Dial-A-Ride). This is 11.83% fewer rides than were provided during July of 2012.
  - 8089 to Oregon City (6.93 % more rides than July of 2012)
  - 3892 to Woodburn (9.05% more rides than July of 2012)
- b) 14,929 rides in August (.75% more rides than August of 2012).
  - 1,692 demand responsive rides (Shopping Shuttle & Dial-A-Ride). This is 3.36% more rides than were provided during August of 2012.
  - 8,657 to Oregon City (2.41% more rides than August of 2012)
  - 4,206 to Woodburn (1.22% fewer rides than August of 2012)

### 3) Updates:

- a) On July 19<sup>th</sup> the Transit Advisory Committee held their regular meeting.
- b) On August 16<sup>th</sup> the Transit Advisory Committee hosted a public meeting regarding the upcoming fare implementation and the proposed fare discounts.
- c) Following the service changes in June the new Shopping Shuttle was implemented on July 2<sup>nd</sup>.
- d) CAT extended service hours and days for its Clackamas County Fair Shuttle. The

Shuttle operated from 10am to 11pm Monday – Saturday August 14 -18, 2012. Unfortunately, the ridership did not reflect the increased service. We provided 374 rides this year as compared to 470 in FY 2011-12.

- e) The CAT website [www.canbyareatransit.org](http://www.canbyareatransit.org) has been expanded to include a Spanish version of all but two of its pages. Work is underway to determine the best way to translate the two final pages or post equivalent information that can be easily updated.

4) Collisions

- a) No collisions in July
- b) On August 17<sup>th</sup> a CAT bus was damaged when its side mirror scraped the inside of the tunnel on 99E in Oregon City. No one was injured and there was minimal damage to the bus.

5) Training/Meetings/Conferences Attended: City staff, contractors and/or volunteers represented CAT at:

- a) On July 13<sup>th</sup> Julie Wehling attended a Special Transportation Fund Advisory Committee (STFAC) meeting regarding an update to the Elderly and Disabled Transportation Plan (EDTP).
- b) MV Transit held a safety meeting for drivers in August.



## ***M E M O R A N D U M***

***TO: URBAN RENEWAL AGENCY***

***FROM: DAN DRENTLAW, URBAN RENEWAL PROJECT MANAGER***

***DATE: SEPTEMBER 10, 2012***

***RE: JULY/AUGUST BIMONTHLY REPORT***

### **Police Facility**

Substantial completion of the building occurred on July 27<sup>th</sup> and a Temporary Occupancy Permit was issued on the same date. The 'punch list' of remaining items that need to be addressed consist of items relating to landscaping and the sidewalk. The Police Department has fully occupied the new facility.

The portion of the road and parking lot that will provide access from the 3<sup>rd</sup> Avenue parking lot to an area in front of the lower level of the police facility has been completed and is ready for asphalt and curbs at a future date when financing becomes available.

### **First Avenue Redevelopment**

Construction is now in week seventeen and the project is progressing on schedule. The City web site continues to be updated weekly with 1<sup>st</sup> avenue construction reports and publishing in the Canby Herald. The inspector and construction liaison, Jesse Nemec is on site 5 days a week to coordinate with the contractors, engineers and businesses. Weekly construction team meetings are held every Thursday at 9:00 AM at the Planning Office.

The installation of all underground utilities is complete. Conversion of the overhead electrical service to underground lines is well underway on 1<sup>st</sup> Avenue between Elm and Fir. Electrical vaults and connections to existing buildings have been completed for the same three blocks. Delivery of the street lights occurred last week, and installation is underway, ahead of schedule.

Pouring of concrete curbs and sidewalks between Grant and Ivy on both 1<sup>st</sup> Avenue and the parking lot occurred last week (week sixteen). The colored concrete intersection at Holly along with the associated expression strips and crosswalks were also completed. Paving between Elm and Grant was completed ahead of schedule, the paving of the street and parking lot between Grant and Ivy is scheduled for Thursday, September 13<sup>th</sup>. Trenching and installation of electrical conduit in the rear parking lot between Grant and Fir was also completed in week sixteen.

The intersection of Elm Street and 1<sup>st</sup> will be closed for repair and paving. The closure is anticipated to last for two weeks beginning September 17<sup>th</sup>.

### **Sequoia Parkway Extension**

Curran McCloud and OBEC engineers have completed 95% of the design for the extension of Sequoia Parkway to SE 13<sup>th</sup> Avenue. A status report regarding the design will occur at the Agency meeting of September 12th. The current preliminary estimate for the project is 3.8 million, however since the design is nearly complete, a more refined cost will be available in two weeks. The staff is currently reviewing a proposed MOU with one of the major property owners served by this project. The MOU would provide dedication of Rights of Way for the project. The third meeting with the consultants and affected property owners will occur September 18<sup>th</sup>, and a public open house will be planned for some time in October.



## **City of Canby Bi-Monthly Report**

### **Department: Wastewater Treatment Plant**

### **For Months of:**

### **July & August 2012**

To: The Honorable Mayor Carson & City Council  
From: Dave Conner, Lead Operator  
Through: Greg Ellis, City Administrator  
Date: September 5, 2012

#### **Facility Operations & Maintenance:**

The water quality for the months of July and August remained excellent with no violations or interruption of services for either month. Plant Operators continue daily operations of the plant as we continue with summer compliance monitoring for DEQ.

Plant personnel continue to keep up with all preventative maintenance and operations that include some of the following:

- Plant lighting upgrade completely finished.
- Replaced pinch valve on the Pista Grit separator.
- Repaired a main process water line.
- Replaced two bearings on one of the biosolids conveyors.
- Met with several vendors on upgrading or replacing different equipment.
- New Raw Sewage Pump has been delivered and installed.
- Removed some dying trees and widened access road for delivery trucks.
- Don and I have been working on upgrading actuators to control air requirements for the aeration basin.
- Continuing ground maintenance: mowing, edging, pruning, spraying and cleaning of the approximate ten acre facility.
- Performed routine daily maintenance, repairs, and cleaning of plant equipment.

#### **FOG (fats, oils and grease) Program:**

1. Dave Frahm made 26 inspections of GRD's (grease removal devices) in Canby's food service establishments.
2. Fifty five pump outs were completed over the last two months, the continued inspections and mandatory cleaning schedules remain effective in the reduction of FOG throughout the sewerage system.

**Biosolids Program:**

1. Plant personnel ran the belt press approximately 38 days in the last two months.
2. Canby Disposal hauled approximately 348 cubic yards of raw sludge from the treatment plant to Riverbend Landfill.
3. Still working on the logistics of installing a new temporary conveyor over existing dryer equipment.

**Meetings and Training Attended:**

1. Dave Frahm attended the monthly preferred pumper meeting.
2. Bob and I continue to attend the energy conservation workshops in efforts to further reduce electric consumption used by equipment.
3. I attended the monthly lead worker meeting. All plant personnel attended our shop safety meeting.
4. Continuing to participate with the Clackamas Community College internship program.
5. Everyone completed bloodborne pathogen training.



**Management Team Meeting Minutes**  
**September 10, 2012**  
**2:00 p.m.**  
**City Hall Conference Room**

In attendance: Greg Ellis, Sue Engels, Amanda Zeiber, Bryan Brown, Darwin Tramel, Julie Wehling, Eric Laitinen, Bret Smith, Penny Hummel, Kim Scheafer, and Renate Mengelberg.

Kim Scheafer

- Reviewed Agenda for September 19 CC Meeting

Eric Laitinen

- Pool reopened today

Bret Smith

- Will be having an Open House in October

Renate Mengelberg

- Spoke about upcoming façade improvements

Sue Engels

- Have been very successful with transit tax collection
- Auditors finished on-site field work last week
- A/P module will be converted to Clarity in mid-October

Amanda Zeiber

- Conditional offers were made to Court and Parks candidates
- Interviews are being held this week for a new Police Officer
- Finance Director applications are still be reviewed
- Will be scheduling a flu shot clinic

Julie Wehling

- Working on installing fare boxes
- Working out final details on bus passes
- Business Energy Tax Credits were deposited

Darwin Tramel

- Working on RFP for the Stormwater Master Plan
- Inspected PECO Manufacturing today
- Working on energy management training
- Out of office this week at training

Greg Ellis

- Working on bond refinancing
- Community visioning meeting will be held on September 25. Roger Jordan and Bob Wells will facilitate the kick-off meeting.
- Out of office October 26 – November 13

Penny Hummel

- Spoke about all the events at the Library's Birthday Celebration on Saturday
- Working on an ADA complaint
- Out of office next week

Bryan Brown

- Have been working with Dragonberry on their paperwork
- Spoke about upcoming City Council/Planning Commission Work Session
- Will be attending ODOT's passenger rail Open House on September 11
- Close to having staff up and running using GIS

*Minutes taken by Kim Scheafer*

CITY COUNCIL / URA MEETING FOLLOW-UP ITEMS				
ORIG. CC / URA MTG. DATE	ITEM	STATUS	ASSIGNED TO	FOR CC OR URA MTG. OF
10/12/2011 URA	Entrance Sign Power - ODOT	Contact appropriate person at ODOT	Dan	TBD
10/12/2011 URA	Other use or market for solar panels	Researching	Dan	TBD
OTHER STAFF ITEMS				
DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE
	Selling Property Partitioned Next to Maple Street Park (former location of Marshall House)	Waiting for better econmic times to sell property		On-Going