



## AGENDA

### CANBY CITY COUNCIL REGULAR MEETING

April 18, 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 – 6:00 PM – City Hall Conference Room – The Council will immediately go into Executive Session with the Regular Session following at 7:30 PM in the Council Chambers.**
2. **EXECUTIVE SESSION:** ORS 192.660(2)(i) Performance Evaluation of Public Officer and ORS 192.660(3) Labor Negotiations
3. **OPENING CEREMONIES (7:30 PM - Council Chambers)**
  - A. Pledge of Allegiance and Moment of Silence
  - B. Canby Disposal Rate Increase Proposal
4. **COMMUNICATIONS**
5. **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.)*
6. **MAYOR'S BUSINESS**
7. **COUNCILOR COMMENTS & LIAISON REPORTS**
8. **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 April 4, 2012 City Council Work Session & Regular Meeting

Pg. 1

**9. RESOLUTIONS & ORDINANCES**

- A. Res. 1123, Authorizing a Rate Increase and Establishing A New Rate Schedule for Garbage Collection by Canby Disposal Within the City of Canby Pg. 1
- B. Ord. 1354, Auth. Contract with Jeff Kersey Construction, Inc. in the Amount of \$356,653.15 for NE 4<sup>th</sup> Avenue Improvements, Phase II Pg. 15
- C. Ord. 1355, Adding Section 2.05.020 to the Canby Municipal Code to Authorize Submission of Explanatory Statements by the City for Inclusion in the Clackamas County Voters Pamphlet for Matters Submitted to the Voters Relating to Municipal Legislation Under the Referendum or Initiative Powers by Petition Pg. 28
- D. Ord. 1356, Adding Section 13.12.065 to the Canby Municipal Code Creating an In-Lieu-of Franchise Fee for the Use of City-Owned Right-of-Ways for Sewer Service Pg. 31

**10. NEW BUSINESS**

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

**12. CITIZEN INPUT**

**13. ACTION REVIEW**

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

**15. 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.



# City of Canby

City Attorney

## MEMORANDUM

**DATE:** APRIL 5, 2012  
**TO:** CANBY CITY COUNCIL  
**FROM:** JOSEPH A. LINDSAY, CANBY CITY ATTORNEY  
**RE:** RESOLUTION NO. 1123, A RESOLUTION AUTHORIZING A RATE INCREASE AND A NEW RATE SCHEDULE FOR GARBAGE COLLECTION BY CANBY DISPOSAL WITHIN THE CITY OF CANBY.

**Issue:** Whether or not the requested annual rate adjustments for the collection of solid waste, recyclable materials, and yard debris by Canby Disposal within the city are to be approved by the City Council.

**Summary:** Through Ordinance No. 1328, the City Council adopted an updated, exclusive franchise agreement with Canby Disposal. In that agreement, section 7.3 entitled Canby Disposal to an annual adjustment of all rates in accordance with a given methodology set forth in that section. Further, the section also called for a good faith effort on the part of the City Council to approve adjusted rates by May 15 of each year, so they could become effective by July 1.

Even though Canby Disposal was entitled to this adjustment last year, they opted not to obtain one. The currently sought adjustment per method uses 2.29% (calculated as 80 percent of the 2011 annual percentage change in the Portland-Salem CPI). Accordingly, most adjustments come in near a 3.6 percent increase.

**Attachments:** *Exhibit A* (prepared and provided by Canby Disposal)—Proposed Rate Schedule to go into effect July 1, 2012.  
*Exhibit B* (prepared and provided by Canby Disposal)—Calculation of Rate Adjustment  
*Exhibit C* (prepared and provided by Canby Disposal)—Calculation of Changes in CPI  
*Exhibit D* (prepared and provided by Canby Disposal)—Comparative Monthly Area Rates  
*Exhibit E* Section 7.3 of Franchise Agreement

**Recommendation:**

I have prepared Resolution No. 1123, included herein, to approve the requested rate adjustments. The fact that Canby Disposal did not seek their entitled adjustment last year demonstrates a willingness on their part to keep rates low. As a further demonstration of keeping rates low, there are provisions in their agreement with the City to adjust rates in the event of stark changes in gas prices which Canby Disposal hasn't attempted to act on those either.

**Motion:** "I move to adopt Resolution No. 1123: A RESOLUTION AUTHORIZING A RATE INCREASE AND A NEW RATE SCHEDULE FOR GARBAGE COLLECTION BY CANBY DISPOSAL WITHIN THE CITY OF CANBY."



Canby Disposal Company

City Rates (Residential includes weekly yard debris collection)

Rates effective date July 1, 2012

**Residential Service:**

<u>Service Type</u>	<u>Current Rate</u>	<u>Method</u>	<u>July 2012 Rate</u>	<u>Increase</u>
20-gallon cart weekly curbside	\$ 18.30	Residential	\$ 18.95	3.55%
20-gallon cart weekly w/in 50' of road	\$ 21.36	Residential	\$ 22.12	3.56%
32-gallon cart weekly curbside	\$ 21.79	Residential	\$ 22.57	3.58%
32-gallon cart weekly w/in 50' of road	\$ 24.85	Residential	\$ 25.74	3.58%
32-gallon cart monthly curbside	\$ 10.89	Residential	\$ 11.28	3.58%
32-gallon cart monthly w/in 50' of road	\$ 12.42	Residential	\$ 12.86	3.54%
65-gallon cart weekly curbside	\$ 34.88	Residential	\$ 36.12	3.56%
65-gallon cart weekly w/in 50' of road	\$ 37.94	Residential	\$ 39.29	3.56%
95-gallon cart weekly curbside	\$ 38.67	Residential	\$ 40.05	3.57%
95-gallon cart weekly w/in 50' of road	\$ 41.73	Residential	\$ 43.22	3.57%

**Commercial Service:**

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
32-gallon cart weekly curbside	\$ 20.40	Commercial	\$ 21.16	3.73%
32-gallon cart weekly w/in 50' of road	\$ 20.40	Commercial	\$ 21.16	3.73%
65-gallon cart weekly curbside	\$ 30.60	Commercial	\$ 31.74	3.73%
65-gallon cart weekly w/in 50' of road	\$ 30.60		\$ 31.74	3.73%
95-gallon cart weekly curbside	\$ 33.66	Commercial	\$ 34.92	3.74%
95-gallon cart weekly w/in 50' of road	\$ 33.66	Commercial	\$ 34.92	3.74%

**Extra Hauling:**

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
32-gallon cart worth	\$ 5.10	Residential	\$ 5.28	3.53%
2nd 32-gallon worth on same day	\$ 7.65	Residential	\$ 7.92	3.53%
3rd 32-gallon worth on same day	\$ 8.16	Residential	\$ 8.45	3.55%

**Mobile Home Courts and Apartments**

(Four or more units , where owner accepts and pays billing)

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
32-gallon cart weekly curbside	\$ 16.69	Residential	\$ 17.29	3.59%
32-gallon cart weekly w/in 50' of road	\$ 19.75	Residential	\$ 20.45	3.54%

\*Note: If billed separately, regular residential rates apply.

## Extra Charge for Stairs:

### Service Type

One flight of stairs	25% add'l	N/A	25% add'l	0%
Two flights of stairs	50% add'l	N/A	50% add'l	0%

## Hourly Hauling Rates:

### Service Type

### Current Rate

### Proposed Rate

### Percent Increase

Truck and one employee (hourly)	\$ 61.92	N/A	\$ 61.92	0%
Truck and two employees (hourly)	\$ 83.65	N/A	\$ 83.65	0%

*\*Note: Does not include disposal charges*

## Major Appliances

### Service Type

### Current Rate

### Proposed Rate

### Percent Increase

Small	\$ 4.25	N/A	\$ 4.25	0%
Large	\$ 35.70	N/A	\$ 35.70	0%

## Tires:

### Service Type

### Current Rate

### Proposed Rate

### Percent Increase

Up to size 750 x 16	\$ 2.07	N/A	\$ 2.07	0%
Larger	\$ 3.24	N/A	\$ 3.24	0%
Up to extra large size	\$ 35.70	N/A	\$ 35.70	0%

*\*Note: Does not include disposal charges*

## Container Service - Loose:

### Service Type

### Current Rate

### Proposed Rate

### Percent Increase

1.5-yard picked up 1x/week	\$ 124.29	Commercial	\$ 128.93	3.73%
2-yard picked up 1x/week	\$ 165.65	Commercial	\$ 171.84	3.74%
3-yard picked up 1x/week	\$ 223.89	Commercial	\$ 232.25	3.73%
4-yard picked up 1x/week	\$ 285.01	Commercial	\$ 295.66	3.74%
6-yard picked up 1x/week	\$ 399.90	Commercial	\$ 414.84	3.74%
Additional 1.5-yard picked up 1x/week	\$ 115.11	Commercial	\$ 119.41	3.74%
Additional 2-yard picked up 1x/week	\$ 156.06	Commercial	\$ 161.89	3.74%
Additional 3-yard picked up 1x/week	\$ 214.71	Commercial	\$ 222.73	3.74%
Additional 4-yard picked up 1x/week	\$ 275.83	Commercial	\$ 286.13	3.73%
Additional 6-yard picked up 1x/week	\$ 390.66	Commercial	\$ 405.25	3.73%

*\*Note: Compacted container rates shall be 2.5 times the loose rate*

Source Separated Food Waste: 90% of Commercial Rates

## Cleanup Containers:

### Service Type

### Current Rate

### Proposed Rate

### Percent Increase

3-yard container	\$ 68.22	Commercial	\$ 70.77	3.74%
4-yard container	\$ 87.29	Commercial	\$ 90.55	3.73%

*\*Note: Price is per dump*

## Drop Box Services - Loose:

### Permanent Accounts

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
10-yard haul fee	\$ 82.16	Drop Box	\$ 84.04	2.29%
20-yard haul fee	\$ 82.16	Drop Box	\$ 84.04	2.29%
30-yard haul fee	\$ 107.10	Drop Box	\$ 109.55	2.29%
40-yard haul fee	\$ 117.30	Drop Box	\$ 119.99	2.29%

### Occasional Accounts

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
10-yard haul fee	\$ 108.72	Drop Box	\$ 111.21	2.29%
20-yard haul fee	\$ 108.72	Drop Box	\$ 111.21	2.29%
30-yard haul fee	\$ 134.58	Drop Box	\$ 137.66	2.29%
40-yard haul fee	\$ 146.25	Drop Box	\$ 149.60	2.29%

*\*Note: Price is for haul fee only; disposal and franchise fees are extra*

## Drop Box Services - Compacted:

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
Under 20 yards (rate per haul)	\$ 93.79	Drop Box	\$ 95.94	2.29%
20-29 yards (rate per yard)	\$ 5.76	Drop Box	\$ 5.89	2.26%
30-39 yards (rate per yard)	\$ 5.15	Drop Box	\$ 5.27	2.33%
40 yards or more (rate per yard)	\$ 4.54	Drop Box	\$ 4.64	2.20%

*\*Note: Price is for haul fee only; disposal and franchise fees are extra*

## Demurrage Charge:

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
Occasional accounts (per day after 48 hrs)	\$ 6.31	Drop Box	\$ 6.45	2.22%
Permanent accounts (per month)	\$ 63.22	Drop Box	\$ 64.67	2.29%

## Mileage Fee:

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
Charge per mile over 18 miles roundtrip from where the truck is stationed	\$ 2.35	Drop Box	\$ 2.40	2.13%

## Transaction Fee:

<u>Service Type</u>	<u>Current Rate</u>		<u>Proposed Rate</u>	<u>Percent Increase</u>
Transaction fee per drop box haul	\$ 3.06	Drop Box	\$ 3.13	2.29%

# Canby Disposal Company

## Rate adjustment effective July 1, 2012

### Rate Adjustment Methodology

Rate Calculation for:

Weekly 35 Gal.    Weekly 1.5 Yd.    20 Yard Haul

	Line Item Description	Source	Residential	Commercial	Drop Box
A	Initial Rate (2010)	Exhibit 2	\$ 21.79	\$ 124.29	\$ 82.16
B	Disposal Portion	7.3 Annual Adjustment of Rates	22.41%	25.32%	0.00%
C	Disposal Rate	A * B	4.88	31.47	0.00
D	Franchise Fee %	Section 4.1.1.	5.00%	5.00%	5.00%
E	Franchise Fee	(A - C) * D	0.85	4.64	4.11
F	Collection Rate	A - C - E	16.06	88.18	78.05
G	80% of Change in CPI	Section 7.3.2	2.29%	2.29%	2.29%
H	<b>July 2012 Collection Rate</b>	<b>F * (1 + G)</b>	<b>16.43</b>	<b>90.20</b>	<b>79.84</b>
I	<i>Change in Tipping Fee</i>	<i>Canby Transfer Station</i>	8.00%	8.00%	8.00%
J	<b>July 2012 Disposal Rate</b>	<b>C * (1 + I)</b>	<b>5.27</b>	<b>33.99</b>	<b>0.00</b>
K	<b>Franchise Fee</b>	<b>(H / 0.95) - H</b>	<b>0.86</b>	<b>4.75</b>	<b>4.20</b>
L	<b>July 2012 Total Rate</b>	<b>H + J + K</b>	<b>\$ 22.57</b>	<b>\$ 128.93</b>	<b>\$ 84.04</b>



# Canby Disposal Company

## Rate adjustment effective July 1, 2012

### Rate Adjustment Methodology

Rate Calculation for:  
Weekly 35 Gal.

	Line Item Description	Source	Residential
A	Initial Rate (2010)	Exhibit 2	\$ 21.79
B	Disposal Portion	7.3 Annual Adjustment of Rates	22.41%
C	Disposal Rate	$(A)(B) = C$ $(21.79)(.2241) = 4.88$	4.88
D	Franchise Fee %	(Section 4.1.1 of Ordinance)	5.00%
E	Franchise Fee	$(A - C)(D)$ $(21.79 - 4.88) = 16.91$ $(16.91)(.05) = .85$	0.85
F	Collection Rate	$A - C - E$ $21.79 - 4.88 - .85 = 16.06$	16.06
G	Section 7.3.2 (see Exhibit C)	2.29%	2.29%
H	July 2012 Collection Rate	$F(1 + G)$ $(16.06)(1 + .0229) = 16.43$	16.43
I	Change in Tipping Fee	Canby Transfer Station (See page 3 of Exhibit B)	8.00%
J	July 2012 Disposal Rate	$(C)(1 + I)$ $(4.88)(1.08) = 5.27$	5.27
K	Franchise Fee	$(H/.95) - H$ $(16.43/.95) = 17.29 - 16.43$	0.86
L	July 2012 Total Rate	$H + J + K$ $16.43 + 5.27 + .86 = 22.57$	\$ 22.57

**G: Collection Rate Component of rate**

Portland-Salem CPI 2011	2.86%
80%	2.29%

**J: Change in tipping fee component (8% Increase over initial rate)**

Year	Tip Fee	Increase
2008	\$ 65.00	
2009	\$ 70.00	8%
2010	\$ 70.00	8%
2011	\$ 70.00	8%

Drop box haul fees do not have disposal component

**K: Franchise Fee component of rate**

Year	Franchise Fee
2009	3%
2010	5%
2011	5%
2012	5%

Franchise fees are net of Disposal

Consumer Price Index - All Urban Consumers  
Original Data Value

Series CUURA425SA0,CUUSA425SA0

Id:

Not Seasonally Adjusted

Area: Portland-Salem, OR-WA

Item: All items

Base 1982-84=100

Period:

Years: 2001 to 2011

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2001													182.4	181.2	183.6
2002													183.8	183.5	184.0
2003													186.3	186.0	186.5
2004													191.1	189.8	192.5
2005													196.0	194.5	197.5
2006													201.1	199.8	202.5
2007													208.556	206.653	210.460
2008													215.389	214.619	216.159
2009													215.647	214.102	217.191
2010													218.344	217.508	219.179
2011													224.590	223.105	226.077

2011 annual percentage change in Portland-Salem CPI 2.86%

80% of annual percentage change in Portland-Salem CPI 2.29%

EXHIBIT C

## COMPARATIVE MONTHLY RATES

Portland-Metro Area  
2011-2012 Rate Year

Service	Canby Proposed July 2012	Oregon City	Clackamas County	Gladstone	Gresham	Lake Oswego	Milwaukie	Portland	West Linn Proposed July 2012
<b>Residential</b>									
20 Gallon Weekly	\$ 18.95	\$ 20.63	\$ 24.55	\$ 23.32	\$ 23.95	\$ 18.27	\$ 23.90	\$ 27.80	\$ 19.47
32 Gallon Weekly	\$ 22.57	\$ 25.83	\$ 29.68	\$ 28.90	\$ 28.90	\$ 27.45	\$ 27.45	\$ 32.60	\$ 23.21
65 Gallon Weekly	\$ 36.12	\$ 35.55	\$ 39.05	\$ 36.40	\$ 36.40	\$ 36.10	\$ 36.10	\$ 41.55	\$ 37.12
95 Gallon Weekly	\$ 40.05	\$ 45.68	\$ 45.68	\$ 40.80	\$ 40.80	\$ 42.20	\$ 42.20	\$ 47.50	\$ 41.15
<b>Franchise Fee</b>	5%	4%	5%	\$360.	5%	5%	5%	5%	5%

1    **7.3    Annual Adjustment of Rates**

2            **7.3.1    Annual Adjustment**

3            Subject to the terms herein, the Company shall be entitled to an annual  
4            adjustment of all rates. Each rate includes an operating component and tipping  
5            fee component, which are annually adjusted. The City Council shall make a  
6            good faith effort to approve adjusted rates by May 15 of each year, and such  
7            rates shall be effective on each July 1. If rate adjustments are not approved by  
8            May 15, then prior rates remain in effect until such adjustment is made.

9            The first adjustment is scheduled to take effect July 1, 2011 subject to City  
10            Council approval. Each rate is annually adjusted as specified in Section 7.3.2  
11            through 7.3.4.

12           **7.3.2    Adjustment of the Operating Component**

13           The operating component of the rates specified in Exhibit 2 shall be adjusted  
14           annually, using the method below, to reflect 80% of the change in the All Urban  
15           Consumers Index Half1 (CPI-U) compiled and published by the U.S. Department  
16           of Labor, Bureau of Labor Statistics or its successor agency, using the following  
17           parameters, or by 5%, whichever is less.

18                    CPI-U Parameters:

- 19                    • Area - Portland - Salem, OR - WA
- 20                    • Item - All Items
- 21                    • Base Period - Current 1982-84=100
- 22                    • Not seasonally adjusted
- 23                    • Periodicity - Semi-annual

24                    Step 1: Calculate the Change in Half1 CPI-U as follows:

25                    Change in Half1 CPI-U = ((Most current Half1 CPI-U - previous 12-  
26                    month Half 1 CPI-U)/previous 12-month Half1 CPI-U)) x 0.80) or  
27                    0.05, whichever is less

28                    Step 2: Calculate the Adjusted Operating Component as follows:

29                    Adjusted Operating Component = Then-current Operating  
30                    Component x (1 + the Change in Half1 CPI-U as calculated in Step 1  
31                    above)

1 The Operating Component shall be rounded to the nearest cent.  
2

3 For example, assuming:  
4

- 5 1. Most-recently published Half1 CPI-U (Half1 2003) = 186.0  
6 2. Half1 CPI-U published 12 months prior (Half1 2002) = 183.5  
7 3. Then-current Operating Component = \$5.00  
8

9 Change in Half1 CPI-U =  $((186.0 - 183.5)/183.5) \times 0.80 = 0.0109$ ,  
10 which is less than 0.05; therefore, the Change in Half1 CPI-U is  
11 0.0109  
12

13 Adjusted Operating Component =  $\$5.00 \times (1 + 0.0109) = \$5.05$

14 If the CPI-U is discontinued or revised during the term by the United States  
15 Department of Labor, such other government index or computation with which  
16 it is replaced shall be used in order to obtain substantially the same result as  
17 would be obtained if the CPI-U had not been discontinued or revised.

### 18 7.3.3 Adjustment of the Tipping Fee Component

19 The solid waste disposal and yard debris processing tipping fee component of  
20 each rate will be adjusted to reflect any percentage change in the per-ton tipping  
21 fees charged at the approved transfer station and the approved yard debris  
22 processing site, as appropriate. There shall be no adjustment to the recyclable  
23 materials processing tipping fee component of each rate over the term of the  
24 Agreement. The tipping fee component adjustment shall equal:  
25

$$\begin{array}{lcl} \text{Adjusted Tipping} & = & \text{Then-current Tipping Fee Component} \times (\text{Current} \\ \text{Fee Component} & & \text{Approved Tipping Fee} / \text{Prior Approved Tipping} \\ & & \text{Fee}) \end{array}$$

26 For example, assuming:  
27

- 28 1. Then-current Tipping Fee Component = \$1.50, which includes a solid  
29 waste disposal component = \$1.00 and Yard debris processing  
30 component = \$0.50  
31 2. Current approved tipping fee for the approved disposal location =  
32 \$30.00 per ton  
33 3. Prior approved tipping fee for the approved disposal location = \$28.80  
per ton



4. Current approved tipping fee for the approved yard debris processing location = \$5.00 per ton
5. Prior approved tipping fee for the approved yard debris processing location = \$4.75 per ton
6. Adjusted tipping fee component =  $\$1.00 \times (\$30.00 / \$28.80) + \$0.50 \times (\$5.00 / \$4.75) = \$1.04 + \$0.53 = \$1.57$

The adjusted tipping fee component shall be rounded to the nearest cent.

The prior approved tipping fee is the fee last used to set rates. As of the effective date of this agreement, the approved transfer station tipping fee is \$70.50 per ton; and the approved processing site location tipping fee for yard debris is \$9.50 per compacted yard. These fees shall be used as the prior approved tipping fee for the first adjustment of the tipping fee components.

#### 7.3.4 Calculation of Adjusted Rates

Adjusted Rates shall be calculated as follows:

$$\begin{array}{lcl} \text{Adjusted} & = & \text{Adjusted Operating Component} + \text{Adjusted Tipping Fee} \\ \text{Rate} & & \text{Component} \end{array}$$

For example, assuming:

1. The rate being adjusted is a residential solid waste collection rate
2. Adjusted operating component = \$5.05 (as calculated in Section 7.3.2)
3. Adjusted tipping fee component = \$1.57 (as calculated in Section 7.3.3)

$$\text{Adjusted collection rate} = \$5.05 + \$1.57 = \$6.62$$

#### 7.4 Annual Rate Application Process

On or before April 1 of each rate Period, Company shall submit an application requesting the rate adjustment for the following rate period. The application shall present each rate for the then-current rate period and calculation of each adjusted rate for the following rate period. The application shall include all supporting documentation for calculation of the adjusted rates including CPI-U and tipping fee data.

The Company's rate application shall be reviewed by the City. The City Council shall adjust rates to reflect the adjustments made in accordance with Section 7.3.

**RESOLUTION NO. 1123**

**A RESOLUTION AUTHORIZING A RATE INCREASE AND ESTABLISHING A NEW RATE SCHEDULE FOR GARBAGE COLLECTION BY CANBY DISPOSAL WITHIN THE CITY OF CANBY.**

**WHEREAS**, CANBY DISPOSAL COMPANY has applied to the Canby City Council for approval of an over-all rate increase in accordance with Section 7.3 of the Franchise Agreement between City of Canby, Oregon, and Canby Disposal for Solid Waste, Recyclable Materials, and Yard Debris Collection Services granted in Canby Ordinance No. 1328, dated June 16, 2010; and

**WHEREAS**, CANBY DISPOSAL COMPANY has furnished sufficient evidence to the Council concerning the 2011 annual percentage in the Portland-Salem area CPI-U index along with other relevant changes in costs and fees sufficient to calculate the aforementioned over-all rate increase using the agreed upon methodology; and

**WHEREAS**, the City Council has considered the evidence and information furnished by the Franchisee, and the Council is satisfied that the request is reasonable and justified.

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City of Canby Council that the application by CANBY DISPOSAL COMPANY for an over-all garbage collection rate increase as set forth in the attached EXHIBIT "A" is hereby approved, and said rates shall apply to services performed under the Franchise Agreement between City of Canby, Oregon, and Canby Disposal for Solid Waste, Recyclable Materials, and Yard Debris Collection Services effective July 1, 2012.

This Resolution shall take effect on July 1, 2012.

ADOPTED this 18<sup>th</sup> day of April, 2012, by the Canby City Council.

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Randy Carson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

April 11, 2012

CURRAN-McLEOD, INC.  
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210  
PORTLAND, OREGON 97223

City of Canby  
182 N Holly Street  
Canby, OR 97013  
Attn: Mr. Greg Ellis, City Administrator

RE: CITY OF CANBY  
NE 4th AVENUE IMPROVEMENTS, PHASE II  
BID TABULATION & RECOMMENDATION OF AWARD

Mr. Mayor & City Council Members:

On April 10th, 2012, the City of Canby solicited and received eight bids for the NE 4th Avenue Phase II improvements project.. The summary of the pricing is shown on the attached tabulation, with the low bid received from Jeff Kersey Construction.

The summary of cost from each of the eight bidders is shown on the attached tabulation and listed below:

Jeff Kersey Construction, Inc.	\$356,653.15
Eagle-Elsner, Inc.	\$363,897.00
Canby Excavating, Inc.	\$392,056.00
Pacific Excavation, Inc.	\$394,708.00
CivilWorks NW, Inc.	\$398,574.60
Kerr Contractors Oregon, Inc.	\$437,571.00
Northwest Earthmovers, Inc.	\$444,101.70
S2 Contractors, Inc.	\$473,419.00

## BID REVIEW

Each bid was reviewed for compliance with the requirements listed in the contract documents. All bids were reviewed for math entries, acknowledgement of addenda, bonding information, first tier disclosure information and execution of the bid. The only deviation noted was in the seventh low bid that was received from Northwest Earthmovers, Inc., who failed to provide a First Tier Disclosure form, and as a result, were deemed non-responsive.

Jeff Kersey Construction, Inc. is registered and in good standing with the Oregon Construction Contractors Board, however, they do not currently have a public works bond in-place. The Oregon Administrative Rules Chapter 839 Division 025 requires a \$30,000 public works bond be in-place prior to the start of work. This does not impact award of the contract.

In summary all but the seventh low bids were deemed responsive.

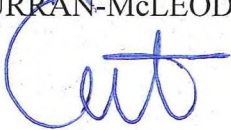
## SUMMARY & RECOMMENDATION

After review of all bids received, we recommend the City of Canby award the NE 4th Avenue Improvements, Phase II project to the low responsive bidder Jeff Kersey Construction, Inc., in the amount of Three Hundred Fifty Six Thousand, Six Hundred Fifty Three and 15/100 Dollars.

We have enclosed a staff report, Ordinance 1354, a bid tabulation and a proposed contract for the City to proceed with award of the contract. In anticipation of award, we will be issuing a Notice of Intent to Award today to all bidders.

Very truly yours,

CURRAN-McLEOD, INC.



Curt J. McLeod, PE

Enclosures:   Ord 1354 Staff Report  
                  Draft Ordinance 1354  
                  Bid Tabulation  
                  Contract for Construction

THIS HAS BEEN REVIEWED  
BY THE FINANCE DIRECTOR  
*Sue Engels*

**To:** Honorable Mayor and City Council  
CITY OF CANBY  
ATTN: Mr. Greg Ellis, City Administrator

**FROM:** Curt J. McLeod, P.E.  
CURRAN-McLEOD, INC.

**DATE:** April 11, 2012

**ISSUE:** NE 4<sup>TH</sup> AVENUE IMPROVEMENTS, PHASE II  
APPROVAL OF CONSTRUCTION CONTRACT ORDINANCE 1354

**SYNOPSIS:** On April 10, 2011, the City of Canby solicited and received eight bids for Phase II of the NE 4<sup>th</sup> Avenue street improvements project. This staff report is to request Council approval for award of the contract to the low responsive bidder.

**RECOMMENDATION:**

That the Council approve Ordinance 1354 authorizing the Mayor and City Administrator to execute a contract with Jeff Kersey Construction, Inc. in the amount of \$356,653.15 for the NE 4<sup>th</sup> Avenue Improvements, Phase II project; and declaring an emergency.

**RATIONALE:**

Competitive bids were solicited in compliance with the City of Canby's Rules for Public Purchasing and the requirements of Oregon Revised Statutes. Of the bids received, all but one were deemed to be responsible and responsive, with Jeff Kersey Construction, Inc. submitting the low responsible and responsive bid.

**BACKGROUND:**

This project was submitted and approved by ODOT to receive funding from the ODOT Fund Exchange Program during the 2011-2012 fiscal year in the amount of approximately \$162,000. Additionally, this project is identified in the City's Transportation System Plan and is eligible for funding through the Transportation System Development Charge reimbursement fund.



Honorable Mayor & City Council  
April 11, 2011  
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**FISCAL IMPACT:**

The low responsive bid of \$356,653.15 is a reasonable cost and is within the estimate. Several additional components of work were added to the project, including approximately \$37,000 of sanitary sewer improvements for the City and approximately \$30,000 of improvements for Clackamas County's Blue Parking lot in exchange for the needed County right-of-way dedication. The low bid, however, is very close to the original budget and should not pose a funding problem.

**ENCLOSURES:**

- Ordinance Number 1354
- Exhibit 'A' Construction Contract
- Exhibit 'B' Bid Tabulation

cc: Ms. Kim Scheafer



## **ORDINANCE NO. 1354**

### **AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH JEFF KERSEY CONSTRUCTION, INC. IN THE AMOUNT OF \$356,653.15 FOR NE 4<sup>th</sup> AVENUE IMPROVEMENTS, PHASE II; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby has heretofore advertised and received eight (8) bids for the NE 4<sup>th</sup> Avenue Improvements Phase II project; and

**WHEREAS**, the notice of call for bids was duly and regularly published in the Oregon Daily Journal of Commerce on March 22, 2012; and

**WHEREAS**, bids were received and opened on April 10, 2012 at 2:00 pm in the City Hall Conference Room of the City of Canby and the bids were read aloud; and

**WHEREAS**, the bidders are as listed below and a detailed tabulation of all items is attached herein as Exhibit "B" and summarized as follows:

Jeff Kersey Construction, Inc.	\$356,653.15
Eagle-Elsner, Inc.	\$363,897.00
Canby Excavating, Inc.	\$392,056.00
Pacific Excavation, Inc.	\$394,708.00
CivilWorks NW, Inc.	\$398,574.60
Kerr Contractors Oregon, Inc.	\$437,571.00
Northwest Earthmovers, Inc.	\$444,101.70
S2 Contractors, Inc.	\$473,419.00

**WHEREAS**, the Canby City Council, acting as the City's Contract Review Board, met on Wednesday, April 18, 2012, and considered the bids and reports and recommendations of the City staff, including the staff recommendation that the low responsive bid be selected; and

**WHEREAS**, the Canby City Council determined that the low responsive bid was that of Jeff Kersey Construction, Inc.; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The Mayor and/or City Administrator are hereby authorized and directed to make, execute, and declare in the name of the City of Canby and on its behalf, an appropriate contract with Jeff Kersey Construction, Inc. for NE 4<sup>th</sup> Avenue Improvements, Phase II, in the amount of \$356,653.15. A copy of the contract with Jeff Kersey Construction, Inc. is attached hereto and marked as Exhibit "A" and by this reference incorporated herein.

Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, April 18, 2012; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, May 2, 2012, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue, Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 2<sup>nd</sup> day of May, 2012, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

\_\_\_\_\_  
Randy Carson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

CONTRACT FOR CONSTRUCTION

THIS AGREEMENT is dated as of the \_\_\_\_ day of \_\_\_\_\_ in the year 2012 by and between

CITY OF CANBY

(hereinafter called OWNER) and

JEFF KERSEY CONSTRUCTION, INC.

(hereinafter called CONTRACTOR)

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

**ARTICLE 1 - WORK**

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents:

**City of Canby  
NE 4th Avenue Improvements, Phase II**

The scope of work consists of removing existing improvements and reconstructing approximately 1,200 lineal feet of 34 foot wide street improvements with associated curbs and sidewalks, as well as approximately 400 lineal feet of 8" sanitary sewer construction and associated manholes and services.

**ARTICLE 2 - ENGINEER**

The Project has been designed by CURRAN-McLEOD, INC., Consulting Engineers, who is hereinafter called ENGINEER and who will assume all duties and responsibilities and will have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

**ARTICLE 3 - CONTRACT TIME**

- 3.1 The Work will be substantially completed within 45 calendar days after the date when the Contract Time commences to run as provided in paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions within 30 days after the date when the issuance of the Certificate of Substantial Completion including punch list items.

- 3.2 Liquidated Damages: OWNER and CONTRACTOR recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified in paragraph 3.1 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not substantially complete on time.

Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER or the OWNER may withhold from amounts due the CONTRACTOR Four Hundred Dollars (\$400.00) for each day that expires after the time specified in paragraph 3.1. for Substantial Completion until the Work is substantially complete AND/OR for each day of delay beyond the deadline for Final Completion.

#### **ARTICLE 4 - CONTRACT PRICE**

- 4.1 OWNER shall pay CONTRACTOR for performance of the Work in accordance with the Contract Documents in current funds by check, an amount totaling

Three Hundred Fifty Six Thousand, Six Hundred Fifty Three and 15/100 Dollars

( \$356,653.15 ) as shown in the attached Bid Proposal.

#### **ARTICLE 5 - PAYMENT PROCEDURES**

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

- 5.1 Progress Payments: OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR'S Applications for Payment as recommended by ENGINEER, on or about the 25th day of each month during construction as provided below. All progress payments will be on the basis of the progress of the Work measured by the schedule of values provided for in paragraph 14.01 of the General Conditions.

5.1.1 Prior to Substantial Completion progress payments will be in an amount equal to:

- (a) 95 % of the Work completed; and
- (b) 95 % of materials and equipment not incorporated in the Work but delivered and suitably stored, less in each case the aggregate of payments previously made.



- 5.1.2 Upon Substantial Completion, OWNER shall pay an amount sufficient to increase total payments to CONTRACTOR to 95% of the value of the Contract Work completed, less such amounts as ENGINEER shall determine in accordance with paragraph 14.02 of the General Conditions.
- 5.2 Final Payment: Upon final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the value of the Contract Work completed, as recommended by ENGINEER as provided in said paragraph 14.07.

## **ARTICLE 6 - INTEREST**

All monies not paid when due hereunder shall bear interest at the maximum rate allowed by law at the place of the Project, when requested in accordance with ORS 279C.570

## **ARTICLE 7 - CONTRACTOR'S REPRESENTATIONS**

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

- 7.1 CONTRACTOR has familiarized himself with the nature and extent of the Contract Documents, Work, locality, and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.
- 7.2 CONTRACTOR has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the Work which were relied upon by ENGINEER in the preparation of the Drawings and Specifications and which have been identified in the Supplementary Conditions.
- 7.3 CONTRACTOR has made or caused to be made examinations, investigations and tests and studies of such reports and related data in addition to those referred to in paragraph 7.2 as he deems necessary for the performance of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required by CONTRACTOR for such purposes.
- 7.4 CONTRACTOR has correlated the results of all such observations, examinations, investigations, tests, reports and data with the terms and conditions of the Contract Documents.

- 7.5 CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

## **ARTICLE 8 - CONTRACT DOCUMENTS**

- 8.1 This Agreement
- 8.2 Exhibits to this Agreement.
- 8.3 Performance and other Bonds
- 8.4 Notice of Award.
- 8.5 General Conditions of the Construction Contract
- 8.6 Supplementary Conditions
- 8.7 Technical Specifications as listed in the Table of Contents.
- 8.8 Specifications bearing the following general title:
- City of Canby  
NE 4th Avenue Improvements, Phase II
- 8.9 Addenda number 1.
- 8.10 CONTRACTOR'S Bid
- 8.11 Any Modification, including Change Orders, duly delivered after execution of Agreement.

There are no Contract Documents other than those listed above in this ARTICLE 8. The Contract Documents may only be altered, amended or repealed by a Modification (as defined in Article 1 of the General Conditions).

## **ARTICLE 9 - MISCELLANEOUS**

- 9.1 Terms used in this Agreement which are defined in Article 1 of the General Conditions shall have the meanings indicated in the General Conditions.



- 9.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically by without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 9.3 OWNER and CONTRACTOR each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
- 9.4 In the event a suit, arbitration or other legal action is required by either the OWNER or the CONTRACTOR to enforce any provisions of this Agreement, the prevailing parties shall be entitled to all reasonable costs and reasonable attorney's fees upon trial or subsequent appeal.

IN WITNESS WHEREOF, the parties hereto have signed three counterparts of this Agreement.

This Agreement will be effective on \_\_\_\_\_, 2012.

OWNER:

**CITY OF CANBY  
182 N Holly Street  
P.O. Box 930  
Canby, OR 97013**

CONTRACTOR:

**JEFF KERSEY CONSTRUCTION INC.  
P.O. Box 896  
Canby, OR 97013**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Attest: \_\_\_\_\_

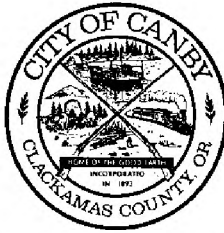
Address for giving notices:  
\_\_\_\_\_



City of Canby											
Project: NE 4th Avenue Improvements, Phase II											
Bid Date: 04/10/2012											
				1	2	3	4	5	6	7	8
BID TABULATION				Jeff Kersey Construction	Eagle-Elsner, Inc	Canby Excavating	Pacific Excavation, Inc	Civil Works NW, Inc	Kerr Contractors Oregon, Inc	Northwest Earthmovers, Inc	S2 Contractors, Inc
Basic Bid Items:				Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
A. Site Preparation											
A.1	Mobilization	All	LS	\$ 11,450.00	\$ 14,000.00	\$ 36,900.00	\$ 23,000.00	\$ 18,500.00	\$ 43,126.00	\$ 28,478.10	\$ 21,600.00
				\$ 11,450.00	\$ 14,000.00	\$ 36,900.00	\$ 23,000.00	\$ 18,500.00	\$ 43,126.00	\$ 28,478.10	\$ 21,600.00
A.2	Temporary Protection & Direction of Traffic	All	LS	\$ 2,050.00	\$ 2,000.00	\$ 2,500.00	\$ 4,400.00	\$ 3,500.00	\$ 13,267.00	\$ 23,475.00	\$ 24,000.00
				\$ 2,050.00	\$ 2,000.00	\$ 2,500.00	\$ 4,400.00	\$ 3,500.00	\$ 13,267.00	\$ 23,475.00	\$ 24,000.00
A.3	Erosion Control, Tree & Landscape Protection	All	LS	\$ 1,640.00	\$ 2,500.00	\$ 2,025.00	\$ 1,350.00	\$ 1,500.00	\$ 1,000.00	\$ 4,596.20	\$ 3,000.00
				\$ 1,640.00	\$ 2,500.00	\$ 2,025.00	\$ 1,350.00	\$ 1,500.00	\$ 1,000.00	\$ 4,596.20	\$ 3,000.00
A.4	Common Excavation	3,450	CY	\$ 12.65	\$ 11.00	\$ 13.90	\$ 11.00	\$ 15.00	\$ 20.00	\$ 13.70	\$ 15.20
				\$ 43,642.50	\$ 37,950.00	\$ 47,955.00	\$ 37,950.00	\$ 51,750.00	\$ 69,000.00	\$ 47,265.00	\$ 52,440.00
A.5	Sawcut Asphalt/ Concrete Pavement	530	LF	\$ 1.55	\$ 0.75	\$ 1.70	\$ 1.00	\$ 1.00	\$ 2.00	\$ 1.20	\$ 1.00
				\$ 821.50	\$ 397.50	\$ 901.00	\$ 530.00	\$ 530.00	\$ 1,060.00	\$ 636.00	\$ 530.00
A.6	Remove, Salvage and Reinstall Existing Signs	6	Ea.	\$ 136.00	\$ 80.00	\$ 187.00	\$ 150.00	\$ 100.00	\$ 200.00	\$ 181.60	\$ 250.00
				\$ 816.00	\$ 480.00	\$ 1,122.00	\$ 900.00	\$ 600.00	\$ 1,200.00	\$ 1,089.60	\$ 1,500.00
A.7	6" Bollards at ADA Crossings	8	Ea.	\$ 347.00	\$ 250.00	\$ 400.00	\$ 300.00	\$ 350.00	\$ 500.00	\$ 378.00	\$ 600.00
				\$ 2,776.00	\$ 2,000.00	\$ 3,200.00	\$ 2,400.00	\$ 2,800.00	\$ 4,000.00	\$ 3,024.00	\$ 4,800.00
A.8	6' Chain Link Fence w/ 3 strands of Barbed Wire	56	LF	\$ 13.90	\$ 21.00	\$ 28.00	\$ 23.00	\$ 45.00	\$ 25.00	\$ 20.50	\$ 18.00
				\$ 778.40	\$ 1,176.00	\$ 1,568.00	\$ 1,288.00	\$ 2,520.00	\$ 1,400.00	\$ 1,148.00	\$ 1,008.00
A.9	24' Chain Link Rolling Gate w/ 3 strands of barbed wire	1	Ea.	\$ 1,594.00	\$ 3,675.00	\$ 1,325.00	\$ 900.00	\$ 2,500.00	\$ 1,500.00	\$ 1,620.00	\$ 1,750.00
				\$ 1,594.00	\$ 3,675.00	\$ 1,325.00	\$ 900.00	\$ 2,500.00	\$ 1,500.00	\$ 1,620.00	\$ 1,750.00
A.10	New Signs and Posts with V-Loc Base	2	Ea.	\$ 210.00	\$ 300.00	\$ 265.00	\$ 300.00	\$ 300.00	\$ 250.00	\$ 249.00	\$ 400.00
				\$ 420.00	\$ 600.00	\$ 530.00	\$ 600.00	\$ 600.00	\$ 500.00	\$ 498.00	\$ 800.00
A.11	New Multiple Mailbox w/V-Loc Base	1	Ea.	\$ 282.00	\$ 300.00	\$ 260.00	\$ 270.00	\$ 300.00	\$ 375.00	\$ 324.00	\$ 500.00
				\$ 282.00	\$ 300.00	\$ 260.00	\$ 270.00	\$ 300.00	\$ 375.00	\$ 324.00	\$ 500.00
A.12	New Single Mailbox with V-Loc Base	1	Ea.	\$ 205.00	\$ 150.00	\$ 215.00	\$ 200.00	\$ 150.00	\$ 275.00	\$ 205.10	\$ 400.00
				\$ 205.00	\$ 150.00	\$ 215.00	\$ 200.00	\$ 150.00	\$ 275.00	\$ 205.10	\$ 400.00
A.13	Remove and Reinstall Existing Cable Barrier Fence and Posts on Blue Parking Lot	350	LF	\$ 2.70	\$ 3.00	\$ 5.30	\$ 8.00	\$ 10.00	\$ 10.00	\$ 6.70	\$ 6.00
				\$ 945.00	\$ 1,050.00	\$ 1,855.00	\$ 2,800.00	\$ 3,500.00	\$ 3,500.00	\$ 2,345.00	\$ 2,100.00
A.14	Provide and Install Blue Lot Wheel Stops	300	Ea.	\$ 51.25	\$ 62.00	\$ 62.00	\$ 60.00	\$ 60.00	\$ 77.00	\$ 55.40	\$ 68.00
				\$ 15,375.00	\$ 18,600.00	\$ 18,600.00	\$ 18,000.00	\$ 18,000.00	\$ 23,100.00	\$ 16,620.00	\$ 20,400.00
A.14	Site Restoration	All	LS	\$ 2,651.00	\$ 5,000.00	\$ 4,200.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 15,854.80	\$ 2,500.00
				\$ 2,651.00	\$ 5,000.00	\$ 4,200.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 15,854.80	\$ 2,500.00
Subtotal Site Preparation				\$ 85,446.40	\$ 89,878.50	\$ 123,156.00	\$ 97,088.00	\$ 109,750.00	\$ 166,303.00	\$ 147,178.80	\$ 137,328.00
Basic Bid Items:											
B. Paving & Surfacing				Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
B.1	1"-0" Crushed Rock Base (12" deep)	3,500	SY	\$ 8.60	\$ 9.10	\$ 10.00	\$ 12.00	\$ 9.50	\$ 10.25	\$ 9.70	\$ 7.00
				\$ 30,100.00	\$ 31,850.00	\$ 35,000.00	\$ 42,000.00	\$ 33,250.00	\$ 35,875.00	\$ 33,950.00	\$ 24,500.00
B.2	1" Open Graded Crushed Rock Base (20" deep)	1,350	SY	\$ 12.65	\$ 13.25	\$ 15.00	\$ 19.00	\$ 15.00	\$ 17.50	\$ 15.90	\$ 11.00
				\$ 17,077.50	\$ 17,887.50	\$ 20,250.00	\$ 25,650.00	\$ 20,250.00	\$ 23,625.00	\$ 21,465.00	\$ 14,850.00
B.3	Standard Concrete 'C' Curb	3,200	LF	\$ 10.10	\$ 13.00	\$ 10.25	\$ 10.00	\$ 11.50	\$ 6.90	\$ 12.20	\$ 16.00
				\$ 32,320.00	\$ 41,600.00	\$ 32,800.00	\$ 32,000.00	\$ 36,800.00	\$ 22,080.00	\$ 39,040.00	\$ 51,200.00
B.4	Extruded 6" Concrete Curb on Existing Driveway to Package Containers	500	LF	\$ 8.60	\$ 6.25	\$ 6.35	\$ 4.00	\$ 6.60	\$ 7.00	\$ 4.90	\$ 8.00
				\$ 4,300.00	\$ 3,125.00	\$ 3,175.00	\$ 2,000.00	\$ 3,300.00	\$ 3,500.00	\$ 2,450.00	\$ 4,000.00
B.5	6" Concrete Comercial Driveway w/ 2" Leveling Rock & WWF Reinforcing	250	SY	\$ 44.35	\$ 41.00	\$ 44.00	\$ 44.00	\$ 45.00	\$ 49.00	\$ 46.70	\$ 60.00
				\$ 11,087.50	\$ 10,250.00	\$ 11,000.00	\$ 11,000.00	\$ 11,250.00	\$ 12,250.00	\$ 11,675.00	\$ 15,000.00
B.6	4" Concrete sidewalk w/ 2" Leveling Rock	680	SY	\$ 30.00	\$ 30.00	\$ 30.50	\$ 32.00	\$ 35.00	\$ 39.00	\$ 32.70	\$ 45.00
				\$ 20,400.00	\$ 20,400.00	\$ 20,740.00	\$ 21,760.00	\$ 23,800.00	\$ 26,520.00	\$ 22,236.00	\$ 30,600.00
B.7	Detectable Warning Tile (ADA Ramp)	9	Ea.	\$ 180.00	\$ 180.00	\$ 210.00	\$ 200.00	\$ 190.00	\$ 175.00	\$ 216.00	\$ 200.00
				\$ 1,620.00	\$ 1,620.00	\$ 1,890.00	\$ 1,800.00	\$ 1,710.00	\$ 1,575.00	\$ 1,944.00	\$ 1,800.00
B.8	½" Hot Dense Mix AC Pavement, Level II	760	Tons	\$ 76.25	\$ 66.00	\$ 72.25	\$ 74.00	\$ 77.00	\$ 69.00	\$ 74.00	\$ 104.00
				\$ 57,950.00	\$ 50,160.00	\$ 54,910.00	\$ 56,240.00	\$ 58,520.00	\$ 52,440.00	\$ 56,240.00	\$ 79,040.00
B.9	½" Open Mix AC Pavement, Level II	340	Tons	\$ 94.15	\$ 75.00	\$ 81.75	\$ 84.00	\$ 90.00	\$ 78.00	\$ 83.70	\$ 140.00
				\$ 32,011.00	\$ 25,500.00	\$ 27,795.00	\$ 28,560.00	\$ 30,600.00	\$ 26,520.00	\$ 28,458.00	\$ 47,600.00
B.10	Pavement Striping, Thermoplastic Extruded, Non-Profile, 90 mil (4" white or yellow)	4,800	LF	\$ 1.15	\$ 1.30	\$ 1.15	\$ 1.00	\$ 1.45	\$ 1.10	\$ 1.20	\$ 1.40
				\$ 5,520.00	\$ 6,240.00	\$ 5,520.00	\$ 4,800.00	\$ 6,960.00	\$ 5,280.00	\$ 5,760.00	\$ 6,720.00
B.11	Parking/Loading Zone Paint Striping	1,200	LF	\$ 1.00	\$ 0.50	\$ 0.90	\$ 1.00	\$ 0.55	\$ 0.85	\$ 0.90	\$ 0.60
				\$ 1,200.00	\$ 600.00	\$ 1,080.00	\$ 1,200.00	\$ 660.00	\$ 1,020.00	\$ 1,080.00	\$ 720.00
B.12	Pavement Reflectors	18	Ea.	\$ 5.15	\$ 7.00	\$ 5.00	\$ 5.00	\$ 7.70	\$ 5.00	\$ 5.40	\$ 8.00
				\$ 92.70	\$ 126.00	\$ 90.00	\$ 90.00	\$ 138.60	\$ 90.00	\$ 97.20	\$ 144.00
B.13	Thermoplastic Handicap Parking Stencils	7	Ea.	\$ 139.05	\$ 135.00	\$ 142.00	\$ 150.00	\$ 150.00	\$ 135.00	\$ 145.80	\$ 150.00
				\$ 973.35	\$ 945.00	\$ 994.00	\$ 1,050.00	\$ 1,050.00	\$ 945.00	\$ 1,020.60	\$ 1,050.00
B.14	Thermoplastic Cross Bars (12" width)	252	LF	\$ 4.10	\$ 5.00	\$ 4.25	\$ 5.00	\$ 5.50	\$ 4.00	\$ 4.30	\$ 6.00
				\$ 1,033.20	\$ 1,260.00	\$ 1,071.00	\$ 1,260.00	\$ 1,386.00	\$ 1,008.00	\$ 1,083.60	\$ 1,512.00
Subtotal Paving & Surfacing				\$ 215,685.25	\$ 211,563.50	\$ 216,315.00	\$ 229,410.00	\$ 229,674.60	\$ 212,728.00	\$ 226,499.40	\$ 278,736.00



BID TABULATION			Jeff Kersey Construction	Eagle-Elsner, Inc	Canby Excavating	Pacific Excavation, Inc	Civil Works NW, Inc	Kerr Contractors Oregon, Inc	Northwest Earthmovers, Inc	S2 Contractors, Inc
Basic Bid Items:			Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
<b>C. Storm Drain Improvements</b>										
C.1	Infiltration Trench Including Ecavation and Select Backfill	460 LF	\$ 10.70	\$ 28.00	\$ 20.00	\$ 24.00	\$ 20.00	\$ 16.50	\$ 19.00	\$ 45.00
			\$ 4,922.00	\$ 12,880.00	\$ 9,200.00	\$ 11,040.00	\$ 9,200.00	\$ 7,590.00	\$ 8,740.00	\$ 20,700.00
<b>Subtotal Storm Drainage</b>			\$ 4,922.00	\$ 12,880.00	\$ 9,200.00	\$ 11,040.00	\$ 9,200.00	\$ 7,590.00	\$ 8,740.00	\$ 20,700.00
Basic Bid Items			Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
<b>D. Sanitary Sewer</b>										
D.1	8" PVC 3034 Including Excavation and Select Backfill	420 LF	\$ 51.25	\$ 50.00	\$ 37.75	\$ 50.00	\$ 50.00	\$ 37.50	\$ 50.50	\$ 24.00
			\$ 21,525.00	\$ 21,000.00	\$ 15,855.00	\$ 21,000.00	\$ 21,000.00	\$ 15,750.00	\$ 21,210.00	\$ 10,080.00
D.2	2" PVC 3034 Including Excavation and Select Backfill	175 LF	\$ 22.70	\$ 21.00	\$ 16.00	\$ 20.00	\$ 20.00	\$ 16.00	\$ 19.80	\$ 15.00
			\$ 3,972.50	\$ 3,675.00	\$ 2,800.00	\$ 3,500.00	\$ 3,500.00	\$ 2,800.00	\$ 3,465.00	\$ 2,625.00
D.3	6" PVC 3034 Including Excavation, Select Backfill, Toning Wire and end cap.	100 LF	\$ 27.75	\$ 48.00	\$ 31.00	\$ 35.00	\$ 45.00	\$ 45.00	\$ 61.60	\$ 20.00
			\$ 2,775.00	\$ 4,800.00	\$ 3,100.00	\$ 3,500.00	\$ 4,500.00	\$ 4,500.00	\$ 6,160.00	\$ 2,000.00
D.4	2" Cleanout Assembly	1 Ea.	\$ 264.50	\$ 150.00	\$ 270.00	\$ 300.00	\$ 250.00	\$ 400.00	\$ 373.10	\$ 250.00
			\$ 264.50	\$ 150.00	\$ 270.00	\$ 300.00	\$ 250.00	\$ 400.00	\$ 373.10	\$ 250.00
D.5	New or Reconstructed Manhole 0-8' Deep	3 Ea.	\$ 2,838.00	\$ 3,200.00	\$ 2,570.00	\$ 3,000.00	\$ 3,000.00	\$ 2,250.00	\$ 5,814.60	\$ 2,000.00
			\$ 8,514.00	\$ 9,600.00	\$ 7,710.00	\$ 9,000.00	\$ 9,000.00	\$ 6,750.00	\$ 17,443.80	\$ 6,000.00
<b>Subtotal Sanitary Sewer</b>			\$ 37,051.00	\$ 39,225.00	\$ 29,735.00	\$ 37,300.00	\$ 38,250.00	\$ 30,200.00	\$ 48,651.90	\$ 20,955.00
Basic Bid Items			Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
<b>E. Utility Construction</b>										
E.1	Single or Multiple Utility Trenching Including Shading and Native Backfill	850 LF	\$ 11.80	\$ 7.85	\$ 11.40	\$ 16.00	\$ 9.00	\$ 14.00	\$ 9.70	\$ 15.00
			\$ 10,030.00	\$ 6,672.50	\$ 9,690.00	\$ 13,600.00	\$ 7,650.00	\$ 11,900.00	\$ 8,245.00	\$ 12,750.00
E.2	Single or Multiple Utility Trenching Including Shading and Crushed Rock Backfill	150 LF	\$ 13.75	\$ 12.85	\$ 18.70	\$ 25.00	\$ 13.00	\$ 24.00	\$ 17.50	\$ 8.00
			\$ 2,062.50	\$ 1,927.50	\$ 2,805.00	\$ 3,750.00	\$ 1,950.00	\$ 3,600.00	\$ 2,625.00	\$ 1,200.00
E.3	Excavate and Backfill For Street Light Poles	7 LF	\$ 208.00	\$ 250.00	\$ 165.00	\$ 360.00	\$ 300.00	\$ 750.00	\$ 308.80	\$ 250.00
			\$ 1,456.00	\$ 1,750.00	\$ 1,155.00	\$ 2,520.00	\$ 2,100.00	\$ 5,250.00	\$ 2,161.60	\$ 1,750.00
<b>Subtotal Utility Construction</b>			\$ 13,548.50	\$ 10,350.00	\$ 13,650.00	\$ 19,870.00	\$ 11,700.00	\$ 20,750.00	\$ 13,031.60	\$ 15,700.00
<b>TOTAL BASIC BID</b>			\$ 356,653.15	\$ 363,897.00	\$ 392,056.00	\$ 394,708.00	\$ 398,574.60	\$ 437,571.00	\$ 444,101.70	\$ 473,419.00



## MEMORANDUM

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**DATE:** APRIL 9, 2012  
**TO:** MAYOR CARSON AND CANBY CITY COUNCIL  
**FROM:** KIM SCHEAFER, MMC, CITY RECORDER  
**THROUGH:** GREG ELLIS, CITY ADMINISTRATOR  
**RE:** ADDITION OF CHAPTER 2.05.020 TO THE CANBY MUNICIPAL CODE

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**Issue:** Currently the City does not have an ordinance in place that would allow the City to submit an explanatory statement regarding a referendum or initiative petition.

**Background:** Under Oregon Administrative Rule 165-022-0040 an impartial, simple and understandable statement explaining the measure and its effect can be submitted by a governing body of a local government only if the local government has an ordinance requiring the submission of such a statement.

**Recommendation:** Staff recommends that Council pass Ordinance 1355 to allow for submission of an explanatory statement in the event a referendum or initiative petition is ever filed in the future.

**Motion:** "I MOVE TO APPROVE ORDINANCE 1355, AN ORDINANCE ADDING SECTION 2.05.020 TO THE CANBY MUNICIPAL CODE TO AUTHORIZE SUBMISSION OF EXPLANATORY STATEMENTS BY THE CITY OF CANBY FOR INCLUSION IN THE CLACKAMAS COUNTY VOTERS PAMPHLET FOR MATTERS SUBMITTED TO THE VOTERS RELATING TO MUNICIPAL LEGISLATION UNDER THE REFERENDUM OR INITIATIVE POWERS BY PETITION TO COME UP FOR SECOND READING ON MAY 4, 2012.

**Attached:** Ordinance 1355.

## **ORDINANCE NO. 1355**

### **AN ORDINANCE ADDING SECTION 2.05.020 TO THE CANBY MUNICIPAL CODE TO AUTHORIZE SUBMISSION OF EXPLANATORY STATEMENTS BY THE CITY OF CANBY FOR INCLUSION IN THE CLACKAMAS COUNTY VOTERS PAMPHLET FOR MATTERS SUBMITTED TO THE VOTERS RELATING TO MUNICIPAL LEGISLATION UNDER THE REFERENDUM OR INITIATIVE POWERS BY PETITION.**

**WHEREAS**, the initiative and referendum powers are reserved to the people by the terms of Article IV, Section 1 of the Oregon Constitution as to both state and municipal legislation; and

**WHEREAS**, Article IV, subsection 1(5) provides that municipalities such as the City of Canby may provide for the manner of exercising the initiative and referendum powers as to municipal legislation; and

**WHEREAS**, under the terms of OAR 165-022-0040, The City must pass an ordinance if it wishes to prepare explanatory statements on matters that are initiated or referred to the voters by petition;

**WHEREAS**, the City Council believes it is in the public interest for the City to exercise its Constitutional authority to provide for the manner of exercising the initiative and referendum powers as to municipal legislation and to comply with the aforementioned administrative rule and to therefore, when directed by the City Council, authorize the City Attorney to prepare explanatory statements for matters referred or initiated by petition in order that the City is assured of its ability to explain municipal legislation to the voters of the City of Canby; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. Section 2.10.020 is added to the Canby Municipal Code, to read:

#### **2.10.020 Authorization to Submit Explanatory Statements Relating to Municipal Legislation Referred or Initiated by Petition**

- A. When directed by the City Council, the City Attorney is required to prepare an impartial explanatory statement for the Clackamas County Voters Pamphlet for matters relating to municipal legislation referred or initiated by petition.*

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, April 18, 2012 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, May 2, 2012 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue in Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 2<sup>nd</sup> day of May 2012 by the following vote:

YEAS \_\_\_\_\_

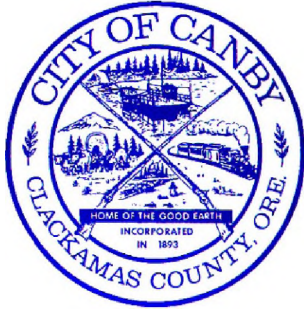
NAYS \_\_\_\_\_

\_\_\_\_\_  
Randy Carson  
Mayor

**ATTEST:**

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder





# City of Canby

**TO: Mayor Randy Carson / Canby City Council**

**FROM: Greg Ellis**

**DATE: April 18, 2012**

**SUBJECT: Ordinance No. 1356 – In-Lieu-Of Franchise Fee**

Included in the Council packet is Ordinance No. 1356 which allows a 7% In-Lieu-Of Franchise Fee that will be paid to the Canby General Fund as compensation for the use of City owned rights-of-way by the sewer and stormwater utilities. This is, in effect, identical to the In-Lieu-Of Taxes that Canby Utility pays to the City of Canby and is included in General Fund Revenue. I have also included in the packet a list of Cities that currently charge an In-Lieu-Of Franchise Fees. This list came from a franchise fee study completed by the League of Oregon Cities in March 2012. Not all cities in Oregon responded to the survey (60% response) so there are probably more that have an In-Lieu-Of Franchise Fee.

The funds will start being credited to the General fund after July 1, 2012. This is not an additional 7% increase to the utility customer but will be taken out of existing rate revenue including any rate increase(s) that are scheduled in the future. The Council received a rate analysis and financial plan in May, 2011 for the combined sewer fund which included recommendations for modest rate increases for the next five years to insure adequate operational and capital funds.

The estimated first year revenue (fiscal year 2012-2013) would be approximately \$222,000 and a portion of this revenue will be used to fund one (1) FTE added to Parks and one quarter (.25) FTE added to administration.

I feel that this is the amount needed to maintain current customer service levels and recommend passage of Ordinance No. 1356.

## **TABLE 10: IN-LIEU-OF FRANCHISE FEES**

Bandon City Electric  
Canby Utility - Electric  
Eugene City Electric Board  
Forest Grove City Electric  
Hermiston City Electric  
McMinnville<sup>1</sup> City Electric  
Monmouth City Electric  
Springfield Utility Board  
Vale City Garbage  
Warrenton City Garbage  
Beaverton City Stormwater  
Fairview City Stormwater  
Hillsboro City Stormwater  
Independence City Stormwater  
Keizer City Stormwater  
Lebanon City Stormwater  
Oregon City Stormwater  
Springfield City Stormwater  
Troutdale City Stormwater

Amity City Wastewater  
Aumsville City Wastewater  
Baker City Wastewater  
Bandon City Wastewater  
Beaverton City Wastewater  
Columbia City Wastewater  
Coquille City Wastewater  
Dallas City Wastewater  
Dundee City Wastewater  
Fairview City Wastewater  
Florence City Wastewater  
Forest Grove City Wastewater  
Grants Pass City Wastewater  
Hillsboro City Wastewater  
Independence City Wastewater  
John Day City Wastewater  
Keizer City Wastewater  
Lebanon City Wastewater  
Monmouth City Wastewater  
Myrtle Creek City Wastewater  
Newberg City Wastewater  
Oakridge City Wastewater  
Oregon City Wastewater

Redmond City Wastewater  
Salem City Wastewater  
Sisters City Wastewater  
Springfield City Wastewater  
St. Helens City Wastewater  
Tangent City Wastewater  
Troutdale City Wastewater  
Ukiah City Wastewater  
Vale City Wastewater  
Warrenton City Wastewater

Amity City Water  
Aumsville City Water  
Baker City Water  
Bandon City Water  
Beaverton City Water  
Canby Utility - Water  
Columbia City Water  
Coquille City Water  
Dallas City Water  
Dundee City Water  
Fairview City Water  
Florence City Water

Forest Grove City Water  
Grants Pass City Water  
Hillsboro City Water  
Independence City Water  
John Day City Water  
Keizer City Water  
Lebanon City Water  
Monmouth City Water  
Myrtle Creek City Water  
Newberg City Water  
Oakridge City Water  
Oregon City Water  
Redmond City Water  
Salem City Water  
Sisters City Water  
Springfield Eugene Water and Electric Board  
St. Helens City Water  
Troutdale City Water  
Ukiah City Water  
Vale City Water  
Warrenton City Water

**ORDINANCE NO. 1356**

**AN ORDINANCE AMENDING THE CITY OF CANBY MUNICIPAL CODE BY  
ADDING A NEW SECTION, 13.12.065, CREATING AN IN-LIEU-OF FRANCHISE FEE  
FOR THE USE OF CITY-OWNED RIGHT-OF-WAYS FOR SEWER SERVICE.**

**WHEREAS**, the City of Canby Sewer service enjoys the use of City-owned right-of-ways;

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** Chapter 13.12, Rates and Connection Fees, of the City of Canby Municipal Code is hereby amended by adding a new section, 13.12.065, In-lieu-of Franchise Fee, as follows:

13.12.065 In-lieu-of Franchise Fee. Effective July 1, 2012, as compensation for the use of City-owned rights-of-way, the Sewer combined funds shall pay the General Fund an In-lieu-of Franchise Fee in the amount of seven percent (7%) of City of Canby sewer customer service charges.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, April 18, 2012 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, May 2, 2012 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue in Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 2<sup>nd</sup> day of May 2012 by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

\_\_\_\_\_  
Randy Carson  
Mayor

**ATTEST:**

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

**Management Team Meeting Minutes**  
**March 26, 2012**  
**2:00 PM**  
**City Hall Conference Room**

In attendance: Greg Ellis, Amanda Klock, Joe Lindsay, Julie Wehling, Sue Engels, Bryan Brown, Renate Mengelberg, and Kim Scheafer.

Kim Scheafer

- Reviewed April 4 City Council Agenda
- Please let front office staff at City Hall know if you are going to be out a day
- If you book the Conference Room at City Hall let the front office staff know so they can print out a new schedule

Greg Ellis

- Working on City budget. Will be meeting with each Department Director to go over numbers
- Only four people showed up for the Surviving the Construction Workshop last week. There were 166 meeting notices that were mailed and hand delivered inviting people to attend it.

Bryan Brown

- Working with Habitat for Humanity regarding locating a building salvage resale shop in Canby
- Staff is working on closing out old building permits
- Working with Fred Meyer fuel station regarding scope of work

Renate Mengelberg

- Property behind Providence is selling for \$2.50 square foot
- Welcome Celebration for Product Manufacturing will be held tomorrow at 1:30 PM
- Revolving loan program will be on April 11 URA Agenda
- At Main Street Conference March 28 – April 5

Julie Wehling

- The Jughandle Project in Oregon City only slowed down buses by 20 minutes on Friday
- Out of office March 30 – April 8

Sue Engels

- RFP for Auditing Services must be submitted by 4 PM on March 29, 2012
- Attended a meeting about selling BETC credits. Will be doing a press release.

*Minutes taken by Kim Scheafer*

**Management Team Meeting Minutes**  
**April 9, 2012**  
**2:00 PM**  
**City Hall Conference Room**

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

Kim Scheafer

- Reviewed April 18 City Council Agenda
- VOIP phone message that are converted to WAV files are considered public records and will have to be managed according to retention schedule

Greg Ellis

- Spoke about the proposed budget

Joseph Lindsay

- Be sure to follow the PSA Procedures and use the updated form

Bret Smith

- New Police Department construction is going well
- Out of office with Lieutenant Tro April 10-13

Bryan Brown

- Has been answering questions for McDonalds who are working on their feasibility study

Penny Hummel

- National Library Week is this week.
- Tomorrow is National Library Worker's Day
- Music in the Stacks will be held on April 10

Renate Mengelberg

- Main Street Manager position has been posted and closes April 18
- Reviewed some of the URA Agenda items for Wednesday
- RARE Student is working on consolidating business surveys

Sue Engels

- Reviewed what staff had done so far on the budget
- Out of office April 16-20
- New auditors are Pauly Rogers & Co.
- City General Fund and Library will be presented April 26. Other funds will be presented May 3. Agency budget will be presented May 10.

Julie Wehling

- Two busses have been delivered and should be on the road soon

*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
11/2/2011	Knights Bridge Road - Entrance Sign	Waiting for TSP	Renate - Annie?	TBD
10/12/2011 URA	Entrance Sign Power - ODOT	Contact appropriate person at ODOT	Dan	March 14, 2012
10/12/2011 URA	Other use or market for Solar Panels	Researching	Dan	March 14, 2012
11/2/2011	NW 3rd Ave. Parking	Researching	Greg	March 14, 2012
11/9/2011 URA	Sequoia Parkway to 13th Extension Design	Need Authorization to Proceed from URA	Greg	March 14, 2012
4/1/2012	Clackamas County Broadband Project	Determine Need @ City Owned Facilities	Greg	May 2, 2012
OTHER STAFF ITEMS				
DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE
	Home Business Survey	Compiling Data From Returned Surveys	Renate	???
	Property Purchase Negotiations - CUB & Oliver Insurance	Meeting W/ Property Owners / Representatives	Greg	On-going Updates
12/7/2011	Road Improvement & Sidewalk Extension on NE 4th Avenue by CC Event Center	Getting Easements & Right-of-Way; Proceeding With Design	Greg	On-Going
	Selling Property Partitioned Next to Maple Street Park (former location of Marshall House)	Waiting for better econmic times to sell property.		On-Going