



AGENDA

CANBY CITY COUNCIL REGULAR MEETING

December 7, 2011

7:30 PM

Council Chambers

155 NW 2nd Avenue

Mayor Randy Carson

Council President Walt Daniels

Councilor Richard Ares

Councilor Tim Dale

Councilor Traci Hensley

Councilor Brian Hodson

Councilor Greg Parker

CITY COUNCIL REGULAR MEETING

1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Canby Community Food & Toy Drive Proclamation Pg. 1
- C. Measure 3-384 Proclamation Pg. 2
- D. Measure 3-385 Proclamation Pg. 4
- E. Pickle Award Presentation Pg. 6

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.)

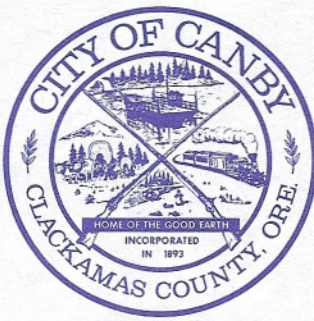
- A. Approval of Minutes of the November 16, 2011 City Council Regular Meeting

7. RESOLUTIONS & ORDINANCES

- A. Res. 1118, Proclaiming Annexation of 4 Acres Pg. 8
- B. Res. 1119, Approving an IGA with Clackamas County Building Codes Division to Provide Grading, Building Inspection, Plan Review and Permitting Services for the City of Canby Pg. 12
- C. Ord. 1353, Authorizing Purchase of Two Vehicles for Canby Area Transit from Emmett Koelsch Coaches, Inc. of Canby, Oregon Pg. 18

- 8. NEW BUSINESS**
 - A. Cancellation of December 21 City Council Meeting
- 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. 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.



Office of the Mayor

Proclamation

Canby Community Food & Toy Drive Sponsored by Canby Kiwanis

WHEREAS, the Canby Community Food & Toy Drive sponsored by Canby Kiwanis, originated for the purpose of providing toys and food for less fortunate families in our community; and

WHEREAS, by way of this Proclamation, the City of Canby recognizes that greater public awareness and involvement is needed in order for such programs to achieve their highest potential in providing and promoting joy to each household in this community; and

WHEREAS, Canby community members have undertaken the project of collecting and distributing toys and food to these needy families during the month of December; and

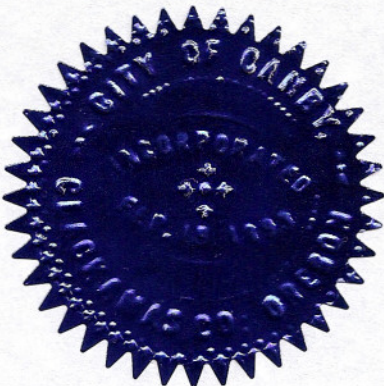
WHEREAS, donations for food baskets can be left at various locations around Canby;

NOW, THEREFORE, I, Randy Carson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim December 11 through December 17, 2011 as:

CANBY COMMUNITY FOOD & TOY DRIVE WEEK SPONSORED BY CANBY KIWANIS

and urge all people of the City of Canby to observe this time by participating in this toy and food drive, helping to provide assurance that each family may have a twinkle in their eye this holiday season

Given unto my hand this 7th day of December, 2011



Randy Carson
Mayor



Office of the Mayor

Proclamation

“Measure 3-384 Election Results”

WHEREAS, the City of Canby, County of Clackamas, Oregon, placed a measure on the Special Election ballot on November 8, 2011, to consider the following measure:

MEASURE NO. 3-384

**SHALL 4 ACRES LOCATED ADJACENT TO THE SOUTH OF
HOPE VILLAGE, ON S. FIR STREET, BE ANNEXED INTO
CANBY?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election on November 8, 2011.

YES - 2,696

NO - 923

Blank - 1

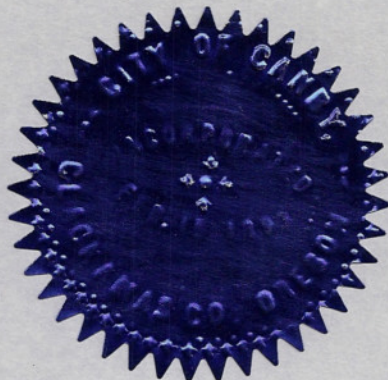
Over Votes - 0

Under Votes - 63

NOW, THEREFORE, I, Randy Carson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 21, 2011.

Dated this 7th day of December, 2011.

Randy Carson
Mayor



Canvass Report — Total Voters — Official Clackamas County, Oregon — Special Election — November 08, 2011 Page 16 of 25

11/21/2011 03:52 PM
 Precincts Reporting 157 of 157 = 100.00%

Total Number of Voters: 83,715 of 212,685 = 39.36%

3-384 CITY OF CANBY: Measure Approving Annexation of 4 Acres into City of Canby

Precinct	Blank Ballots Cast	Over Votes	Under Votes	Total Ballots Cast	Registered Voters	Percent Turnout	Yes	No	Totals
122	1	0	21	1,171	2,715	43.13%	848	302	1,150
124	0	0	15	1,070	2,208	48.46%	802	253	1,055
125	0	0	27	1,441	3,101	46.47%	1,046	368	1,414
Totals:	1	0	63	3,682	8,024		2,696	923	3,619

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK

BY: Sherry Hall



Office of the Mayor

Proclamation

“Measure 3-385 Election Results”

WHEREAS, the City of Canby, County of Clackamas, Oregon, placed a measure on the Special Election ballot on November 8, 2011, to consider the following measure:

MEASURE NO. 3-385

**SHALL THE CITY IMPOSE \$0.49 PER \$1,000 OF ASSESSED
PROPERTY VALUE FOR FIVE YEARS, 2012-2017, FUNDING SWIM
CENTER OPERATIONS?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election on November 8, 2011.

YES - 2,081

NO - 1,557

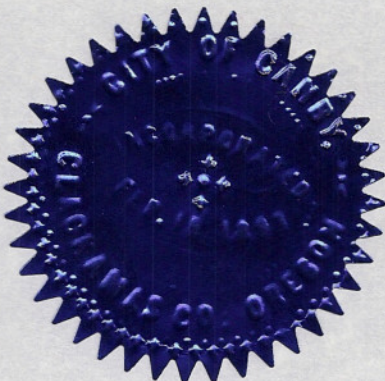
Blank - 1

Over Votes - 0

Under Votes - 44

NOW, THEREFORE, I, Randy Carson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 21, 2011.

Dated this 7th day of December, 2011.



Randy Carson
Mayor

Canvass Report — Total Voters — Official Clackamas County, Oregon — Special Election — November 08, 2011

11/21/2011 03:52 PM
 Precincts Reporting 157 of 157 = 100.00%
 Total Number of Voters: 83,715 of 212,685 = 39.36%
 Page 17 of 25

3-385 CITY OF CANBY: Five-Year Local Option Levy for Swim Center Operations

Precinct	Blank Ballots Cast	Over Votes	Under Votes	Total Ballots Cast	Registered Voters	Percent Turnout	Yes	No	Totals
122	1	0	16	1,171	2,715	43.13%	676	479	1,155
124	0	0	11	1,070	2,208	48.46%	585	474	1,059
125	0	0	17	1,441	3,101	46.47%	820	604	1,424
Totals:	1	0	44	3,682	8,024		2,081	1,557	3,638

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK

BY: Sherry Hall

Customer Service “Pickle” Award Nomination Form

This award acknowledges individual employees who demonstrate outstanding customer service, flexibility and personal attention to develop and maintain relationships with customers.

Date: **November 29, 2011**

Name of Nominee: **Jerry Nelzen**

Position: **Lead Worker / Streets & Collections**

Department: **Public Works**

Phone #: **503-266-4021, ext 259**

Name of Nominator: **Amanda Klock**

Position: **HR/Asst City Administrator**

Department: **Admin**

Phone #: **503-266-4021, ext 135**

Signature of Nominator: _____

Description of accomplishment (see reverse for award criteria). **Please attach a complete description of the accomplishment which indicates why your nominee deserves to receive the “Pickle” Customer Service Award.** In forming this submission please include specific, detailed examples and data to support your nomination. The information you provide will be used by the Customer Service Committee to determine whether to recommend the nominee to the City Administrator for the award. Nominator will receive confirmation of receipt of submission via email.

Selection

A nomination form must be completed and submitted to the Customer Service Committee. The Committee will determine the award recipient and forward a recommendation to the City Administrator. Awards will be presented at a City Council meeting. The Committee will notify recipients of their selection. Each nominee will receive a plaque and a pickle lapel pin.

Description of accomplishment

Please provide specific, detailed examples and data to support your nomination. The information you provide will be used by the Committee to determine the recipient of this award:

Description of the accomplishment: Why does your nominee deserve to receive the Pickle Customer Service Award? What impact has the nominee’s accomplishment had on the City of Canby? How did staff, coworkers, or customers benefit from the accomplishment? How has the nominee’s accomplishment supported the City Council Customer Service Goal?

The City Council values good customer service and desires that all City departments focus on understanding the needs of the citizens they serve. City staff should receive training and encouragement in the area of customer service. The City Council goal is that all citizens who need access to City services be treated respectfully, cordially and effectively. A customer service focus on the part of the City staff is intended to foster better communication and credibility between citizens of Canby and their local government.

*People are our most valuable resource!
Nominate someone you think deserves recognition – someone who truly shines!*

**Jerry Nelzen – Pickle Award Nomination
November 2011**

Description of Accomplishment:

Why does your nominee deserve to receive the Pickle Customer Service Award?

In the absence of a full time PW Director, Jerry Nelzen has stepped up in his role as Lead Worker for Streets and Collections. He communicates regularly with other staff members, Lead Workers and management to assure needs are met, information is shared, and everyone is aware of potential issues or concerns. Whether it's working with internal or external customers, Jerry provides exceptional customer service on a consistent basis. He is always accessible and responds timely to phone calls, emails, and other inquiries. He promptly addresses potential hazards and concerns in the City, and with professionalism and empathy when projects involve citizens, personal residences or businesses within the community.

What impact has the nominee's accomplishment had on the City of Canby?

Jerry often has to communicate with community members who have just experienced a sewer backup in their home, neighborhood flooding, the inconvenience of a construction project, or some other disruptive event. Many citizens who have had contact with Jerry have expressed their sincere thanks for his attention, communication, and prompt action. Coworkers from other departments have also expressed their appreciation for Jerry's prompt and courteous response to their concerns. Jerry listens to people and often offers alternative solutions to complex issues, frequently resulting in a cost savings to the City or a homeowner.

Jerry takes the time to explain situations and does not treat others, who often do not share his same level of knowledge and experience, with anything less than respect and his full attention. He is always willing to take time out of his busy schedule to meet with anyone who has questions or who would be better served with a "field trip" to a job site to view and discuss a project first hand.

How did staff, coworkers, or customers benefit from the accomplishment?

Jerry has a positive approach and is willing to assist others, whether it's a member of the public works department, a coworker from another department, a council member, or a citizen with questions or concerns. In addition, Jerry often takes the time to follow up with citizens and customers to assure that a project or interaction was completed with satisfaction.

How has the nominee's accomplishment supported the City Council Customer Service Goal?

Jerry is always willing to collaborate with others, keeps communications open, and serves the public and his colleagues with respect, compassion, and professionalism. He understands and applies a high level of customer service in his daily interactions. Jerry is an asset to the City and a notable example of commendable public service.

RESOLUTION NO. 1118

A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 8, 2011 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 4 ACRES DESCRIBED AS TAX LOTS 900 and 1000 OF TAX MAP 4S-1E-4D LOCATED ADJACENT TO AND EAST OF THE 1600 BLOCK OF S. FIR STREET AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on November 8, 2011, at a special election, the voters of the City of Canby approved by a vote of 2,696 to 923, Measure No. 3-384 which called for the annexation of 4 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 21, 2011. Applicant for the property is Robert Price on behalf of the owners, Hope Village, Inc., of tax lots 900 and 1000 of Tax Map 4S-1E-4D located adjacent to and east of the 1600 block of S. Fir Street. A complete legal description of the tax lot is attached hereto as Exhibit "A", and a map showing the location of the tax lot is attached hereto as Exhibit "B" and by this reference are all incorporated herein; and

WHEREAS, the zoning of the annexed land shall be designated as R-2 High Density Residential which conforms with the Canby Comprehensive Plan and shall be indicated as such on the official zoning map for the City of Canby; and

WHEREAS, Pursuant to CMC 16.84.080, the City must proclaim by resolution, the annexation of said property in the City and set the boundaries of the new property by legal description; and

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 21, 2011, are official and accepted by the Council of Canby; and

IT IS HEREBY PROCLAIMED by the Council of Canby that 4 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed into the corporate limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal descriptions set forth in Exhibit "A". The zoning of the annexed land shall be designated as R-2 High Density Residential and indicated as such on the official zoning map for the City of Canby.

This Resolution shall take effect on December 7, 2011.

ADOPTED this 7th day of December, 2011, by the Canby City Council.

Randy Carson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Hope Village, Inc.
Scott parcel

A Tract of land being all of that tract of land described in that Deed recorded as Document No. 2004-022661, Clackamas County Deed Records, located in the Southeast one-quarter of Section 4, Township 4 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

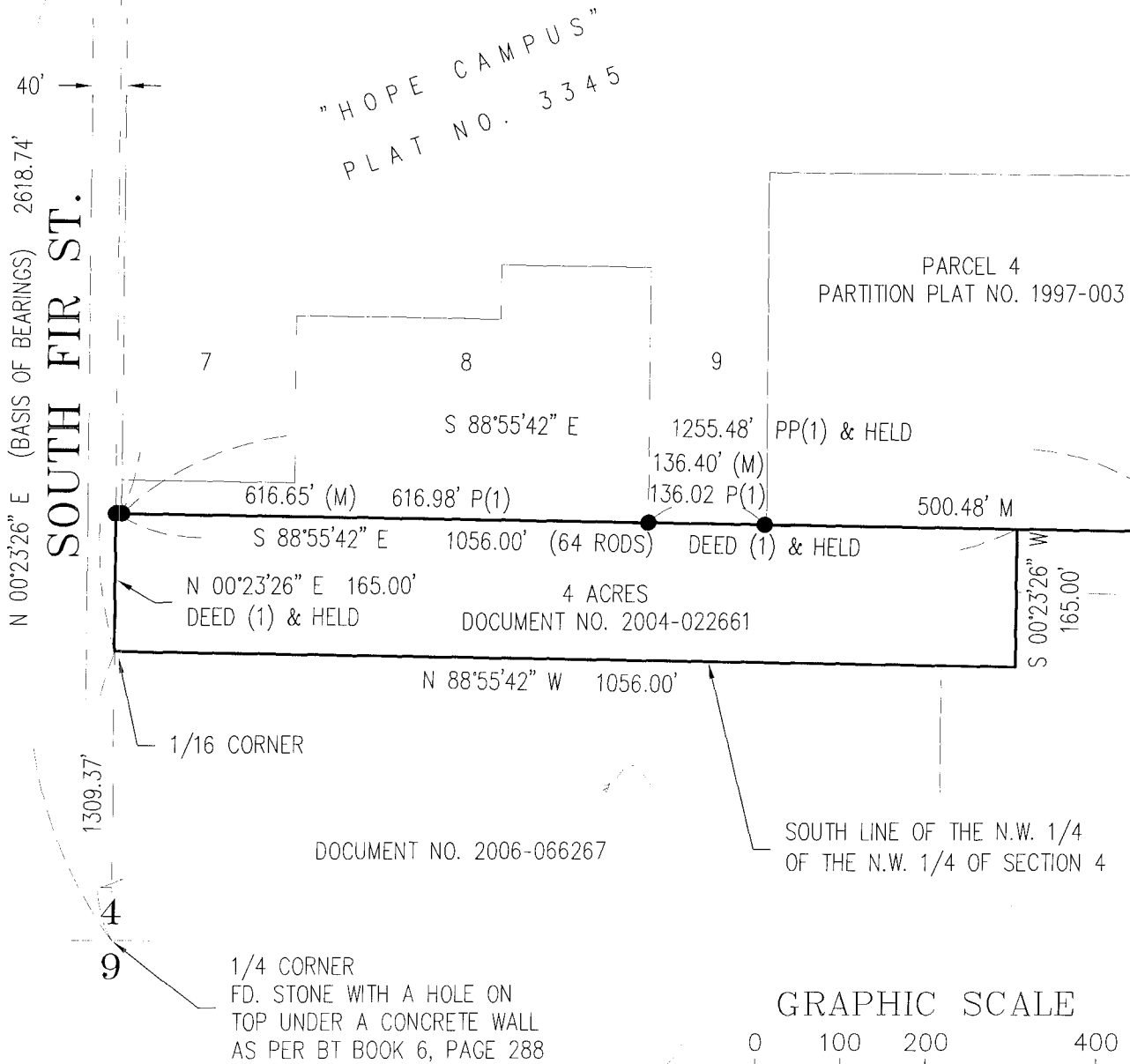
Commencing at a stone with a hole on top found at the South one-quarter corner of said Section 4; thence North 00°23'26" East, along the center of section line, a distance of 1309.37 feet to the Southwest corner of the Northeast one-quarter of said Section 4 and the true point of beginning of the Tract of land herein described; thence continuing along said center of section line, North 00°23'26" East a distance of 165.00 feet to the Southwest corner of the Plat of "Hope Campus" (Plat No. 3345); thence South 88°55'42" East, along the South line of said "Hope Campus", a distance of 1056.00 feet to the Northeast corner of said Document No. 2004-022661 Tract; thence South 00°23'26" West, along East line of said Document No. 2004-022661 Tract, a distance of 165.00 feet to the Southeast corner thereof; thence North 88°55'42" West along the South line of said Document No. 2004-022661, a distance of 1056.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 4.00 acres more or less.



SOUTHWEST 13TH AVENUE

(C.R. 1499)

TITLE: **EXHIBIT DRAWING**

DATE: 11-15-11 PLOT DATE: 11-16-11

DWG BY: JHH CHK BY: CCF

SHEET: 1 OF 1 FILE: S15632EXH.DWG

ZTec ENGINEERS, INC.3737 S.E. 8TH AVE.
PORTLAND, OREGON 97202
(503) 235-8795

CLIENT: HOPE VILLAGE, INC.

City Council Packet Page 11 of 27

RESOLUTION NO. 1119

A RESOLUTION OF THE CITY OF CANBY, (CITY) OREGON APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH CLACKAMAS COUNTY BUILDING CODES DIVISION TO PROVIDE GRADING, BUILDING INSPECTION, PLAN REVIEW AND PERMITTING SERVICES FOR THE CITY OF CANBY.

WHEREAS, the City desires to enter into an intergovernmental agreement (IGA) with Clackamas County Building Codes Division (“BCD”) to provide for grading, building inspection, plan review and permitting services for the City of Canby under the authority of ORS 190.010; and.

WHEREAS, the City and BCD have negotiated an appropriate IGA that addresses the services to be provided, the term of the IGA, revenue sharing between the parties, and various respective duties and responsibilities of the parties; and

WHEREAS, the City believes it is in the City’s best interest to enter into the proposed IGA, now therefore

IT IS HEREBY RESOLVED by the City of Canby as follows:

The Canby City Council approves the IGA between the City and Clackamas County, identified as Exhibit “A” to this Resolution, and hereby authorizes that City Administrator to execute the IGA on behalf of the City.

This resolution will take effect on December 7, 2011.

ADOPTED this 7th day of December 2011 by the City of Canby City Council.

Randy Carson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

INTERGOVERNMENTAL AGREEMENT BETWEEN CLACKAMAS COUNTY AND THE CITY OF CANBY

December_____, 2011

This is an intergovernmental agreement ("Agreement"). It is for grading, building inspection, plan review, and permitting services. It is between Clackamas County, operating by and through its Building Codes Division ("BCD") and the City of Canby ("City"). It is done under the authority of ORS 190.010, 190.110, and similar statutes. Under the terms of this Agreement, the BCD shall provide grading, building inspection, plan review, and permitting services to the City under certain conditions and receive a portion of the fees, as set out below.

I. Term of the Agreement.

- A. This Agreement shall become effective on the date it is executed. It shall continue in force and effect through December 31, 2012.
- B. It may be renewed for a second, twelve month term expiring December 31, 2013. The second term shall automatically commence unless notice that the Agreement shall not be renewed is given on or before October 1, 2012.
- C. This Agreement may be terminated, with or without cause and at any time, by any party upon 90 days written notice to the other party.
 - 1. In the event that this Agreement is terminated, BCD shall complete the work for which it has been compensated, unless other arrangements are agreed to by the parties.
 - 2. A termination of this Agreement shall not affect a party's continuing rights under this Agreement, including-
 - a. A party's right to receive any reimbursement for any claims agreed to be paid prior to the termination; and
 - b. Rights to indemnification under Section VI D below.

II. Scope of Services: Nothing in this Agreement shall be construed as an assumption of the City's building and mechanical permitting programs by BCD. The City shall retain full responsibility for these programs.

III. Revenue Sharing: For permits subject to the provisions of this Agreement and issued after the Agreement's effective date, BCD and the City shall share collected permit revenues in accordance with the following schedule. BCD and the City reserve the right to subsequently revise the schedule. The

schedule may not be revised before April 2, 2012. Any revision of the schedule shall be done in order to ensure that it reflects the respective costs of BCD and the City.

A. BCD retention: 88% of permit fees collected.

B. City retention: 12% of permit fees collected.

IV. BCD and City Responsibilities.

A. BCD Responsibilities: BCD shall provide all building and mechanical permitting, related plan reviews, and inspections services. Additionally, BCD shall provide grading permitting, related plan reviews, and inspection services. Where required, BCD shall provide fire and life safety plan reviews.

1. BCD shall use the City's fee structure for all grading, building, mechanical, standard plan reviews, and fire and life safety permits.
2. BCD shall maintain an automated, daily inspection request system, currently Selectron Interactive Voice Response (IVR). Maintenance of the IVR shall be done at no cost to the City.
3. BCD shall create and maintain permit compositions within its permitting software, currently Accela Permits Plus, for each permit type within the scope of this Agreement. Permit compositions shall be done at no cost to the City.
4. During BCD's normal business hours, BCD shall provide daily construction inspections for all inspections requested before 6:00 a.m. on the day the inspection is desired.
5. During BCD's normal business hours, BCD shall provide plan reviews for all permits requiring such reviews in accordance with its adopted Operating Plan on file with the State of Oregon Building Codes Division. BCD shall at all times provide a copy of its current Operating Plan to the City.
6. BCD shall coordinate with the City's designated representative for daily inspection requests for all permits issued prior to the effective date of this Agreement.
7. BCD shall assign one building inspector and one plans examiner as the primary contact for all permits subject to the terms of this Agreement for a period of 120 days in order to ensure that there

is a single point of contact in each service area for consistency and to ensure that BCD may effectively learn the City's development services operation. After 120 days the County may introduce additional personnel, however there shall be no charge to the City for any related training.

8. For permits falling within the scope of this Agreement, BCD shall collect all required state surcharges on behalf of the City and distribute the collected surcharges to the State of Oregon Building Codes Division on a monthly basis, as required by law. BCD shall provide a report to the City outlining the permits issued that are subject to the surcharge and the amount of surcharge collected on behalf of the City on a monthly basis.
9. For permits falling within the scope of this Agreement, BCD shall collect all required School District Construction Excise Taxes on behalf of the City and shall distribute the collected tax to the appropriate school district on a quarterly basis, in accordance with Oregon statute. BCD shall provide a report to the City outlining the permits issued that are subject to the tax and the amount of tax collected on behalf of the City on a quarterly basis. BCD shall retain 4% of the collected tax to offset the costs of collection and reporting, consistent with the statute.

B. City Responsibilities.

1. The City shall in all ways cooperate with BCD in the expeditious transfer of responsibilities and performance of duties set out in this Agreement.

V. Liaison

- A. BCD Liaison: The Clackamas County Building Official.
- B. City Liaison: The Canby Planning Director.
- C. Any notice required or permitted under this Agreement shall be given to the above named individuals and shall become effective when actually delivered or forty eight (48) hours after its deposit in the United States mail addressed to such address as may be specified from time to time by a Party or Parties in writing.

VI. General Provisions

- A. This Agreement may not be assigned.
- B. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by a written instrument signed by both parties
- C. This is not a joint venture, partnership, or common enterprise between the City and BCD. BCD shall have the status of an independent contractor with respect to its services under this Agreement. No party or its employees is entitled to participate in any pension plan, insurance, bonus, or similar benefits provided by another party.
- D. To the extent permitted by law under the Oregon Constitution and statutes, BCD and the City shall each indemnify and defend the other, its officers, agents, and employees from any claim, loss, or liability arising out of or related to any activity of that party caused by the negligence or act of that party. BCD and the City shall have no liability to the other for any injury, loss, or damage caused by third parties. Each party agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of the Agreement at levels necessary to protect against public body liability as specified in ORS 30.270.
- E. This document embodies the entire Agreement and understanding between the parties hereto and supersedes all prior understandings relating to the subject matter hereof.
- F. Both parties and their duly authorized representatives shall have access to the books, documents, papers, and records which are directly pertinent to the specific Agreement for the purpose of making audit, examination, excerpts, and transcripts.
- G. In case any one or more of the provisions contained in this Agreement should be invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be effected or impaired thereby.
- H. Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party which may result in litigation in any way related to this Agreement.
- I. This Agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore.

- J. Any dispute between the parties shall be resolved first by mediation, and next by action of the Circuit Court of the State of Oregon for the County of Clackamas.

WHEREAS, all the aforesaid is hereby agreed and executed by the duly authorized signatures below.

“CITY”

Randy Carson, Mayor

Kimberly Scheafer, MMC
City Recorder

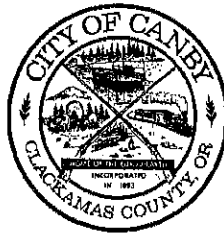
Date

“BCD”
BOARD OF COMMISSIONERS
CLACKAMAS COUNTY

Chair

Mary Raethke, Recording Secretary

Date



THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR
She Engela

MEMORANDUM

DATE: NOVEMBER 28, 2011
TO: MAYOR CARSON AND CANBY CITY COUNCIL
FROM: JULIE WEHLING, TRANSIT DIRECTOR
THROUGH: GREG ELLIS, CITY ADMINISTRATOR
RE: PURCHASE 2 TRANSIT VEHICLES

Issue: Authorization to purchase two replacement vehicles for the CAT fleet.

Background: Funding to replace two buses is in the FY 2011-12 Transit Budget. Canby Area Transit (CAT) was granted \$255,207 in Federal Funding from the Elderly and Disabled Specialized Transit Program (49 U.S.C. Section 5310) to purchase two replacement vehicles. The grant will cover 89.73 percent of the purchase cost.

Once approved, the vehicles will be purchased through the Oregon Procurement Information Network (ORPIN) system from EK Coaches. These vehicles will replace vehicles # 3 and # 21 in the current CAT fleet which have exceeded their useful life.

The required match funding will come from the sale of bus #11 and other vehicles that have exceeded their useful life.

Recommendation: The Council authorizes the staff to execute and declare in the name of the City of Canby (Canby Area Transit) and on its behalf, an appropriate Purchase Order (contract) with Emmett Koelsch Coaches, Inc. DBA EK Coaches of Canby, Oregon for two (2) 20 passenger, 26' Arboc Spirit of Mobility accessible transit vehicles for the quoted amount of one hundred twenty-seven thousand, four hundred forty-one dollars (\$127,441) each.

Motion: "I move 1353, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO PURCHASE TWO (2) VEHICLES FOR CANBY AREA TRANSIT FROM EMMETT KOELSCH COACHES, INC. DBA EK COACHES OF CANBY, OREGON; AND DECLARING AN EMERGENCY.

Attached: EK Coaches Quote - Exhibit "A"

ORDINANCE NO. 1353

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO PURCHASE TWO (2) VEHICLES FOR CANBY AREA TRANSIT FROM EMMETT KOELSCH COACHES, INC. DBA EK COACHES OF CANBY, OREGON; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby/Canby Area Transit (CAT) wish to purchase two (2) 20 passenger, 26' Arboc Spirit of Mobility accessible transit vehicles; and

WHEREAS, based on Federal Transit Administration useful life standards bus #20003 (VIN 1FDXE45F63HA17519) and bus # 20021 (VIN#1GNDX03E91D250973) in CAT's current fleet have exceeded these standards; and

WHEREAS, the Federal program (49 U.S.C. 5310) provides capital assistance for the purpose of supporting public transportation.

WHEREAS, CAT received contract no. 26583 from ODOT – Public Transit Division for \$255,207 in (49 U.S.C. 5310) funds to provide 89.73% of the funding to purchase two (2) replacement vehicles ; and

WHEREAS, the grants from the Federal Transit Administration and the proposed purchase of the vehicle are included in the approved fiscal year 2011/12 budget for the City of Canby; and

WHEREAS, the purchase will comply with ORS 279.820 - 279.855 and will be made utilizing Statewide Price Agreement number 9706 which was approved under Solicitation #ITB 102-1402-08 establishing multiple award price agreements for use by the State of Oregon and authorized Participants of the State of Oregon Cooperative Purchasing Program (ORCPP) to purchase American Disabilities Act (ADA) transit vehicles; and

WHEREAS, Emmett Koelsch Coaches, Inc. dba EK Coaches of Canby, Oregon has supplied a quote under Price Agreement 9706 for Arboc Spirit of Mobility/Chevrolet accessible vehicles in the amount of \$127,441.00 each, including all scheduled options.

WHEREAS, In accordance with Statewide Price Agreement 9706 all Purchase Orders accepted by EK Coaches shall create a separate Contract between parties. The City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed the Purchase Order and believes it to be in the best interest of the City to submit such Purchase Order for the vehicle purchase to EK Coaches; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The Mayor and City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby (Canby Area Transit) and on its behalf, an appropriate Purchase Order (contract) with EK Coaches for two (2) 20 passenger, 26' Arboc Spirit of Mobility accessible transit vehicles for the quoted amount of one hundred twenty-seven thousand, four hundred forty-one dollars (\$127,441) each. A copy of the quote from EK Coaches 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 purchase these vehicles 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 thereof on Wednesday, December 7, 2011 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, January 4, 2012 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2nd 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 4th day of January, 2012 by the following vote:

YEAS _____

NAYS _____

Randy Carson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder



SPIRIT OF MOBILITY



Date: 11/17/2011
 Dealer: EK Coaches
 Address: 7197 S. Tull Rd.
 City/State/Zip: Canby, OR 97013
 Contact: Kimberly Stanchfield
 Phone: 503-266-0195 fax 503-266-0196

Customer: Canby Area Transit
 Address: PO Box 930
 City/State/Zip: Canby, Oregon 97013
 Contact: Julie Wehling
 Phone: 503-266-4022

State of Oregon Price Agreement # 9706

Base Model	Spirit of Mobility				
SOM 26 191" WB GAS 14,200 GVWR	Cat E-2	1	\$104,689.00	\$104,689.00	
Chassis Options					
Driver Side Running Board - 12"	BASE	1	BASE	BASE	
Front Mud Flaps	BASE	1	BASE	BASE	
Heavy Duty Air Dryer	BASE	1	BASE	BASE	
Tow Hooks Rear	02-180	1	\$55.00	\$55.00	
Suspension Height Increase	02-925	1	\$95.00	\$95.00	
Mirrors					
Interior 6 x 9 Convex Mirror	BASE	1	BASE	BASE	
Remote/Htd Velvac	03-021V	1	\$650.00	\$650.00	
Rear Window Fresnel Lens	03-024	1	\$40.00	\$40.00	
Windows					
Solid Windows	BASE	1	BASE	BASE	
Extra Std Egress window front Drvr Side (183", 191", 210" WB)	BASE	1	BASE	BASE	
Exterior					
Side Turn/Marker Lites	05-068	1	\$75.00	\$75.00	
Rear center brake light	BASE	1	BASE	BASE	
Ext Light at entry door	BASE	1	BASE	BASE	
Interior Lights on w/door opening	BASE	1	BASE	BASE	
Door/Hatch/Luggage - 06					
Deluxe Overhead Parcel Rack - one side only	06-120-1	1	\$475.00	\$475.00	Passenger side behind w/c area
Sportworks 2 Bike Rack	06-131	1	\$1,000.00	\$1,000.00	Mounting brackets only - Installed
Electrical					

Exhibit "A"					
Alarm Backup	BASE	1	BASE	BASE	
Air Pressure Gauge w/buzzer	BASE	1	BASE	BASE	
Auxiliary Battery Compartment w/Tray & Door	BASE	1	BASE	BASE	
Rotary Disconnect Switch	BASE	1	BASE	BASE	
Destination Sign Twin Vision Mobilite Front & Side	07-156	1	\$4,500.00	\$4,500.00	Mount controls in radio spot
Elyse Software Pkg/PCMCIA Card for Twin Vision sign	07-161P	1	\$1,325.00	\$1,325.00	
Fast Idle, gas engine	BASE	1	BASE	BASE	
Egress Window Lights (match # of Egress Windows)	BASE	1	BASE	BASE	
Kneel Override Switch	BASE	1	BASE	BASE	
Ext Door Toggle Switch	BASE	1	BASE	BASE	
Ramp Activation System (includes Ext Ramp Toggle Switch)	BASE	1	BASE	BASE	
Audio					
Pre wire for 2 way radio	BASE	1	BASE	BASE	
Passenger Stop Request - Wireless with chimes	08-223	1	\$900.00	\$900.00	
AM/FM/CD w/4 Speakers	BASE	1	Credit	(\$200.00)	No Radio
PA-System w/hand held microphone w/2 speakers	08-218M	1	\$80.00	\$80.00	Boom Microphone - foot activated
Add outside speaker	08-237M	1	\$80.00	\$80.00	
Digital Clock in Driver Area	SOM999	1	\$75.00	\$75.00	
Interior Environment					
Air Conditioning - GAS Trans Air					
A/C 70,000 BTU TA733 Front or Rear Evaporator CM3 Skirt Condenser 10 CID compressor	BASE	1	BASE	BASE	
Heaters					
In-Line circulating pump. Included w/diesel	09-295	1	BASE	BASE	
Interior					
Diamond NV Fare box w/2 vaults	10-304	1	\$1,300.00	\$1,300.00	key code
RH Entry Stanchion w/grab rail parallel to entrance steps	BASE	1	BASE	BASE	
RH Entry Stanchion w/grab rail parallel to entrance steps Yellow Powdercoat	10-345Y	1	\$75.00	\$75.00	
Ceiling Grab Rail (2)	BASE	1	BASE	BASE	
Ceiling Grab Rail (2) Yellow Powdercoat	10-349Y	1	\$75.00		
Assist Handles on Entry Doors	BASE	1	BASE	BASE	
Assist Handles on Entry Doors Yellow Powdercoat	10-353Y	1	\$45.00	\$45.00	

Exhibit "A"					
Driver Stanchion W/Modesty Panel & Plexiglass	BASE	1	BASE	BASE	
Driver Stanchion W/Modesty Panel & Plexiglass - Yellow Powdercoat	10-361Y	1	\$75.00	\$75.00	
RH Stanchion W/Fare Box Pre Wire Yellow Powdercoat	10-362Y	1	\$110.00	\$110.00	Includes modesty panel
Walker Rack - Yellow Powdercoat with modesty panels	10-358Y	1	\$250.00	\$250.00	mounted to right of driver 23" x 24"
Seating - Driver					
High Back Chevy Sport Seat w/Recliner/Armrest/Lumbar	11-375	1	BASE	BASE	Seat Color
Recover prices for Sport Driver's seats					
Driver Seat Recover-Level 1	11-390F	1	BASE	BASE	
Driver Seat Recover-Level 6	11-396F	1	\$89.00	\$89.00	
Seating - Passenger					
Freedman Seats - Featherweight					
Mid High Double Seat	12-427D	8	\$421.00	\$3,368.00	
Double Foldaway Seat with notch	12-433D	2	\$895.00	\$1,790.00	
* TDDS Tie down storage on bottom of folding seats		2	N/C	\$0.00	In lieu of pouches
Seating - Accessories					
US Armrest	13-462	10	\$25.00	\$250.00	
Seating Trim Levels					
Seat Cover - Level 1	BASE	*	BASE		Dark Blue Vinyl is std
Seat Cover - Level 6 per seat	14-556	20	\$95.00	\$1,900.00	
Safety					
Safety Kit, includes 5lb fire extinguisher, 16 Unit First Aid Kit & triangle kit	BASE	1	BASE	BASE	
Body Fluid Clean Up Kit	15-630	1	\$80.00	\$80.00	
Standee Line w/ Sign White	BASE	1	BASE	BASE	
Standee Line W/ Sign Yellow	15-621	1	\$20.00	\$20.00	
ADA					
Q'Straint Q8100-A-L3 4 Deluxe Retractors mounted on L-Track (Q8-6200-L) 1 - Retractable Shoulder Belt Reel (Q5-6415-RET-ASL) Regular lap belt w/ pin connector (Q8-6325) W/48" L-Track	BASE	2	BASE	BASE	
Q Straint Storage Pouch (each)	16-709	2	BASE	BASE	
ADA Decals (included in tiedown kit)	16-713	1	BASE	BASE	
Wheelchair Decal (included in tiedown kit)	16-714	1	BASE	BASE	
Entry Ramp - Braun 34" x 62"	16-113	1	BASE	BASE	

Exhibit "A"

Special Options - 18

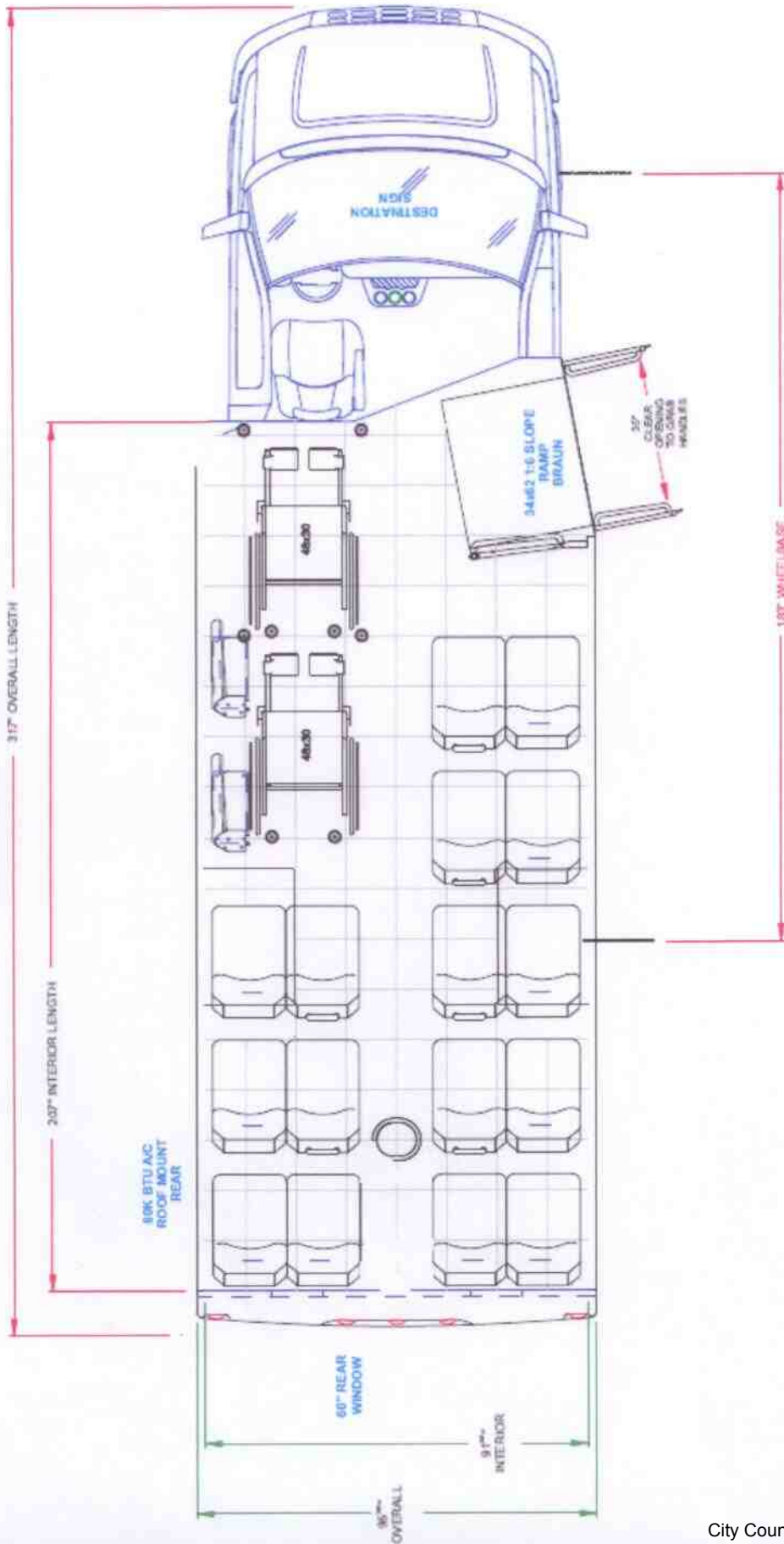
Apollo 4 Camera System with 250 GB HD -		1	\$1,500.00	\$1,500.00	New cables (camera and power), Event Button, and one 3.6mm Camera. Remove Harddrive and 2 cameras from trade in buses and remount into new bus
Merge / Yield Sign		1	\$850.00	\$850.00	Data LED Sign (like Trimet)
Exterior Decals		1	\$3,500.00	\$3,500.00	Gillespie Decals

Base Model Price:	\$104,689.00
Total Option Charges:	\$22,752.00
Total Due	\$127,441.00

Exhibit "A"

- SOM 26' Bus
- 16 passengers - fixed seats
- 2 wheelchair stations
- 4 passengers - double folding seats

Transit application



Company: Canby Area Transit

Approval:

Approval:

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FILE NAME: 183.21.17 2.5 COLONIAL - NSA

Rev 1: 7/20/10

ARBOC
MOBILITY

Management Team Meeting Minutes
November 28, 2011
2:00 PM
City Hall Conference Room

In attendance: Greg Ellis, Darvin Tramel, Sue Engels, Bryan Brown, Eric Laitinen, Renate Mengelberg, Julie Wehling, and Kim Scheafer.

Kim Scheafer

- Reviewed Agenda for December 7 City Council Meeting
- On vacation December 19-22

Greg Ellis

- Budget Committee Meeting on November 30
- Working with Clackamas County on IGA for Building Official Services
- Darvin will be moving to the Developmental Services Building in December

Darvin Tramel

- Working with company about burning biosolids for Canby
- Working on getting WPCF Permit finalized
- Gathering data for biosolids report
- On vacation December 22 – January 2

Eric Laitinen

- Swim levy passed
- Canned food drive is going on
- Canby High School swimming started

Sue Engels

- Caselle conversion went well
- No longer have credit union VISA card

Julie Wehling

- Working on purchasing two buses from State contract and selling old vehicles for match
- Article about fare increase was in *Canby Herald* and *The Oregonian*
- Working on scheduling software so it includes fare amounts
- Was on five hour conference call regarding 5311 funding
- STF formula process happens December 16

Bryan Brown

- Moving building official station to where GIS station currently is
- Matilda is working on CDBG grant projects
- New leased copier will be delivered December 5
- Hope Village is submitting another annexation. Will ask for waiver from Council at the January 4 meeting
- 1st Avenue and Village on the Lochs will be on December 12 Planning Commission Agenda

- Attending stormwater seminar on December 7 and participating in webinar on December 13
- On vacation December 22 – January 2

Renate Mengelberg

- ReStore is looking for a location in Canby
- Kick off meeting for Shop QA was today
- Business surveys will be sent out on Friday to home occupancy businesses
- Working on retail analysis
- On vacation December 27-30

Minutes taken by Kim Scheafer