

# AGENDA

## CANBY CITY COUNCIL REGULAR MEETING

December 1, 2010

7:30 PM

Council Chambers

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

*Mayor Melody Thompson*

*Council President Walt Daniels*

*Councilor Richard Ares*

*Councilor Jason Padden*

*Councilor Brian Hodson*

*Councilor John Henri*

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## CITY COUNCIL REGULAR MEETING

### 1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Canby Community Food & Toy Drive Sponsored by Canby Kiwanis  
Proclamation Pg. 1
- C. Mayor & Council Election Proclamation Pg. 2
- D. Measure 3-362 Proclamation Pg. 5

### 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 17, 2010 City Council Regular Meeting
- B. Reappointment to Planning Commission Pg. 7

### 7. PUBLIC HEARING

- A. CPA 10-01/TA 10-02 (Transportation System Plan Update)

**8. RESOLUTIONS & ORDINANCES**

- A. Res. 1079, Accepting the Results of the November 2, 2010 Election, Proclaiming Annexation into the City of 4.77 Acres Described as Tax Lot 2500 of Tax Map 3-1E-27C Located at 1732 N. Pine Street and Setting the Boundaries of the Property to be Included Within the City Limits Pg. 8
- B. Res. 1082, Adopting a Revised Intergovernmental Agreement with the Canby Urban Renewal Agency Regarding the Transfer of Tax Increment Revenues and Proceeds to the City of Canby for the Purpose of Paying Obligation Bond Financing Pg. 13

**9. NEW BUSINESS**

- A. Cancellation of December 15 City Council Meeting

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

**11. CITIZEN INPUT**

**12. ACTION REVIEW**

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

**14. 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 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.





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, Melody Thompson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim December 13 through December 18, 2010 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 1<sup>st</sup> day of December, 2010

Melody Thompson  
Mayor







Office of the Mayor

# Proclamation

## “Mayor & Council Election”

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 2, 2010, and

WHEREAS, the Clackamas County Elections Department offers the following abstract as an official count of votes as of November 18, 2010:

MAYOR -	Randy Carson - 3,027
	Robert Bitter - 2,311
	Write-In - 27
	Over Votes - 0
	Under Votes - 813
CITY COUNCIL -	Brian D. Hodson - 2,895
	Greg Parker - 2,947
	Marc Inness - 1,238
	Richard Ares - 2,642
	Stephanie Boyce - 2,250
	Write-In - 109
	Over Votes - 39
	Under Votes - 6,414

WHEREAS, the three people receiving the most votes for City Council will be selected to four year terms on the Canby City Council.

NOW, THEREFORE, I, Melody Thompson, 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 Elections Division dated November 18, 2010.

Dated this 1<sup>st</sup> day of December 2010.

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Melody Thompson  
Mayor





NUMBERED KEY CANVASS

Clackamas County, Oregon  
General Election  
November 2, 2010

RUN DATE:11/18/10 11:30 AM

REPORT-EL52 PAGE 0092

CITY OF CANBY: Mayor

Vote For 1

01 = Robert Bitter

02 = Randy Carson

03 = WRITE-IN

VOTES PERCENT

VOTES PERCENT

2,311 43.08

3,027 56.42

27 .50

04 = OVER VOTES

0

05 = UNDER VOTES

813

	01	02	03	04	05
0122 122	557	759	9	0	249
0123 123	176	234	1	0	57
0124 124	721	809	12	0	204
0125 125	357	668	3	0	175
0126 126	500	557	2	0	128



CERTIFIED COPY OF THE ORIGINAL  
SHERRY HALL, COUNTY CLERK

BY:

RECEIVED

NOV 19 2010

CITY OF CANBY

NUMBERED KEY CANVASS

Clackamas County, Oregon  
General Election  
November 2, 2010

RUN DATE: 11/18/10 11:30 AM

REPORT-EL52 PAGE 0093

CITY OF CANBY: Councilor

Vote For 3

01 = Brian D Hodson

02 = Stephanie Boyce

03 = Marc Inness

04 = Richard Ares

VOTES PERCENT

VOTES PERCENT

2,895 23.96 05 = Greg Parker  
2,250 18.62 06 = WRITE-IN  
1,238 10.25 07 = OVER VOTES  
2,642 21.87 08 = UNDER VOTES

2,947 24.39  
109 .90  
39  
6,414

	01	02	03	04	05	06	07	08
0122 122	748	585	332	645	785	37	9	1581
0123 123	214	157	113	201	214	4	0	501
0124 124	863	573	351	814	837	34	6	1760
0125 125	519	494	228	495	546	12	12	1303
0126 126	551	441	214	487	565	22	12	1269



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SHERRY HALL, COUNTY CLERK

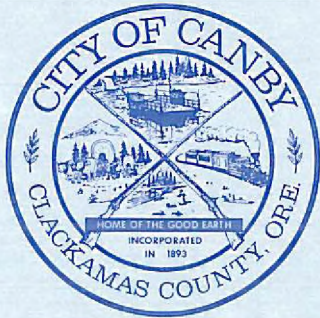
BY:

RECEIVED

NOV 19 2010

CITY OF CANBY





Office of the Mayor

# Proclamation

## “Measure 3-362 Election Results”

WHEREAS, the City of Canby, County of Clackamas, Oregon, placed a measure on the General Election ballot on November 2, 2010, to consider the following measure:

### MEASURE NO. 3-362

**SHALL 4.77 ACRES LOCATED AT 1732 N PINE STREET, SOUTH OF NE TERRITORIAL ROAD, BE ANNEXED INTO CANBY?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 2, 2010.

**YES - 4,039**

**NO - 1,873**

**Over Votes - 0**

**Under Votes - 266**

**NOW, THEREFORE, I, Melody Thompson, 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 18, 2010.**

Dated this 1<sup>st</sup> day of December, 2010.



\_\_\_\_\_  
Melody Thompson  
Mayor



NUMBERED KEY CANVASS

Clackamas County, Oregon  
General Election  
November 2, 2010

RUN DATE:11/18/10 11:30 AM

REPORT-EL52 PAGE 0157

	VOTES	PERCENT		VOTES	PERCENT
CITY OF CANBY Measure 3-362: Approving annexation of					
4.77 acres into the City of Canby					
Vote For 1					
01 = Yes	4,039	66.32	03 = OVER VOTES	0	
02 = No	1,873	31.68	04 = UNDER VOTES	266	

	01	02	03	04
0122 122	1035	475	0	64
0123 123	300	152	0	16
0124 124	1137	551	0	58
0125 125	802	334	0	67
0126 126	765	361	0	61



CERTIFIED COPY OF THE ORIGINAL  
SHERRY HALL, COUNTY CLERK

BY: Sherry Hall

RECEIVED

NOV 19 2010

CITY OF CANBY



**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: NOV 9 2010Name: CHARLES KOCHER Occupation: RETIREDHome Address: CANBY OREGON 97013

Employer: \_\_\_\_\_ Position: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

For which position are you applying? PLANNING COMMISSION (REAPPLYING)

What are your community interests (committees, organizations, special activities)? \_\_\_\_\_

CANBY ADULT CENTER, TRIP DRIVER, BACK-UP BUS DRIVER, CANBY  
CERT MEMBER, CANBY HABITAT FOR HUMANITYExperience and educational background: TECHNICAL SCHOOL US AIR FORCE,  
NORTHROP UNIVERSITY A&E, FEDERAL LICENSE, COLUMBIA HELICOPTERS,  
FIRE AND RESCUE VOLUNTEER, CERTS, BUILDING TRADESReason for your interest in this position: 30 YEARS IN CANBY, LIVEABLY OF  
OUR CITY

List any other City or County positions on which you serve or have served: \_\_\_\_\_

SHORT TIME CITY SAFETY COMMITTEE, ONE TERM CITY  
PLANNING COMMISSION

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): \_\_\_\_\_

Feel free to attach a copy of your resume and use additional sheets if necessary

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

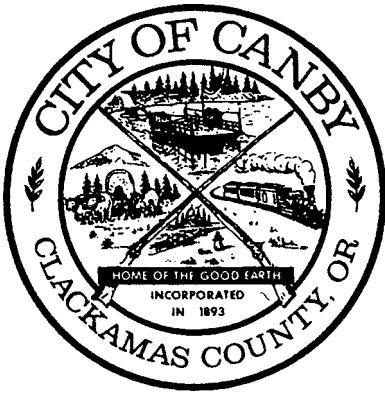
Please return to: City of Canby  
Attn: City Recorder  
182 N Holly Street  
PO Box 930  
Canby, OR 97013

Phone: 503.266.4021 Fax: 503.266.7961 Email: [Scheaferk@ci.canby.or.us](mailto:Scheaferk@ci.canby.or.us)

Note: Please be advised that this information may be made available to anyone upon a public records request and may be viewable on the City's web site.

**RECEIVED****NOV 09 2010****CITY OF CANBY**

12-4-07



# City of Canby

Office of the City Attorney

November 4, 2010

Memo to: Mayor/City Council

From: John H. Kelley, City Attorney

Re: Resolution No. 1079 – Accepting election results and proclaiming annexation  
Annexation 09-01 – Beck Annexation

Attached is Resolution No. 1079. It certifies acceptance of Clackamas County election results for the November 2, 2010 general election. Annexation 09-01, an application brought by Norman and Jenny Beck to annex 4.77 acres of property into the City was approved by the Canby electorate at that election.

CMC16.84.080 requires the City Council to formally accept the results and proclaim the annexation by resolution.

If you have any questions, please call me.



## **RESOLUTION NO. 1079**

**A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 2, 2010 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 4.77 ACRES DESCRIBED AS TAX LOT 2500 OF TAX MAP 3-1E-27C LOCATED AT 1732 N. PINE STREET AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.**

**WHEREAS**, on November 2, 2010, at a general election, the voters of the City of Canby approved by a vote of 3,966 to 1,837, Measure No. 3-362 which called for the annexation of 4.77 acres in the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 18, 2010. Applicant for the property is Norman and Jenny Beck, the owners of tax lot 2500 of Tax Map 3-1E-27C located at 1732 N. Pine Street. A complete legal description of the tax lot including a portion of N. Pine Street is attached hereto as Exhibit "A", and a map showing the location of the tax lot and portion of N. Pine Street to be annexed is attached hereto as Exhibit "B" and by this reference are all incorporated herein; 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 18, 2010, are official and accepted by the Council of Canby; and it is hereby

**PROCLAIMED** by the Council of Canby that 4.77 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed in 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".

This Resolution shall take effect on December 1, 2010.

ADOPTED this 1<sup>st</sup> day of December, 2010, by the Canby City Council.

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Melody Thompson - Mayor

ATTEST:

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Kimberly Scheafer, CMC  
City Recorder





*A Division of Sisul Enterprises, Inc.*

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

# LEGAL DESCRIPTION FOR ANNEXATION

AUGUST 25, 2009

A PORTION OF LOT 77, CANBY GARDENS, PLAT NO. 230, IN THE SOUTHWEST ONE QUARTER OF SECTION 27, T3S, R1E, W.M., CLACKAMAS COUNTY, STATE OF OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF LOT 77, CANBY GARDENS AND THE WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD, A DISTANCE OF 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 77; THENCE ALONG THE SOUTH LINE OF THE SAID LOT, NORTH 89°55'49" WEST, A DISTANCE OF 589.90 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF NORTH PINE STREET, COUNTY ROAD NO. 2580; THENCE ALONG THE SAID EAST RIGHT-OF-WAY LINE, NORTH 00°01'58" WEST, A DISTANCE OF 329.97 FEET TO A POINT IN THE NORTH LINE OF LOT 77; THENCE ALONG THE SAID NORTH LINE, SOUTH 89°55'41" EAST, DISTANCE OF 589.99 FEET TO A POINT IN THE SAID WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD; THENCE ALONG THE SAID WEST RIGHT-OF-WAY LINE, SOUTH 00°01'00" EAST, A DISTANCE OF 329.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.47 ACRES MORE OR LESS.

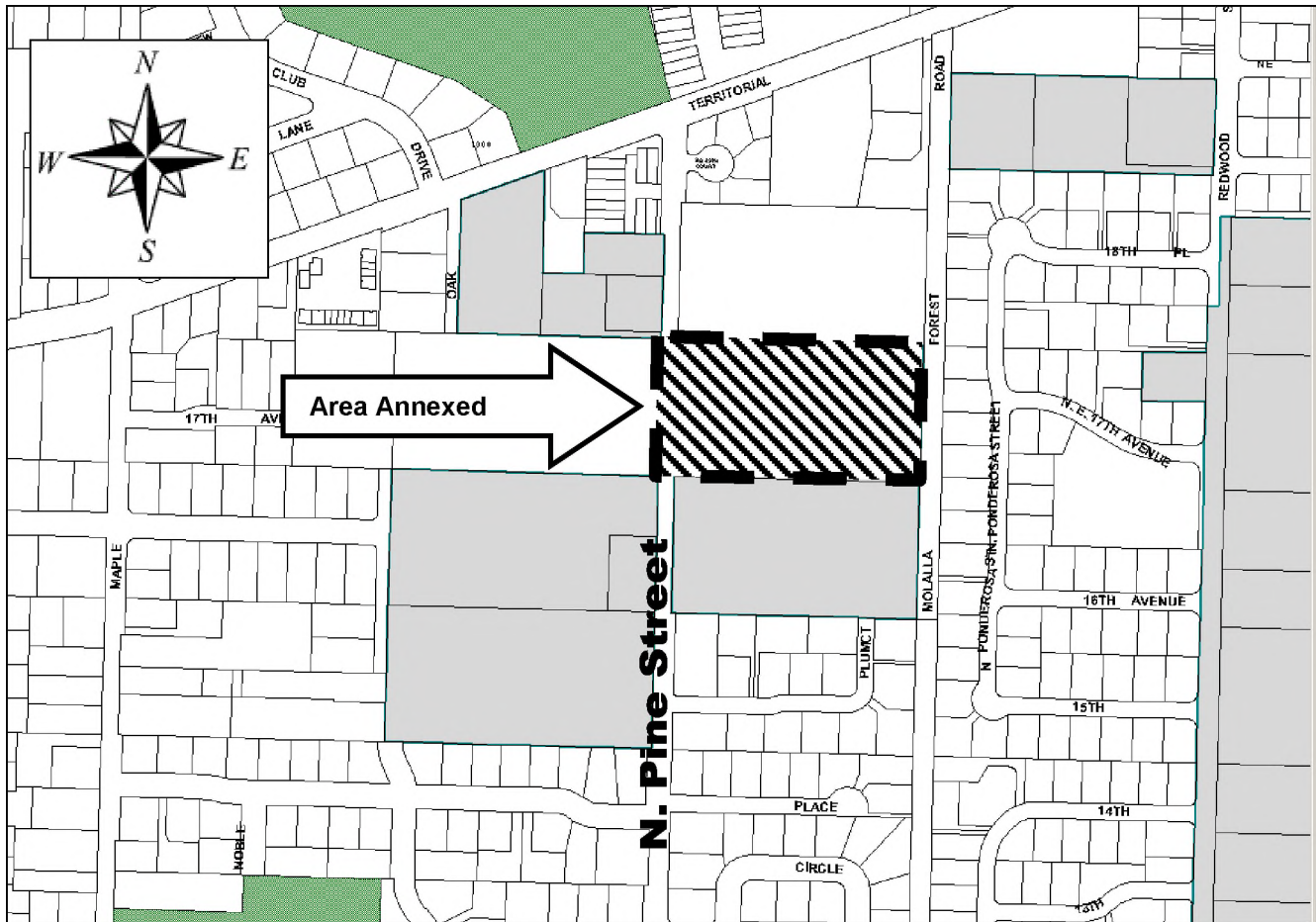
TOGETHER WITH A TRACT OF LAND BEING A PORTION OF NORTH PINE STREET, COUNTY ROAD NO. 2580, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF LOT 77, CANBY GARDENS AND THE WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD, A DISTANCE OF 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 77; THENCE ALONG THE SOUTH LINE OF THE SAID LOT, NORTH 89°55'49" WEST, A DISTANCE OF 589.90 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF NORTH PINE STREET, COUNTY ROAD NO. 2580 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°58'02" WEST, AT A RIGHT ANGLE TO SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH PINE STREET; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH PINE STREET NORTH 00°01'58" WEST, A DISTANCE OF 329.97 FEET TO A POINT; THENCE SOUTH 89°58'02" EAST, AT A RIGHT ANGLE TO SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET TO A POINT IN THE NORTH LINE OF SAID LOT 77; THENCE LEAVING THE NORTH LINE OF SAID LOT 77 ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH PINE STREET SOUTH 00°01'58" EAST, A DISTANCE OF 329.97 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.30 ACRES MORE OR LESS.

THE COMBINED AREAS TALLING 4.77 ACRES MORE OR LESS.

## EXHIBIT "B"



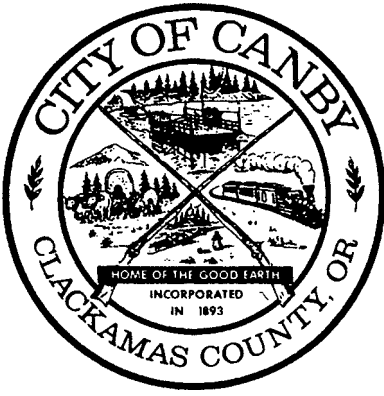
**City File #: ANN 09-01**

**Applicant: Norman and Jenny Beck**

Clackamas County Tax Map: 3-1E-27-C

**Clackamas County Tax Lots: 02500, together with a 40-foot-wide tract of land lying within abutting N. Pine Street right-of-way**





# City of Canby

Office of the City Attorney

November 18, 2010

Memo to: Mayor/City Council

From: John H. Kelley, City Attorney 

Re: Resolution No. 1082

On November 3, 2010, the City and the URA entered into an IGA that provided for the transfer of tax increment revenues to the City as needed to repay the 2010 Revenue Bonds for the 1<sup>st</sup> Street Redevelopment Project. As a result of discussions between Business Oregon (now OBDD, formerly OECDD) and the City regarding prior loans, we needed to obtain parity for the new issue so all loans were equally entitled to be paid out of tax increment revenues. Business Oregon granted that parity for the 2010 issue.

However, we need to approve a revised IGA between the City and URA to set forth in writing the changes from the original IGA adopted on November 3<sup>rd</sup>. Therefore, I have prepared Resolution No. 1082 for your review and approval. I will also prepare a resolution for the Agency to adopt the revised IGA.

Any questions, please contact Greg as I will be unavailable until December 7<sup>th</sup>. I will be on vacation and will miss the December 1<sup>st</sup> meeting.

## **RESOLUTION NO. 1082**

### **A RESOLUTION ADOPTING A REVISED INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY (AGENCY) REGARDING THE TRANSFER OF TAX INCREMENT REVENUES AND PROCEEDS TO THE CITY OF CANBY (CITY) FOR THE PURPOSE OF PAYING OBLIGATION BOND FINANCING.**

**WHEREAS**, on November 3, 2010, the City and Agency entered into an Intergovernmental Agreement (IGA), pursuant to ORS 190.010, regarding the transfer of tax increment revenues and proceeds accumulated by the Agency; and

**WHEREAS**, due to a change in circumstances, the City and Agency now wish to enter into a revised Intergovernmental Agreement (IGA), pursuant to ORS 190.010, in order to address the change in circumstances regarding the transfer of tax increment revenues and proceeds accumulated by the Agency; and

**WHEREAS**, said funds are to be transferred to the City by the Agency in sufficient amounts to pay the 2010 Obligations under the terms set forth in the 2010 Obligation financing documents relating to a project known as the NW First Avenue Redevelopment Project; now therefore

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

- (1) The City Council agrees to the terms and conditions of the Revised IGA, attached hereto as Exhibit "A", and by this reference incorporated herein, and authorizes and directs the Mayor to sign said agreement on behalf of the City of Canby.

This resolution will take effect on December 1, 2010.

ADOPTED this 1<sup>st</sup> day of December, 2010 by the Canby City Council.

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Melody Thompson – Mayor

ATTEST:

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Kimberly Scheafer, CMC  
City Recorder



## Exhibit "A"

### REVISED INTERGOVERNMENTAL AGREEMENT

This revised Agreement is executed this \_\_\_\_\_ day of December 2010, by and between the CITY OF CANBY, OREGON, a municipal corporation of the State of Oregon (the "City") and the CANBY URBAN RENEWAL AGENCY, OREGON, a public body created under ORS Chapter 457 (the "Agency").

#### I. DEFINITIONS

For purposes of this Agreement the following capitalized terms shall have the following meanings, unless the context clearly requires otherwise:

"2010 Obligations" means the City's Full Faith and Credit Obligations, Series 2010 in the estimated aggregate principal amount of \$ 2,500,000.00.

"Additional Debt" means obligations of the Agency in compliance with the requirements of Section III. 4. of this Agreement which are secured by a lien on, and pledge of, the Tax Increment Revenues which is on a parity with the lien on, and pledge of this Agreement.

"Agency" means the Canby Urban Renewal Agency, Clackamas County, Oregon.

"Agency Resolution" means the Agency Resolution No.URR 10-007 adopted December 1, 2010.

"Agreement" means this Intergovernmental Agreement.

"Area" means the *Canby Urban Renewal Area* which is described in the Plan and all additions thereto.

"Authorized Representative" means, each individually, the Canby City Administrator or Agency Director, or their designee.

"City" means the city of Canby, Clackamas County, Oregon.

"City Resolution" means City Resolution No. 1082 adopted December 1, 2010.

"Master Document" means the Bond Purchase Agreement between the Agency and the U.S. Bank National Association that is dated as of July 22, 2008, that related to the Agency's Urban Renewal Bond, Series 2008 which was authorized by the Agency Resolution No. URR 08-004.

"Obligations" mean the 2010 Obligations.

"ORS" means Oregon Revised Statutes.

"Plan" means the *Canby Urban Renewal Plan dated November 24, 1999, as amended June 23, 2009.*

“Tax Increment Revenues” means all ad valorem tax revenues from property within the Area which are attributable to the increase in assessed value of property within the Area, all taxes levied in connection with the Plan, and all earnings thereon.

## **II. RECITALS**

- A. Pursuant to Oregon Revised Statutes (“ORS”) Section 190.010, units of local government are authorized to enter into intergovernmental agreements with other units of local governments for the performance of any or all functions and activities that a party to the agreement, its officers or agencies, have the authority to perform.
- B. Each of the parties to this agreement is a “unit of local government” as defined in ORS Section 190.003. Each of the parties has the legal authority for the performance of any and all functions and activities set forth herein.
- C. The Agency, as the duly authorized and acting urban renewal agency of the City of Canby, Oregon is charged to undertake certain redevelopment activities in the redevelopment area pursuant to ORS Chapter 457 and the Plan.
- D. Pursuant to ORS 457.320 the City is authorized to exercise any of its powers to assist in the planning or the carrying out of an urban renewal plan.
- E. Pursuant to ORS 271.390 the City has the power to enter into financing agreements and authorize the issuance of full faith and credit obligations on its behalf to finance and refinance real and personal property.
- F. The 2010 Obligations are to be issued to finance certain real and personal property projects set forth in the Plan.
- G. Pursuant to ORS 457.190, the Agency is authorized to borrow money and accept advances, loans, grants and any other form of financial assistance from a public body for the purposes of undertaking and carrying out urban renewal projects.
- H. At closing on or about December 28, 2010, the City will enter into a financing agreement and escrow agreement providing for the issuance of Full Faith and Credit Obligations, Series 2010 in the estimated aggregate principal amount of \$ 2,500,000.00 (the “2010 Obligations”), to finance real and personal property set forth in the Plan.

## **III. AGREEMENT**

NOW, THEREFORE, pursuant to the provisions of ORS Chapters 457 and 190, and in consideration of the benefits to accrue to the City, the Agency, the community and the

citizens from this Agreement and the Obligations, and in consideration of the covenants set forth therein, the City and Agency agree:

1. The Agency shall transfer tax increment revenues and proceeds to the City in amounts and at times sufficient for the City to pay the 2010 Obligations under the terms set forth in the 2010 Obligation financing documents from those tax increment revenues, after deduction of any federal interest subsidies that the City receives in connection with the 2010 Obligations. The City agrees to take all steps required to: (a) qualify and maintain the 2010 Obligations as “recovery zone economic development bonds” and (b) timely receive all federal interest subsidies that are available under federal law for the 2010 Obligations..
2. The Agency hereby irrevocably pledges the Tax Increment Revenues to make the transfers described in paragraph 1. above. The obligation of the Agency to make the transfers described in paragraph 1. above, shall constitute “Parity Indebtedness.” The lien on, and pledge of the Tax Increment Revenues shall be equal to the lien and pledge that secures all Parity Indebtedness in the past and reserves the right to issue Parity Indebtedness in the future as permitted by the Master Document. The Agency is not required to create or fund a bond reserve account in connection with this Agreement. The Agency covenants and agrees that it will not incur any other form of indebtedness secured by a greater priority lien on the Tax Increment Revenues during the period any amounts are outstanding under this Agreement.
3. The Agency covenants to cause the maximum amount of the Tax Increment Revenues to be collected each Fiscal Year.
4. The Agency may incur additional indebtedness secured by a lien on the Tax Increment Revenues subordinate to the lien of this Agreement as provided in the Master Document.
5. The City and Agency have each taken the actions necessary to authorize this Agreement and no challenge or appeal to such actions is pending.
6. The parties signing below are authorized to execute this Agreement on behalf of their respective bodies.
7. This Agreement may be modified upon written mutual agreement of the City and the Agency.
8. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same agreement.



CITY OF CANBY  
CLACKAMAS COUNTY, OREGON

By \_\_\_\_\_  
Melody Thompson, Mayor  
Authorized Representative

CANBY URBAN RENEWAL AGENCY  
CLACKAMAS COUNTY, OREGON

By \_\_\_\_\_  
Greg Ellis, URA Director  
Authorized Representative

**Management Team Meeting Minutes**  
**November 15, 2010**  
**2:00 PM**  
**City Hall Conference Room**

In attendance: Greg Ellis, Amanda Klock, Sue Engels, Eric Laitinen Darwin Tramel, Jorge Tro, Julie Wehling, Penny Hummel, Bryan Brown, and Kim Scheafer.

Kim Scheafer

- City Council packets will be run early next week due to short week

Penny Hummel

- At last week's meeting the URA recommended that staff start negotiations to purchase the Canby Utility and Oliver Insurance buildings

Amanda Klock

- Out of office November 19-26

Jorge Tro

- Police Department Coat Drive has started for new or slightly used adult or children's coats

Greg Ellis

- A property owner complained at URA meeting last week that Sequoia Parkway is not continuing to SE 13<sup>th</sup> in the new TSP
- Referring people with complaints about new TSP to the Planning Commission Meeting on November 22
- Going to Main Street Program Design meeting on Tuesday
- Ami is soliciting bids for permanent tree lighting in Wait Park

Darvin Tramel

- Both vacuum trucks are running to pick up leaves

Sue Engels

- Working on supplemental budget

Eric Laitinen

- Have collected over a barrel of food for the food drive

Julie Wehling

- Molalla Transit is looking for an answering service to help answer their dispatch calls
- Has been answering questions regarding a rumor that CAT was going to start charging fares next week

Bryan Brown

- Gave an update on the Canby Development Services Building remodel
- Attending a meeting on Tuesday regarding the ODOT solar project
- Attending the Oregon City Planning Directors Association meeting on Friday
- Had two annexation meetings last week

Minutes taken by Kim Scheafer

**Management Team Meeting Minutes**  
**November 22, 2010**  
**9:00 AM**  
**City Hall Conference Room**

In attendance: Greg Ellis, Sue Engels, Darvin Tramel, Bret Smith, Bryan Brown, and Kim Scheafer.

Kim Scheafer

- Reviewed Agendas December 1 City Council and URA Meetings
- Will be out of office Tuesday through Monday on vacation and training
- John Kelly is on vacation until December 7
- Next week's Management Team Meeting will be held on Tuesday at 2 PM instead of Monday
- Eric Laitinen was unable to attend the meeting but wished everyone a happy Thanksgiving

Bret Smith

- Police Department Coat Drive has started for new or slightly used adult or children's coats
- Reminded Management Team about Leadership Class on November 29 in Sherwood

Greg Ellis

- Robert Bitter has been hired for a limited duration as an Economic Development Project Manager

Darvin Tramel

- Public Works is gearing up for bad weather
- City will take care of Knights Bridge during bad weather and the County will maintain Goods Bridge
- Staff is working on getting things ready in Wait Park for the Light the Night on Saturday
- Doing more sewer cleaning this year

Bryan Brown

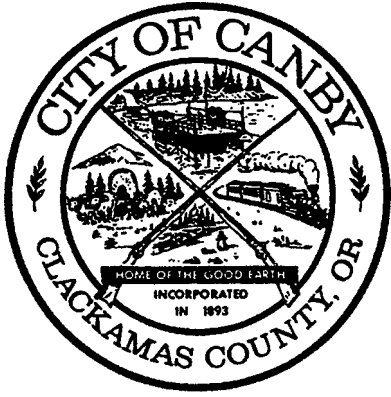
- Will reschedule Planning Commission meeting to November 29 if the weather deteriorates this afternoon
- Researching streets that have been given jurisdiction from County and if City needs to annex them
- Will work with Robert regarding moving forward on the Development Services Building

Sue Engels

- Please remind staff that they need to provide the Finance Department with a receipt when they charge on City accounts

Minutes taken by Kim Scheafer





# City of Canby

General Administration Office

TO: Kathy Mashek, Court Supervisor  
FROM: Kim Scheafer, CMC, City Recorder *K.S.*  
DATE: November 19, 2010  
SUBJECT: Commendation

I want to take this opportunity to recognize you for the extra service you provided a Court customer earlier this week while trying to collect an overdue payment. You went above and beyond to help this person in paying their fine. Your actions are a perfect example of the excellent service and commitment you provide to the City of Canby Municipal Court and community we serve.

I commend you for your actions and thank you for the hard work and dedication that you have given the City over the last 21 years.

Cc: Personnel file