



AMENDED AGENDA

CANBY CITY COUNCIL REGULAR MEETING

May 15, 2013

7:30 PM

Council Chambers

155 NW 2nd Avenue

Mayor Brian Hodson

Council President Tim Dale

Councilor Richard Ares

Councilor Clint Coleman

Councilor Traci Hensley

Councilor Greg Parker

Councilor Ken Rider

CITY COUNCIL REGULAR MEETING

1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Hometown Hero Award Presentation
- C. Public Works Week Proclamation
- D. City Tree Display on Sequoia Parkway
- E. Canby Educational Foundation Presentation

Pg. 1

Pg. 10

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 May 1, 2013 City Council Work Session & Regular Meeting

- B. Appointments to Traffic Safety Commission

Pg. 11

- C. Reappointment to Parks and Recreation Advisory Board

Pg. 15

- D. Change of Ownership Liquor License for Backstop Bar & Grill

Pg. 16

7. PUBLIC HEARING

- A. Transient Room Tax

Pg. 46

- B. Update to Master Fee Schedule Including Updated Fees for Sanitary and Storm Sewer Service

Pg. 18

8. RESOLUTIONS & ORDINANCES

- A. Res. 1157, Setting Fees for Services Including Updated Fees for Sanitary and Storm Sewer Service Pg. 22
- B. Res. 1158, Declaring City Items as Surplus Property and Indicating Intent and Method for Disposal of Such Property Pg. 44
- C. Ord. 1374, Adding Chapter 3.50 to the Canby Municipal Code Thereby Establishing a Transient Room Tax Pg. 47
- D. Ord. 1375, Auth. Contract with S-2 Contractors, Inc. in the Amount of \$671,821.10 for Construction of the 2013 Street Maintenance Program Pg. 58
- E. Ord. 1376, Authorizing Purchase of a Case CX50B Mini Excavator from Sonsray Machinery, LLC Pg. 70
- F. Ord. 1378, Granting to Clackamas County a Nonexclusive Franchise to Construct, Operate and Maintain a Telecommunications Network and Provide Telecommunications Services within the City of Canby, Oregon Pg. 73
- G. Ord. 1381, Granting to tw telecom of oregon llc ("TWTC") a Nonexclusive Franchise to Construct, Operate and Maintain a Telecommunications Network and Provide Telecommunications Services within the City of Canby, Oregon

9. NEW BUSINESS

- A. Third Quarter Financial Update Pg. 82

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

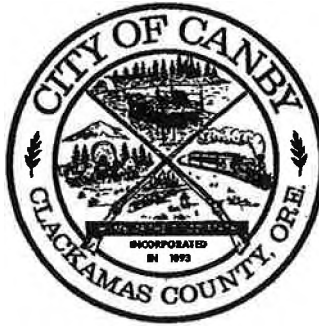
11. CITIZEN INPUT

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, MMC, City Recorder at 503.266.0733. 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.



Home Town Hero Award

The Canby City Council has established the "Home Town Hero" program as a means to provide official recognition from the City for those individuals or organizations who, through their unselfish efforts, contribute in some significant manner to the quality of life in the community and/or to community betterment and the advancement of community goals and vision.

The award program is an ongoing process with nominations and recipients being recognized throughout the year. Award recipients will be presented with a certificate from the City in recognition of their specific deeds, actions or contributions to the Canby community which fall within three categories. These three categories are:

COMMUNITY INVOLVEMENT - In recognition of volunteer service in activities which promote the welfare of the citizens of Canby and the Canby community.

COMMUNITY LEADERSHIP - In recognition of those individuals who have assumed a positive leadership role in the community and whose leadership activities have resulted in the advancement of the goals of the community, the enhancement of the community's quality of life, economic vitality and or livability.

NOTEWORTHY CITIZEN ACTIONS - In recognition of act/acts of a private citizen which are above and beyond the normal responsibilities of citizens and that result in a positive event or outcome of benefit to the community. Such actions include acts of heroism, significant donations of financial resources to fund community programs or projects and other humanitarian acts.

In addition to the award recipient receiving a certificate from the City, a special plaque will be placed on display in City Hall with an engraved name plate of each recipient of the Home Town Hero Award.

NOMINATION PROCESS:

Home Town Hero Award Program

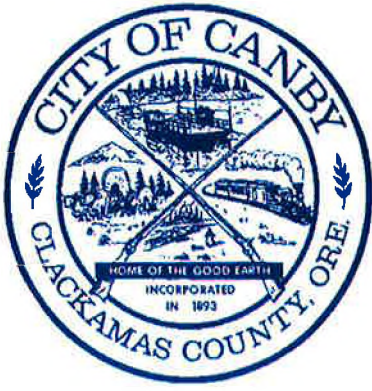
Page 2

Nominations for the Home Town Hero Award program must be submitted in writing to City Hall. The letter of nomination should include the following:

- > Nominee's full name and address
- > Home and business telephone number
- > Nominee's occupation and/or title
- > Name of the nominating person/persons
- > **Detailed examples** of the nominee's contributions to the Canby community using the criteria listed above.
- > Three letters of support for the nominee from members of the community.

Eligibility for the Home Town Hero Award is not limited to residents of the community. Any nonresident whose actions meet the above criteria in any of the three award categories is eligible to receive the award.

Nominations will be reviewed by the Mayor and City Council as they are received. Recipients of the Home Town Hero Award will be officially recognized at a City Council meeting where they will be presented their certificates by the Mayor.



City of Canby

Canby Area Transit

April 24, 2013

Mayor Hodson & City Council Members
PO Box 930
Canby, OR 97013

RE: Home Town Hero Award Nomination – Judith Anne Patterson

Dear Mayor Hodson and Council:

The Transit Advisory Committee wishes to nominate Judith Anne Patterson posthumously for the City of Canby's Home Town Hero Award for Community Involvement – In recognition of her volunteer service in activities which promoted the welfare of the citizens of Canby and the Canby Community.

Judy was a member of the Transit Advisory Committee for nearly 5 years. During her committee tenure the committee made many critical recommendations regarding the public transit services provided by Canby Area Transit (CAT). These recommendations included major service in revisions in 2008, service cuts in 2009 and 2011, and the recent implementation of a \$1 fare. Judy advocated for all CAT riders and especially for low-income riders and riders with special needs.

In addition to her participation on the committee Judy frequently identified locations around town that needed a curb cut or other wheelchair accessibility improvements. She brought these locations to the attention of city staff including the City Engineer.

Judy was an active fundraiser for Canby's annual Relay for Life (American Cancer Society). Each year she managed a quilt raffle to support the Relay for Life. She also attended the Relay rain or shine and encouraged everyone she came in contact with to participate with her.

For several years, Judy worked with Mike Maze at Channel 5 (OCTS). She not only volunteered to help out at the station she made excellent programing suggestions and did her best to keep the citizens of Canby informed.

Judy's influence was greatly appreciated by the members of the Transit Advisory Committee. Her volunteer contributions directly impacted the welfare of the citizens of Canby. Judy will be missed for many years to come. Thank you for considering Judy for the Home Town Hero Award for Community Involvement.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Cranston". The signature is fluid and cursive, with the first name "Sandra" written in a larger, more prominent script than the last name "Cranston".

Sandra Cranston
Transit Advisory Committee, Chair

On behalf of the Transit Advisory Committee members: Brian Olsen, Richard Ball, Carol Luce, Francisco Zamora Flores, Mariah Laitinen, Donald Smeback.

Enclosure: 3

Julie Wehling
JWL Consulting, LLC
Oregon City, OR 97013

April 20, 2013

Mayor Hodson & City Council Members
PO Box 930
Canby, OR 97013

RE: Home Town Hero Award – Judy Patterson

Dear Mayor and Council:

This letter is written to support the nomination of Judy Patterson for the Home Town Hero Award. Judy was a very active volunteer. Always willing to do her part and contribute to her community. We worked together on the Canby Area Transit Advisory Committee and over the years we became friends.

Always on the go, Judy regularly road the CAT bus around Canby and to Oregon City and other destinations in Portland. She was willing to try new things and loved to go to community events. Judy showed up and participated in as many community gatherings as she possibly could. She loved people and she loved Canby.

One of her favorite events was the Relay for Life. She was passionate about fundraising for the American Cancer Society and supervised a quilt raffle every year to raise money for the Relay for Life. She invited everyone to join her and gave you a very hard time if you didn't.

Judy encouraged me to participate in her other volunteer activities too. She was very active participant at the Canby Adult Center and volunteered at Channel 5 television in Canby. Several people have shared with me that she gave the station manager a Canby walking tour to show him some of the places that were difficult for her to navigate in her wheelchair.

Judy was often my eyes and ears on the bus. She wasn't shy and if she saw something that could be improved she let me know. She brought her concerns to me, the Transit Advisory Committee or city officials when she saw something she wanted to fix.

Judy was a traveler and an adventurer. She grew up in New York. Drove both a taxi and a Postal Service vehicle in New York, City. Maybe that is why she rode her wheelchair rain or shine and didn't let her physical challenges stop her from going where she wanted to go. She was proud of her roots and very proud to be from Canby.

Not long before she passed away she encouraged me to drop by and see her because she had something she wanted to show me. When I got to her apartment she showed me a very colorful painting of a city scape. It was a mix of recognizable buildings from New York City and Canby, Oregon. The painting was done by a local artist and I believe it was called Canby meets New York. As we were both admiring it I said, "this is the perfect painting for you isn't it, Judy?" With tears in her eyes she said "yes . . . it is!"

Judy had the heart of a volunteer and gave her time and energy to Canby and its citizens. Canby is a better place because Judy lived here. Thank you for considering Judy for the Home Town Hero Award. She certainly deserves it.

Respectfully,

A handwritten signature in cursive script that reads "Julie Wehling". The signature is written in dark ink and is positioned above the printed name.

Julie Wehling
JWL Consulting, LLC



STREET 1250 SOUTH IVY STREET | MAIL PO BOX 10 | CANBY, OR 97013-0010
PHONE 503-266-2970 | FAX 503-266-6192 | WEBSITE WWW.CANBYADULTCENTER.ORG

April 4 2013

City of Canby –
Mayor Brian Hodson
City Council

Dear Mayor Hodson and Councilors,

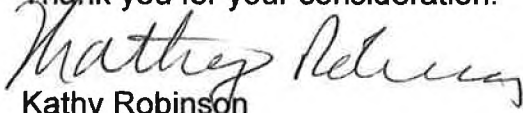
I'm writing this letter in support of Judy Patterson's posthumous nomination as a Hometown Hero. Despite her physical challenges, Judy was an active, engaged and committed member of the Canby community. Here at the Canby Adult Center, Judy was an enthusiastic participant to just about anything we could think up – she wore the funniest costumes, carved the best pumpkins, played a mean hand of pinochle and always had a puzzle going that no one was to touch – ever. She was quick to laugh and loved good food and good company.

More seriously, Judy advocated strongly for people with physical challenges. She was quick to let us know when anything in our building needed adjustments to make it more accessible to our wheelchair-bound clients; I know she also served in this role as a volunteer member of the CAT advisory committee. Judy also spent many, many hours on the annual Relay for Life fundraiser – she was tireless in her efforts to raise funds, solicit quilts and other gifts, and encourage people to participate.

Judy didn't let her physical limitations stop her from fully participating in all that Canby has to offer. She could be seen at Garden Club events, the Clackamas County fair, Slice of Summer – just about anything that had pavement leading to it, and Judy was there.

Judy was much loved, and still greatly missed by many – a true "hometown hero". My only regret is that she wasn't nominated for this award while she was still here to enjoy it.

Thank you for your consideration.


Kathy Robinson
Director

Dedicated to keeping Seniors safe, healthy and independent.

**Walt Daniels
687 N Ash
Canby, OR 97013**

April 22, 2013

Mayor and Council Members
City of Canby
PO Box 930
Canby, OR 97013

RE: Judy Patterson Nomination for Hometown Hero Award

Dear Mayor Hodson and Councilors,

This letter is written to support the posthumous nomination of Judy Anne Patterson for the City of Canby's Hometown Hero Award.

For many years, Judy was a committed member of the CAT Advisory Committee. Her perspective was critical to the issues faced by the committee members. Her contributions gave the committee a first-hand report of the challenges that riders with disabilities face on a regular basis.

Judy was an outspoken advocate for transportation options and individual freedom. In addition to her CAT Advisory Committee participation Judy volunteered for the Canby Relay for Life and OCTS Channel 5 for many years. She was also an active member of the Canby Adult Center and a very involved citizen who cared deeply for her community. Canby was her community.

Judy faced her challenges head on and was a force to be reckoned with. Few people contribute to their community as generously as Judy did. She was a Hometown Hero. Please consider honoring her with this award.

Regards,



Walt Daniels



Hometown Hero Award

Judith Anne Patterson

In posthumous recognition for Community Involvement as demonstrated by countless volunteer service and activities.

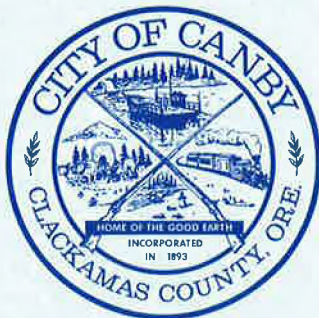
Canby Area Transit, Relay for Life, and Canby Adult Center are some of the groups that Judith contributed greatly to.

For this and all Judith did to promote the betterment and welfare of the citizens of the City of Canby, we honor her from a most grateful and appreciative community as a Hometown Hero.



Brian Hodson, Mayor

Presented May 15, 2013



Office of the Mayor

Proclamation

PUBLIC WORKS WEEK

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as parks, fleet, sewer, streets, stormwater, wastewater, and public buildings; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction are vitally dependent upon the efforts and skill of public works staff; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim May 19-25 as:

Public Works Week

in the City of Canby and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works staff make every day to our health, safety, comfort and quality of life.

Given unto my hand this 15th day of May 2013 in the City of Canby, Oregon.

Brian Hodson
Mayor



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

Date: January 10, 2013

Name: Robert Backstrom Occupation: Retired

Home Address:

Employer: _____ Position: _____

Daytime Phone: _____ Evening Phone: Same

E-Mail Address:

For which position are you applying? Committee member, Traffic Safety Committee

What are your community interests (committees, organizations, special activities)? I've been involved in many community activities including Traffic Safety, Road Maintenance, Visioning, General Canby Days, Riverside Neighborhood Association chair and charter member.

Experience and educational background: BS English/Speech, MA Education and three years post graduate study. Elementary and Secondary Public School Principal and Curriculum Director

Reason for your interest in this position: I've had a long and strong interest in neighborhood safety since 1988. I'd like to see Canby take better care of its neighbors and their streets.

List any other City or County positions on which you serve or have served: See above.

Information on any special membership requirements: _____

Referred by (if applicable): Mayor Brian Hodson

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: 503.266.0733 Fax: 503.266.7961 Email: 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.

1-4-13

RECEIVED

JAN 10 2013

CITY OF CANBY

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

RECEIVED
JAN 15 2013
CITY OF CANBY

Date: 1-15-13

Name: Leonard Walker Occupation: Retired

Home Address: _____

Employer: _____ Position: _____

Daytime Phone: _____ Evening Phone: _____

E-Mail Address: _____

For which position are you applying? Canby Traffic Safety Committee

What are your community interests (committees, organizations, special activities)?
Northeast Canby Neighborhood Association Chairman

Experience and educational background: _____

Reason for your interest in this position: _____

List any other City or County positions on which you serve or have served: Budget Committee

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

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Canby, OR 97013

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1-4-13

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

Date: April 24, 2013

Name: Daniel Leischner

Occupation: Accountant

Home Address:

Employer: Self-Employed

Position: Accountant

Daytime Phone:

Evening Phone:

E-Mail Address:

For which position are you applying? Traffic Safety Committee

What are your community interests (committees, organizations, special activities)? I am interested in serving on the Traffic Safety Committee.

Experience and educational background: I have a Bachelor of Science in Business Administration from Portland State University. I also hold an AAS in Aviation from Mount Hood Community College. I am a Certified Public Accountant and I have more than 20 years of experience in working with non-profit organizations. I have served as the Chairperson for the North East Canby Neighborhood Association and I participated in the Street Maintenance group which developed options for funding street repairs and upgrades

Reason for your interest in this position: I am interested in serving the Canby community and, as a result of my work with Street Maintenance funding, I am familiar with challenges facing street infrastructure in Canby.

List any other City or County positions on which you serve or have served: I have served as chairperson for the North East Canby Neighborhood Association, and I was part of the group which developed funding options for street maintenance.

Information on any special membership requirements: None

Referred by (if applicable): Robert Backstrom

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

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RECEIVED

APR 24 2013

CITY OF CANBY

1-4-13

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

Date: 4/24/13

Name: Jack Pendleton

Occupation: retired

Home Address: y

Employer: N/A

Position: N/A

Daytime Phone:

Evening Phone:

E-Mail Address:

For which position are you applying? Traffic Safety Committee

What are your community interests (committees, organizations, special activities)? Canby Budget committee, volunteer at OMSI, Oregon Food Bank, Baker Prairie Middle School. Provided citizen input for recent Canby Visioning Project. Past member of Bike and Pedestrian Committee and Street Fee Committee

Experience and educational background: Degree in Electrical Engineering, experience in telecom (mostly), computer, and aerospace engineering. I have extensive background in telecom and Internet traffic engineering, i.e.: determine capacity to meet demand, that is directly applicable to number of vehicles that a road can hold.

Reason for your interest in this position: Increase safety. Canby has a great street system now, but there are few issues that I would like to see addressed that were not covered in the Visioning Plan.

List any other City or County positions on which you serve or have served: Budget (present), Bike and Pedestrian (past) and Street Fee Committees (past)

Information on any special membership requirements: N/A

Referred by (if applicable):

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

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RECEIVED

APR 24 2013

CITY OF CANBY

1-4-13

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

Date: 04/25/13
 Name: ANDREY CHERNISHOV Occupation: CIVIL ENGINEER
 Home Address: CANBY, OR 97013
 Employer: KELLER ASSOCIATES Position: PROJECT MANAGER
 Daytime Phone: _____ Evening Phone: SAME
 E-Mail Address: _____
 For which position are you applying? PARKS & REC. COMMITTEE

What are your community interests (committees, organizations, special activities)? _____
I am involved with the American Society of Civil Engineers (ASCE), Oregon Association of Clean Water Agencies (ACWA), and local church.

Experience and educational background: B.S. in Civil Engineering from Oregon State University, 2005

Reason for your interest in this position: My wife, three young daughters, and I regularly utilize the City's parks and recreational facilities. I would like to help improve the City's parks infrastructure for my family and all citizens of Canby.

List any other City or County positions on which you serve or have served: Currently serve on the 2012-2013 Parks and Rec. Committee.

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

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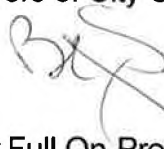
RECEIVED

APR 26 2013

CITY OF CANBY

1-4-13

Memo

To: Mayor Brian Hodson & Members of City Council
From: Bret J. Smith, Chief of Police 
Date: April 26, 2013
Re: Liquor License Application for Full On-Premises Sales @
Backstop Bar & Grill

I have reviewed the attached OLCC liquor license application for the business Backstop Bar & Grill, located at 211 N Grant Street, Canby, Oregon.

On April 26, 2013, I spoke with Ken Arrigotti who is the owner and president of the business and I was told he will be working closely with OLCC as it relates to the necessary training of his employees on the pertinent laws involving alcohol sales. Mr. Arrigotti said he has managed similar business and he is very familiar with the OLCC laws and understands the consequences of employee's failing to comply with the law. Mr. Arrigotti said his wife, Lori Arrigotti, is also co-owner of the business.

I recommend the Canby City Council approve the Liquor License Application as requested.

CC: Kim Scheafer, City Recorder



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

pd
4/25/13
\$75.00
46

Application is being made for:

LICENSE TYPES

- ☒ Full On-Premises Sales (\$402.60/yr)
- ☒ Commercial Establishment
- ☐ Caterer
- ☐ Passenger Carrier
- ☐ Other Public Location
- ☐ Private Club
- ☐ Limited On-Premises Sales (\$202.60/yr)
- ☐ Off-Premises Sales (\$100/yr)
- ☐ with Fuel Pumps
- ☐ Brewery Public House (\$252.60)
- ☐ Winery (\$250/yr)
- ☐ Other:

ACTIONS

- ☒ Change Ownership
- ☐ New Outlet
- ☐ Greater Privilege
- ☐ Additional Privilege
- ☒ Other CITN

PH 38419
LH 183354

CITY AND COUNTY USE ONLY

Date application received: 4-25-13

The City Council or County Commission:

City of Canby
(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____ (signature) _____ (date)

Name: Brian Hodson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: S. Coyle

Date: 4/25/13

90-day authority: ☐ Yes ☐ No

90-DAY AUTHORITY

☐ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- ☐ Limited Partnership ☒ Corporation ☐ Limited Liability Company ☐ Individuals

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Backstop Inc ③ _____

② _____ ④ _____

2. Trade Name (dba): Backstop Bar & Grill

3. Business Location: 211 N Grant St Canby Clackamas OR 97013
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: _____
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 971-645-1037 NA
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Butler Investments Inc Type of License: Full on-Premises

8. Former Business Name: Canby Pub & Grill

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Canby
(name of city or county)

11. Contact person for this application: Ken Arrigotti 971-645-1037
(name) (phone number(s))

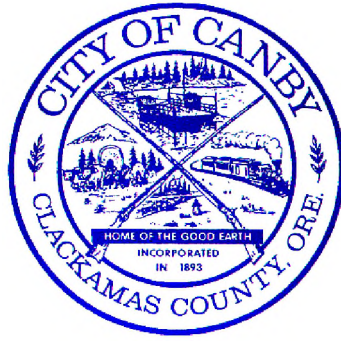
(address) (fax number) NA (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 4-16-13 ③ _____ Date _____

② [Signature] Date 4/16/13 ④ _____ Date _____



To: Canby Council & Mayor
From: Greg Ellis
Date: 5/8/2013
Re: Resolution No. 1157 - Sewer/Storm Sewer Rate Increase

Issue:

Included in the Fee Schedule that is the subject of tonight's public hearing for the Master Fee Schedule is a rate increase of 5% for the Sewer/Storm Water fee. The current rate for Single Family Residential is \$39.90/month. A 5% increase would raise that to \$41.90/month.

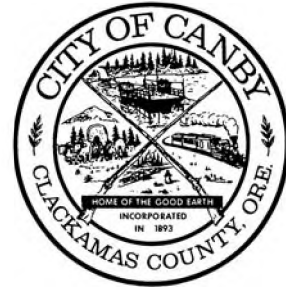
Background:

In May 2012 a rate study done by consultant Ray Bartlett suggested a rate increase of 4% for several consecutive years. The increase was to provide for increased costs in operations and maintenance as well as for capital expense that System Development Charges did not fully finance. In addition to the 4% increase I asked the Council for an additional 1% in order to account for a "Payment In Lieu of Franchise Fee" that was approved by the Council and effective for the 2012-13 Fiscal Year.

Recommendation:

Staff recommends the adoption of Resolution 1157, which is for the Master Fee Schedule and includes the Sewer/Storm Water Rate Increase.

MEMORANDUM



TO: *Honorable Mayor Hodson and City Council*
FROM: *Haley Fish, Finance Director*
DATE: *May 8, 2013*
THROUGH: *Greg Ellis, City Administrator*

Issue: Adoption of an updated Master Fee Schedule.

Synopsis: In May of 2010 at the request of the City Council, Finance Department staff compiled a master schedule of fees for services being charged by departments of the City. The departments also provided proposed fee increases and some new fee requests. It was determined to be beneficial to review the fee schedule each year to incorporate needed adjustments. Accordingly, a review and update was also done in 2011 and 2012.

Departments have again done that review and proposed revised fees for the coming year with Resolution 1157. A narrative summary of changes is attached as well as "Exhibit A" showing a comparison of current fees versus proposed changes. "Exhibit B" reflects the actual schedule if all changes are adopted.

Recommendation: Staff recommends Council adopt Resolution 1157.

Recommended motion: ***"I move to adopt Resolution 1157, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SERVICES INCLUDING UPDATED FEES FOR SANITARY AND STORM SEWER SERVICE."***

Attached: Narrative Summary, Resolution 1157 and Exhibits "A" & "B"

PROPOSED FEE CHANGES – NARRATIVE SUMMARY

GENERAL

Videotape and DVD changes

This videotape format is not longer offered, having been replaced by DVD.

ADMINISTRATION

First Friday Marketing Fee - \$25

This is an existing fee that had not been formally adopted on the fee schedule. It is designed to offset some of the program costs.

Noise Variance Fee - \$75

Newly added to the schedule per Ordinance 1373 adopted May 1st.

Human Resources Application Fee (Police) - \$20

This is an existing fee that had not been formally adopted on the fee schedule. It is designed to offset some of the costs of required pre-hire testing fees for police officer candidates.

Transient Room Tax - Pending

This item is tentatively planned to go before Council under Ordinance 1374. If approved, it will be added to the fee schedule.

Franchise Application and Review Fee - \$2000

This item comes from Municipal Code and was inadvertently omitted from previous schedules.

POLICE

Temporary/Special Event Liquor License - \$35

This is not a new fee, but has been moved from the Administration to Police section to reflect where the processing occurs.

COURT

Payment Plan Fee - reduction

To encourage plan usage and avoid collections costs

Show Cause/Warrant Costs – increase

To better offset costs

Discovery Fee – adjusted

To incorporate CD/DVD costs

Misdemeanor Deferred Sentence - \$250

New deferral classification

TRANSIT

The schedule is adjusted to include actual fees charged for passes which were implemented after single fare collection began. Fare Assistance passes will still be available to eligible riders through a grant program, but will be limited.

PARKS

Park Event Permit-deleted

Not applicable due to recreational immunity

SEWER/STORMWATER

Combined Sewer/Stormwater Rates – 5% increase

The formal fee study completed in 2011 included suggested annual rate increases of 4% through 2015. With the addition of a sewer franchise fee in 2012, a 5% increase was approved, and is recommended again this year.

PLANNING

Wireless Facility/Tower Modification - \$50

This fee is needed to cover the cost of building permit coordination review.

Minor Modification - \$100

This existing fee was omitted in error when moving Intermediate Modification to a Type II fee.

Site and Design Engineering Plan Review – modified

The recommended modifications better reflect actual review costs, and add both a minimum charge and a maximum cap.

CEMETERY

Overtime Fee - \$300

This item is referenced in the existing Cemetery rules (Resolution 931 in 2006), but had not been listed on the fee schedule.

RESOLUTION NO. 1157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SERVICES INCLUDING UPDATED FEES FOR SANITARY AND STORM SEWER SERVICE.

WHEREAS, City staff has reviewed the City of Canby's master fee schedule and recommends changes in certain fees to be charged for various services provided by City staff including fees for sanitary and storm sewer service; and

WHEREAS, the proposed fee schedule changes are meant to cover the costs of providing services to the public for which fees are charged and are not meant to generate excess income for the City above the cost of providing the requested service; and

WHEREAS, the Canby City Council held a public hearing on May 15, 2013 to receive public testimony regarding the proposed fee increases; and

WHEREAS, the Canby City Council determined that the proposed changes in certain fees to be charged are reasonable and based upon labor costs and industry standards;

NOW, THEREFORE, BE IT RESOLVED by the Canby City Council as follows:

Section 1: City of Canby fees and charges are revised as shown in Exhibit "A" and adopted as shown in Exhibit "B" (clean version).

Section 2: The fees imposed by this resolution are not taxes subject to the property limitation of Article XI, Section 11(b) of the Oregon Constitution.

Section 3: All fees and charges not revised as shown in Exhibit "A" shall remain at their present amounts.

This resolution shall take effect on July 1, 2013.

ADOPTED this 15th day of May 2013 by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

EXHIBIT "A"

Department	Fee Description	Current Amount	Authority	Date	Proposed change
General					
	Photocopies or Printouts-Black and White, sizes to 8 1/2 x 14, single or double-sided	25¢ per sheet	Res 1124	7/1/2012	No change
	Photocopies or Printouts-Color, sizes to 8 1/2 x 14, single or double-sided	75¢ per sheet	Res 1124	7/1/2012	No change
	Photocopies or Printouts-Black and White, size 11x17, single sided only	\$1.00 per sheet	Res 1124	7/1/2012	No change
	Photocopies or Printouts-Color, size 11x17, single sided only	\$1.25 per sheet	Res 1124	7/1/2012	No change
	Plotter prints (8 1/2 x 11)	\$2	Res 1124	7/1/2012	No change
	Plotter prints (11 x 17)	\$4	Res 1124	7/1/2012	No change
	Plotter prints (17 x 22)	\$6	Res 1124	7/1/2012	No change
	Plotter prints (24 x 36)	\$8	Res 1124	7/1/2012	No change
	Plotter prints (36 x 48)	\$10	Res 1124	7/1/2012	No change
	Audio Cassette copy	\$10	Res 1124	7/1/2012	No change
	Videotape copy	\$25	Res 1124	7/1/2012	Delete - not offered
	Records on CD/DVD	\$10 plus staff time costs	Res 1124	7/1/2012	Amend to include DVD
	Public Records-Transcription	\$20/hr	Res 1124	7/1/2012	No change
	Public Records-Clerical Research	\$20/hr	Res 1124	7/1/2012	No change
	Public Records-Admin Research	\$35/hr	Res 1124	7/1/2012	No change
	Public Records-Legal Research	\$80/hr	Res 1124	7/1/2012	No change
	Public Records-Faxing	50¢ per page sent	Res 1124	7/1/2012	No change
	Public Records-Mailing costs	Actual costs + \$1.00 handling fee	Res 1124	7/1/2012	No change
	Returned check fee	\$25	Res 1124	7/1/2012	No change
	Lien Search fee	\$25	Res 1124	7/1/2012	No change
	License/Permit/Certificate replacement fee	\$10	Res 1124	7/1/2012	No change
Administration					
	Business License Annual Renewal	\$50	Res 1124	7/1/2012	No change
	Business License Past Due	\$10/mo up to \$50	Res 1124	7/1/2012	No change
	Business License-Transfer or Assign	\$50	Res 1124	7/1/2012	No change
	Liquor License Application New	\$100	Res 1124	7/1/2012	No change
	Liquor License Change of Ownership, Location, or Privilege	\$75	Res 1124	7/1/2012	No change
	Liquor License Annual Renewal or Temporary Sales License	\$35	Res 1124	7/1/2012	Move fee for temporary license to Police schedule
	Small Animal Permit	\$10	Res 1124	7/1/2012	No change
	Impounded Animal Redemption Fee	\$50	Res 1124	7/1/2012	No change
	Sidewalk Vending Permit	\$10	Res 1124	7/1/2012	No change
	First Friday Marketing Program				\$25 per month (existing)
	Noise Variance fee				\$75, new re: Ord 1373
	Human Resources Application Fee (Police)				\$20, new to offset costs of required testing fees
	Transient Room Tax				Pending
	Franchise Application and Review Fee		Mun Code 12.36.070		\$2000, omitted from prior schedules in error
	Franchise Fees-Cable	5% gross revenue	Res 1124	7/1/2012	No change
	Franchise Fees-Natural Gas	5% gross revenue	Res 1124	7/1/2012	No change
	Franchise Fees-Telephone	7% gross revenue	Res 1124	7/1/2012	No change
	Franchise Fees-Solid Waste	5% gross revenue	Res 1124	7/1/2012	No change
	In-lieu of Franchise Fees-Water/Electric	5% of commodity sales	Res 1124	7/1/2012	No change
	In-lieu of Franchise Fees-Wastewater/Stormwater	7% of service charge collected	Res 1124	7/1/2012	No change
Police					
	Special Event Security	\$60/hr	Res 1124	7/1/2012	No change
	Alarm Permits	\$20 annual (waived over 65 & gov't)	Res 1124	7/1/2012	No change
	Alarm Permit Delinquent Fee	\$25	Res 1124	7/1/2012	No change
	False Alarm Response	Third alarm \$50; fourth alarm \$75, fifth & up \$100 each	Res 1124	7/1/2012	No change
	Vehicle Release	\$125	Res 1124	7/1/2012	No change
	Police Reports	Photocopy - \$10 DMV accident only/\$15 all others	Res 1124	7/1/2012	No change
	Fingerprinting	\$20 per card/\$10 each add'l card	Res 1124	7/1/2012	No change
	Name Check Letter/Printout	\$5	Res 1124	7/1/2012	No change
	Address Printout	\$5	Res 1124	7/1/2012	No change

EXHIBIT "A"

Department	Fee Description	Current Amount		Authority	Date	Proposed change
	Citation - Photocopy	\$5		Res 1124	7/1/2012	No change
	Officer's Notes - Photocopy	\$5		Res 1124	7/1/2012	No change
	Photos on CD	\$15		Res 1124	7/1/2012	No change
	Radar Certification - Photocopy	\$5		Res 1124	7/1/2012	No change
	Temporary/Special Event Liquor License					\$35 fee moved from Administration to Police
Court						
	Payment Plan Fee	\$15 per \$100 of fine, not to exceed \$150 (waived if paid within 60 days)		Court order	2/4/2013	\$10 per \$100 of fine, not to exceed \$50 (waived if paid within 60 days)
	Show Cause Fee	\$25 certified letter/\$10 regular letter		Court order	2/4/2013	\$35 certified letter/\$10 regular letter
	Warrant Costs	\$50		Res 1124	7/1/2012	Increase to \$150
	Late Fee	\$15 if more than 10 days late		Res 1124	7/1/2012	No change
	FTA Fee	\$25		Res 1124	7/1/2012	No change
	Appeal Transcript Fee	\$35		Res 1124	7/1/2012	No change
	City Cost Assessment	\$7 per offense		Res 1124	7/1/2012	No change
	Returned Check Fee	\$38 (includes demand letter certified)		Res 1124	7/1/2012	No change
	Fix It Dismissal Fee	\$25		Res 1124	7/1/2012	No change
	Guilty by Default Fee	\$25		Res 1124	7/1/2012	No change
	Collections Fee	25% of outstanding balance (by statute), not to exceed \$250		Res 1124	7/1/2012	
	Discovery Fee	\$10		Res 1124	7/1/2012	Amend: \$10 (reports, documents); \$20 per CD/DVD (video, photo)
	Seatbelt Class	\$50		Res 1124	7/1/2012	No change
	Juvenile Deferred Sentence	\$41, \$27 or \$14 depending on class of offense		Res 1124	7/1/2012	No change
	Good Drivers Deferred Sentence	\$50 less than presumptive fine schedule of offense		Res 1124	7/1/2012	No change
	MIP Deferred Sentence	\$150		Res 1124	7/1/2012	No change
	Misdemeanor Deferred Sentence					New - \$250
	Civil Compromise	\$150		Res 1124	7/1/2012	No change
Library						
	Lost item replacement	Cost plus \$5.00		Res 1124	7/1/2012	No change
	Damaged item	Cost		Res 1124	7/1/2012	No change
	Printing Charge for Internet, Black & White	15¢/page		Res 1124	7/1/2012	No change
	Printing Charge for Internet, Color	50¢		Res 1124	7/1/2012	No change
	Microform reader/printer	15¢/page		Res 1124	7/1/2012	No change
	Out of District Library Card Fee	\$95.00		Res 1124	7/1/2012	No change
	Fines	10¢ per day		Res 1124	7/1/2012	No change
Canby Area Transit						
	Dial-A-Ride General Public	\$1.00 per boarding		Res 1124	7/1/2012	No change
	Dial-A-Ride Complementary	\$1.00 per boarding		Res 1124	7/1/2012	No change
	Dial-A-Ride Premium	\$1.00 per boarding		Res 1124	7/1/2012	No change
	Shopping Shuttle Services	no charge		Res 1124	7/1/2012	No change
	Fixed-Route Bus Service	\$1.00 per boarding		Res 1124	7/1/2012	No change
	Monthly Pass	\$40/calendar month				existing
	Discounted Monthly Pass	\$20/calendar month				existing
	Fare Assistance Pass	no charge		Res 1124	7/1/2012	delete (see narrative)
	Punch Pass (24 rides)	\$20				existing
	Payroll and self-employment tax	0.6%		Res 1124	7/1/2012	No change
Parks		In City	Out of City			
	Rental of Gazebo in Wait Park (waived for non-profits)	\$110	\$220	Res 1124	7/1/2012	No change
	Rental of Wait Park (waived for non-profits)	\$375	\$750	Res 1124	7/1/2012	No change
	Park Event Permit (to include all parks, Logging Rd.) to ensure insurance and rule compliance (assuming non-profit and/or community events, walks, etc.)	\$10		Res 1124	7/1/2012	Delete - not applicable due to recreational immunity

EXHIBIT "A"

Department	Fee Description	Current Amount		Authority	Date	Proposed change
Public Works						
	Public Works Labor Rate	\$40/hr				No change
	Equipment Rates (include 1 operator):					
	Vactor Truck	\$125/hr		Res 1124	7/1/2012	No change
	Street Sweeper	\$75/hr		Res 1124	7/1/2012	No change
	TV Van	\$100/hr		Res 1124	7/1/2012	No change
	High Ranger	\$90/hr		Res 1124	7/1/2012	No change
	Dump Truck	\$90/hr		Res 1124	7/1/2012	No change
	Backhoe	\$90/hr		Res 1124	7/1/2012	No change
	Street Closure Request	\$50 (waived for non-profits)		Res 1124	7/1/2012	No change
	Railroad Parking Lot Event Fee	\$50 (waived for non-profits)		Res 1124	7/1/2012	No change
	Street Barricade Delivery Fee	\$25 + \$250 refundable deposit with approved street closure permit		Res 1124	7/1/2012	No change
	Map Copying and Research on Easements	\$60/hr+ printing charge		Res 1124	7/1/2012	No change
	Banner Installation	\$100 (waived for non-profits)		Res 1124	7/1/2012	No change
	Plan Review, Inspections, and Witnessing for Construction Projects	\$60/hr		Res 1124	7/1/2012	No change
	Street Excavation (Construction) Permit Fee	\$100		Res 1124	7/1/2012	No change
	Encroachment Application Permit Fee	\$50		Res 1124	7/1/2012	No change
	Building Number Installation Charge	\$50		Res 1124	7/1/2012	No change
	Advance Finance Public Improvement Application Fee	\$150		Res 1124	7/1/2012	No change
	Erosion Control	Without ESPC Certification	With ESPC Certification			
		Base Rate, to 4 inspections				
	Single Family	\$190	\$145	Res 1124	7/1/2012	No change
	Duplex	\$285	\$218	Res 1124	7/1/2012	No change
	Triplex	\$475	\$363	Res 1124	7/1/2012	No change
	Single Family Additions (disturbing less than 500 sq. ft.)	\$145	\$145			No change
		Base Rate, to 8 inspections				
	All Other Lots (Up to 1 acre)	\$500	\$395	Res 1124	7/1/2012	No change
	Each additional acre	\$85	\$75	Res 1124	7/1/2012	No change
	Each additional inspection	\$45	\$45	Res 1124	7/1/2012	No change
	Violations	\$100 per Violation per Day		Res 1124	7/1/2012	No change
	Street Maintenance Fee, Monthly					
	Residential Single Family	\$5		Res 1124	7/1/2012	No change
	Multi-Family Residences	\$3.34/unit		Res 1124	7/1/2012	No change
	Detached Senior Housing and Mobile Home Parks	\$2.09/unit		Res 1124	7/1/2012	No change
	Attached Senior Housing and Congregate Care Facilities	\$1.04/unit		Res 1124	7/1/2012	No change
	Non-residential	Varies: \$0.522 x trip value x units (\$5 min)		Res 1124	7/1/2012	No change
	Street Tree Removal Permit	\$25		Res 1124	7/1/2012	No change
	Sewer Tap Fee (on-site connection)	\$100		Res 1124	7/1/2012	No change
	House Move Permit	\$50		Res 1124	7/1/2012	No change
	Fleet Services Labor Rate	\$75/hr		Res 1124	7/1/2012	No change
Sewer/Stormwater						
	Combined Sewer/Stormwater Rates (monthly):					
	Residential Single Family	\$39.90		Res 1124	7/1/2012	\$41.90
	Residential , apartment, per unit	\$39.90		Res 1124	7/1/2012	\$41.90
	Mobile home	\$39.90		Res 1124	7/1/2012	\$41.90
	Reduced Sewer Rate	\$28.43		Res 1124	7/1/2012	\$29.86
	Elementary school, per student	\$1.58		Res 1124	7/1/2012	\$1.65
	Middle & High school, per student	\$2.08		Res 1124	7/1/2012	\$2.18
	Transient housing (1st unit)	\$39.90		Res 1124	7/1/2012	\$41.90
	Each additional bed	\$20.96		Res 1124	7/1/2012	\$22.01
	Nursing home (1st two beds)	\$39.90		Res 1124	7/1/2012	\$41.90
	Each additional bed	\$20.96		Res 1124	7/1/2012	\$22.01
	Commercial retail, minimum	\$39.90		Res 1124	7/1/2012	\$41.90
	per 100 cf of water use Nov-Mar	\$4.99		Res 1124	7/1/2012	\$5.24
	Commercial government, minimum	\$39.90		Res 1124	7/1/2012	\$41.90
	per 100 cf of water use Dec & Jan	\$4.99		Res 1124	7/1/2012	\$5.24
	Industrial, minimum	\$39.90		Res 1124	7/1/2012	\$41.90
	per 100 cf of water use	\$4.99		Res 1124	7/1/2012	\$5.24

EXHIBIT "A"

Department	Fee Description	Current Amount	Authority	Date	Proposed change
	Industrial Wastewater Discharge Permit	\$5,000	Res 1150	4/17/2013	No change
	Industrial Wastewater Discharge Permit application review fee	\$55/hr	Res 1150	4/17/2013	No change
Construction Excise Tax					
	Residential, per dwelling unit				
	First 1,000 square feet	\$0.25/sq ft	Res 1124	7/1/2012	No change
	Next 500 square feet	\$0.50/sq ft	Res 1124	7/1/2012	No change
	Next 500 square feet	\$0.75/sq ft	Res 1124	7/1/2012	No change
	Above 2,000 square feet	\$1.00/sq ft	Res 1124	7/1/2012	No change
System Development Charges					
	Stormwater		Res 1134	7/1/2012	No change
	Residential: Single Family	\$100/Dwelling			
	Residential: Multi-Family	\$100/Dwelling			
	Commercial/Downtown and Highway	Varies by Use			
	Commercial/Manufacturing	Varies by Use			
	Industrial	Varies by Use			
	Transportation	Estimated SDA per unit	Res 1149	1/16/2013	No change
	Single-Family per unit	\$2,955			
	Multi-Family	\$2,069			
	Commercial/Industrial	Varies by Use - \$155 per person trip end			
	Wastewater		Res 1134	7/1/2012	No change
	3 /4" Water meter	\$2,571			
	1" Water meter	\$5,142			
	1 1/2" Water meter	\$12,855			
	2" Water meter	\$25,710			
	3" Water meter	\$64,275			
	4" Water meter	\$89,985			
	Parks		Res 1149	1/16/2013	No change
	Single Family	\$4,987/Dwelling			
	Multi-Family	\$5,192/Dwelling			
	Manufactured Housing	\$4,165/Dwelling			
	Commercial/Industrial	\$400/per employee; varies by use			
Planning					
	Annexation – Less than 1 acre	\$1,850 - (Base Fee)	Res 1124	7/1/2012	No change
	Annexation – 1 – 10 Acres	Plus \$105 per Acre	Res 1124	7/1/2012	No change
	Annexation – 11 – 50 Acres	Plus \$55 per Acre	Res 1124	7/1/2012	No change
	Annexation – 51+ Acres	Plus \$10 per Acre	Res 1124	7/1/2012	No change
	Annexation Legal Review – Development Agreement or Development Concept Plan	Applicant pays actual costs	Res 1124	7/1/2012	No change
	Annexation Election Deposit (Does not include County Elections Costs which will be billed separately)	\$2,500	Res 1124	7/1/2012	No change
	Appeal - Interpretation or type II decision to Planning Commission	\$1,600	Res 1124	7/1/2012	No change
	Appeal - Planning Commission decision to City Council	\$1,920	Res 1124	7/1/2012	No change
	Building Permit Site Plan Review				
	Single Family House	\$100 per application	Res 1124	7/1/2012	No change
	Duplex (including conversions of single family to duplex	\$120 per application	Res 1124	7/1/2012	No change
	Non-Living Space addition (garage, carport, porch, etc)	\$50 per application	Res 1124	7/1/2012	No change
	Living Space addition (expansion and/or creation of accessory dwelling	\$75 per application	Res 1124	7/1/2012	No change
	Multifamily	\$60 per unit (first 20 units)/\$10 per each additional unit)	Res 1124	7/1/2012	No change
	Demolitions (Residential)	\$25	Res 1124	7/1/2012	No change
	Demolitions (Commercial or Industrial)	\$50	Res 1124	7/1/2012	No change
	Signs, commercial tenant improvements and remodels not involving additional square footage	\$50	Res 1124	7/1/2012	No change
	Existing Wireless Telecommunications System Facility/Tower Modification				\$50, new

EXHIBIT "A"

Department	Fee Description	Current Amount	Authority	Date	Proposed change
	All other commercial and industrial based on building square footage:				
	0 to 2,000 square feet	\$100	Res 1124	7/1/2012	No change
	2,001 to 5,000 square feet	\$100 for the first 2,000 sq. ft. and \$1.75 for each additional 100 Sq. ft. or fraction thereof	Res 1124	7/1/2012	No change
	5,001 to 10,000 square feet	\$152.50 for the first 5,000 sq. ft and \$1.50 for each additional 100 sq. ft. or fraction thereof	Res 1124	7/1/2012	No change
	10,001 to 50,000 square feet	\$160 for the first 10,000 sq. ft. and \$1.25 for each additional 100 sq. ft. or fraction thereof	Res 1124	7/1/2012	No change
	50,001 to 100,000 square feet	\$210 for the first 50,000 sq. ft. and \$1.00 for each additional 500 sq. ft. or fraction thereof	Res 1124	7/1/2012	No change
	100,001 square feet and up	\$260 for the first 100,000 sq. ft. and \$0.75 for each additional 1,000 sq. ft or fraction thereof	Res 1124	7/1/2012	No change
	Comprehensive Plan Amendment	\$3,220	Res 1124	7/1/2012	No change
	Conditional Use Permit	\$2,040	Res 1124	7/1/2012	No change
	Condominium Construction, less than six units	\$280	Res 1124	7/1/2012	No change
	Interpretation	\$580	Res 1124	7/1/2012	No change
	Lot Line Adjustment	\$520	Res 1124	7/1/2012	No change
	Non-conforming Structure/Use	\$520	Res 1124	7/1/2012	No change
	Parking Lot/Paving Projects	\$300	Res 1124	7/1/2012	No change
	Partition - Major	\$1,360	Res 1124	7/1/2012	No change
	Partition - Minor	\$1,280	Res 1124	7/1/2012	No change
	Planned Unit Development	\$1,500	Res 1124	7/1/2012	No change
	Plat (Final) Review	\$100	Res 1124	7/1/2012	No change
	Pre-Application Conference				
	Type II (Administrative Review)	\$300	Res 1124	7/1/2012	No change
	Types III or IV (Quasi-Judicial Review)	\$700	Res 1124	7/1/2012	No change
	Preconstruction Conference	\$100 (+\$60 per hr. over 2 hrs)	Res 1124	7/1/2012	No change
	Minor Modification				\$100, omitted from prior schedule in error
	Sidewalk Café Annual Permit Fee	\$25	Res 1124	7/1/2012	No change
	Sidewalk Café Annual Right of Way Rental Fee	\$1	Res 1124	7/1/2012	No change
	Site and Design Review (Type II)				
	First 0.5 Acres	\$950 (Base Fee)	Res 1124	7/1/2012	No change
	From 0.5 Acres up to 2.5 Acres	\$100 for each additional .1 acres	Res 1124	7/1/2012	No change
	From 2.5 acres up to 8.0 Acres	\$100 for each additional .5 acres	Res 1124	7/1/2012	No change
	From 8.0 Acres up to 13 Acres	\$100 for each additional 1.0 acres	Res 1124	7/1/2012	No change
	13 Acres and above	\$5,000 maximum	Res 1124	7/1/2012	No change
	Site and Design Engineering Plan Review	0.3% of total private on-site building construction cost	Res 1124	7/1/2012	Change: 0.2% capped at \$3000, \$300 minimum
	Site and Design Review (Type III)				
	First 0.5 Acres	\$1,500 (Base Fee)	Res 1124	7/1/2012	No change
	From 0.5 Acres up to 2.5 Acres	\$100 for each additional 0.1 acres	Res 1124	7/1/2012	No change
	From 2.5 acres up to 8.0 Acres	\$100 for each additional 0.5 acres	Res 1124	7/1/2012	No change
	From 8.0 Acres up to 13 Acres	\$100 for each additional 1.0 acres	Res 1124	7/1/2012	No change
	13 Acres and above	\$5,000 maximum	Res 1124	7/1/2012	No change
	Site and Design Engineering Plan Review	0.3% of total private on-site building construction cost	Res 1124	7/1/2012	Change: 0.2% capped at \$3000, \$300 minimum
	Special Permit (hardship)	\$100	Res 1124	7/1/2012	No change
	Special Permit Public Hearing (additional charge)	No fee	Res 1124	7/1/2012	No change
	Subdivision – 4 Lots	\$1,700 (Base Fee)	Res 1124	7/1/2012	No change
	Subdivision – 5 – 10 Lots	\$95 per Lot	Res 1124	7/1/2012	No change
	Subdivision – 11+ Lots	\$130 per Lot	Res 1124	7/1/2012	No change
	Subdivision Engineering Public Improvement Plan Review	0.4% of public improvement cost	Res 1124	7/1/2012	No change
	Temporary Vendor Permit	\$100 (\$50 non-profit)	Res 1124	7/1/2012	No change
	Temporary Vendor Permit Renewal	\$50 (\$25 non-profit)	Res 1124	7/1/2012	No change

EXHIBIT "A"

Department	Fee Description	Current Amount	Authority	Date	Proposed change
	Text Amendment	\$2,880	Res 1124	7/1/2012	No change
	Traffic Engineering Scope	\$500 min. \$1,000 max. deposit	Res 1124	7/1/2012	No change
	Traffic Impact Study	Applicant pays actual costs	Res 1124	7/1/2012	No change
	Variance - Major	\$2,120	Res 1124	7/1/2012	No change
	Variance - Minor	\$520	Res 1124	7/1/2012	No change
	Withdrawal of Territory < 1 acre	\$1,388 (base fee)	Res 1124	7/1/2012	No change
	Withdrawal of Territory - 1-10 acres	Plus \$79 per acre	Res 1124	7/1/2012	No change
	Withdrawal of Territory 11-50 acres	Plus \$41 per acre	Res 1124	7/1/2012	No change
	Withdrawal of Territory 51+ acres	Plus \$8 per acre	Res 1124	7/1/2012	No change
	Zoning Map Amendment	\$2,640	Res 1124	7/1/2012	No change
Building					
	Building Permit Fee				
	\$0 to \$3,000 valuation	\$80	Res 1124	7/1/2012	No change
	\$3,001 to \$25,000 valuation	\$80 for the first \$3,000 and \$12 for each additional \$1,000 or fraction thereof	Res 1124	7/1/2012	No change
	\$25,001 to \$50,000 valuation	\$344 for the first \$25,000 and \$9 for each additional \$1,000 or fraction thereof	Res 1124	7/1/2012	No change
	\$50,001 to \$100,000 valuation	\$569 for the first \$50,000 and \$6 for each additional \$1,000 or fraction thereof	Res 1124	7/1/2012	No change
	\$100,001 and up	\$869 for the first \$100,000 and \$5 for each additional \$1,000 or fraction thereof	Res 1124	7/1/2012	No change
	Plan Review Fee	100% of Building Permit fee	Res 1124	7/1/2012	No change
	Temporary Certificate of Occupancy	\$250	Res 1124	7/1/2012	No change
	Deferred submittal processing and reviewing fee	Equal to the building permit fee for the valuation of the particular deferred portion or portions of the project, with a set minimum fee of \$300	Res 1124	7/1/2012	No change
	Phased or Partial Building Permit plan review fee	\$300 plus 10% of the total project building permit fee not to exceed \$2,000 for each phase in addition to above fees	Res 1124	7/1/2012	No change
	Inspections outside of normal business hours	\$160/hr (minimum charge – two hours)	Res 1124	7/1/2012	No change
	Re-inspection Fees	\$80	Res 1124	7/1/2012	No change
	Inspections for which no fee is specifically indicated	\$160/hr (minimum charge – 1/2 hour)	Res 1124	7/1/2012	No change
	Additional plan review required by changes, additions or revisions to proposed or approved plans	\$160/hr (minimum charge – 1/2 hour)	Res 1124	7/1/2012	No change
	Residential Fire Suppression Systems Combined Plan Permit and Plan Check Fees:				No change
	0 sq. ft to 2,000 sq. ft	\$160	Res 1124	7/1/2012	No change
	2001 sq. ft. to 3600 sq. ft.	\$210	Res 1124	7/1/2012	No change
	3601 sq. ft. to 7200 sq. ft.	\$269	Res 1124	7/1/2012	No change
	7201 sq. ft. and greater	\$377	Res 1124	7/1/2012	No change
	Mechanical Fee Schedule for New and Additions or Alterations, to One and Two Family Dwellings:				No change
	Install/Replace Furnace: Up to 100,000btu	\$24.75 per appliance	Res 1124	7/1/2012	No change
	Install/Replace Furnace: Over 100,000btu	\$31.50 per appliance	Res 1124	7/1/2012	No change
	Install/Replace/Relocate Heaters: Suspended, Wall or Floor Mounted.	\$24.75 per appliance	Res 1124	7/1/2012	No change
	Appliance Vent	\$12.50 per appliance	Res 1124	7/1/2012	No change
	Alteration Of Existing HVAC System	\$24.75	Res 1124	7/1/2012	No change
	Air Handling Units	\$18.75 per appliance	Res 1124	7/1/2012	No change
	Air Conditioning under 100,000btu	\$24.75 per appliance	Res 1124	7/1/2012	No change
	Air Conditioning over 100,000btu	\$46.50 per appliance	Res 1124	7/1/2012	No change
	Dryer Exhaust	\$18.75 per appliance	Res 1124	7/1/2012	No change
	Hood	\$18.75 per appliance	Res 1124	7/1/2012	No change
	Exhaust Fan Connected To A Single Duct	\$12.50 per appliance	Res 1124	7/1/2012	No change

EXHIBIT "A"

Department	Fee Description	Current Amount		Authority	Date	Proposed change
	Gas Piping: 1 To 4 Outlets	\$8.25		Res 1124	7/1/2012	No change
	Gas Piping: Each Additional Outlet	\$2.25 per outlet		Res 1124	7/1/2012	No change
	Fireplace	\$18.75 per appliance		Res 1124	7/1/2012	No change
	Wood Stove	\$18.75 per appliance		Res 1124	7/1/2012	No change
	Other	\$18.75 per appliance		Res 1124	7/1/2012	No change
	Minimum Permit Fee	\$80		Res 1124	7/1/2012	No change
	Plan Review Fee (Mechanical)	100% of Mechanical Permit fee		Res 1124	7/1/2012	No change
	Mechanical Fee Schedule for New and Additions or Alterations to Commercial, Multi-Family and Industrial Projects			Res 1124	7/1/2012	No change
	\$0.00 to \$5000.00 valuation	\$80		Res 1124	7/1/2012	No change
	\$5001.00 to \$10,000.00 valuation	\$80 for the first \$5000 and \$3 for each additional \$100 or fraction thereof		Res 1124	7/1/2012	No change
	\$10,001.00 to \$100,000 valuation	\$230.00 for the first \$10,000.00 and \$12.00 for each additional \$1,000.00 or fraction thereof		Res 1124	7/1/2012	No change
	\$100,001.00 and up	\$1,310 for the first \$100,000 and \$10 for each additional \$1,000 or fraction thereof		Res 1124	7/1/2012	No change
	Plan Review Fee (Mechanical)	37% of Mechanical Permit fee		Res 1124	7/1/2012	No change
	Grading Permit Fee Schedule			Res 1124	7/1/2012	No change
	50 cubic yards or less	\$80		Res 1124	7/1/2012	No change
	51 to 100 cubic yards	\$117		Res 1124	7/1/2012	No change
	101 to 1,000 cubic yards	\$117 for the first 100 cubic yards, plus \$55 for each additional 100 cubic yards or fraction thereof		Res 1124	7/1/2012	No change
	1,001 to 10,000 cubic yards	\$612 for the first 1,000 cubic yards, plus \$46 for each additional 1,000 cubic yards or fraction thereof		Res 1124	7/1/2012	No change
	10,001 to 100,000 cubic yards	\$1026 for the first 10,000 cubic yards, plus \$210 for each additional 10,000 cubic yards or fraction thereof		Res 1124	7/1/2012	No change
	100,001 cubic yards and up	\$2916 for the first 100,000 cubic yards, plus \$115 for each additional 10,000 cubic yards or fraction thereof		Res 1124	7/1/2012	No change
	Plan Review Fee (Grading)	65% of Grading Permit fee		Res 1124	7/1/2012	No change
	Manufactured Dwelling Installation					
	Installation and set up	\$350		Res 1124	7/1/2012	No change
	Earthquake bracing when not part of original installation	\$280		Res 1124	7/1/2012	No change
	Prescriptive Flat Fee Solar Installation	\$240		Res 1124	7/1/2012	No change
Swim Center		In City	Out of City			Proposed Resident / Non-Resident
	Daily Admission - Youth	\$2.50	\$3.75	Res 1124	7/1/2012	No change
	Daily Admission - Senior	\$2.50	\$3.75	Res 1124	7/1/2012	No change
	Daily Admission - Adult	\$3.25	\$4.50	Res 1124	7/1/2012	No change
	Daily Admission - Family	\$8.25	\$12.00	Res 1124	7/1/2012	No change
	Tickets - 10 Swims Youth/Senior	\$25.00	\$37.50	Res 1124	7/1/2012	No change
	Tickets - 10 Swims Adult	\$32.50	\$45.00	Res 1124	7/1/2012	No change
	Pass 3 month - Youth	\$50.00	\$75.00	Res 1124	7/1/2012	No change
	Pass 3 month - Senior	\$50.00	\$75.00	Res 1124	7/1/2012	No change
	Pass 3 month - Adult	\$65.00	\$90.00	Res 1124	7/1/2012	No change
	Pass 3 month - 1 + 1	\$97.50	\$135.00	Res 1124	7/1/2012	No change
	Pass 3 month - Family	\$130.00	\$180.00	Res 1124	7/1/2012	No change
	Pass 12 month - Youth	\$137.50	\$206.25	Res 1124	7/1/2012	No change
	Pass 12 month - Senior	\$137.50	\$206.25	Res 1124	7/1/2012	No change
	Pass 12 month - Adult	\$178.75	\$247.50	Res 1124	7/1/2012	No change
	Pass 12 month - 1 + 1	\$268.00	\$371.25	Res 1124	7/1/2012	No change
	Pass 12 month - Family	\$357.50	\$495.00	Res 1124	7/1/2012	No change
	Water Exercise - Youth	\$2.50	\$3.75	Res 1124	7/1/2012	No change
	Water Exercise - Senior	\$2.50	\$3.75	Res 1124	7/1/2012	No change
	Water Exercise - Adult	\$3.25	\$4.50	Res 1124	7/1/2012	No change
	Lessons - Public Lessons	\$3.50	\$5.25	Res 1124	7/1/2012	No change

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EXHIBIT "A"

Department	Fee Description	Current Amount		Authority	Date	Proposed change
	Lessons - Spring Penguin	\$50.00	\$70.00	Res 1124	7/1/2012	No change
	Lessons - Summer Penguin	\$80.00	\$100.00	Res 1124	7/1/2012	No change
	Lessons - School Programs	by contract		Res 1124	7/1/2012	No change
	Rentals - Public	\$45.00 per hr	\$62.50 per hr	Res 1124	7/1/2012	No change
	Rentals - Canby Gators	by contract		Res 1124	7/1/2012	No change
Cemetery						
	Grave Lots	Property	Perpetual Care Fee			
	Standard Grave Lot	\$450	\$700	Res 1124	7/1/2012	No change
	Child Grave Lot (1/2 sp)	\$150	\$350	Res 1124	7/1/2012	No change
	Baby Grave Lot (1/4 sp)	\$125	\$350	Res 1124	7/1/2012	No change
	Cremains Lot	\$300	\$100	Res 1124	7/1/2012	No change
	Grave Opening, Closing & Recording Fee:			Res 1124	7/1/2012	
	Standard					
	Opening & Closing	\$650		Res 1124	7/1/2012	No change
	Disinterment	\$1,000		Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$1,250		Res 1124	7/1/2012	No change
	Child					
	Opening & Closing	\$275		Res 1124	7/1/2012	No change
	Disinterment	\$400		Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$600		Res 1124	7/1/2012	No change
	Baby					
	Opening & Closing	\$200		Res 1124	7/1/2012	No change
	Disinterment	\$370		Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$470		Res 1124	7/1/2012	No change
	Cremains					
	Opening & Closing	\$300		Res 1124	7/1/2012	No change
	Disinterment	\$350		Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$400		Res 1124	7/1/2012	No change
	Grave Liners:					
	Wholesale to Funeral Home	\$360		Res 1124	7/1/2012	No change
	Standard	\$420		Res 1124	7/1/2012	No change
	Child	\$240		Res 1124	7/1/2012	No change
	Baby	\$240		Res 1124	7/1/2012	No change
	Cremains Vault	\$155		Res 1124	7/1/2012	No change
	Monument Installation:					
	24" or less in all dimensions	\$160		Res 1124	7/1/2012	No change
	36" & Over	\$190		Res 1124	7/1/2012	No change
	48" & Over	\$225		Res 1124	7/1/2012	No change
	3' x 7' Grave Ledger	\$255		Res 1124	7/1/2012	No change
	24" Bronze Military	\$160		Res 1124	7/1/2012	No change
	Upright Monuments	\$260		Res 1124	7/1/2012	No change
	Mausoleum Phase I (All prices includes perpetual care of \$60)					
	Exterior Single Crypts (1 space)					
	Sixth Level F	\$1,650		Res 1124	7/1/2012	No change
	Fifth Level E	\$1,980		Res 1124	7/1/2012	No change
	Fourth Level D	\$2,365		Res 1124	7/1/2012	No change
	Third Level C	\$2,830		Res 1124	7/1/2012	No change
	Second Level B	\$2,830		Res 1124	7/1/2012	No change
	First and Westminster Level A (2 spaces)	\$3,350		Res 1124	7/1/2012	No change
	Exterior Tandem Crypts (2 spaces)					
	Sixth Level F	\$2,805		Res 1124	7/1/2012	No change
	Fifth Level E	\$3,115		Res 1124	7/1/2012	No change
	Fourth Level D	\$3,465		Res 1124	7/1/2012	No change
	Third Level C	\$3,915		Res 1124	7/1/2012	No change
	Second Level B	\$3,915		Res 1124	7/1/2012	No change
	First and Westminster Level A (4 spaces)	\$4,880		Res 1124	7/1/2012	No change
	Exterior Side by Side Crypts (2 Sp)					
	Sixth Level F	\$2,905		Res 1124	7/1/2012	No change
	Fifth Level E	\$3,255		Res 1124	7/1/2012	No change
	Fourth Level D	\$3,610		Res 1124	7/1/2012	No change
	Third Level C	\$4,335		Res 1124	7/1/2012	No change
	Second Level B	\$4,335		Res 1124	7/1/2012	No change
	First and Westminster Level A (4 spaces)	\$5,280		Res 1124	7/1/2012	No change

EXHIBIT "A"

Department	Fee Description	Current Amount	Authority	Date	Proposed change
	Niche Spaces (All prices includes perpetual care of \$35)				
	Level 1 through 6	\$420	Res 1124	7/1/2012	No change
	Level 7 through 10	\$350	Res 1124	7/1/2012	No change
	Level 11 through 12	\$330	Res 1124	7/1/2012	No change
	Mausoleum Phase II (All prices includes perpetual care of \$100)				
	Exterior Single Crypts (1 space)		Res 1124	7/1/2012	No change
	Sixth Level F	\$2,047	Res 1124	7/1/2012	No change
	Fifth Level E	\$2,436	Res 1124	7/1/2012	No change
	Fourth Level D	\$2,890	Res 1124	7/1/2012	No change
	Third Level C	\$3,439	Res 1124	7/1/2012	No change
	Second Level B	\$3,439	Res 1124	7/1/2012	No change
	First and Westminster Level A (2 spaces)	\$4,053	Res 1124	7/1/2012	No change
	Exterior Tandem Crypts (2 spaces)				
	Sixth Level F	\$3,409	Res 1124	7/1/2012	No change
	Fifth Level E	\$3,775	Res 1124	7/1/2012	No change
	Fourth Level D	\$4,359	Res 1124	7/1/2012	No change
	Third Level C	\$5,215	Res 1124	7/1/2012	No change
	Second Level B	\$5,215	Res 1124	7/1/2012	No change
	First and Westminster Level A (4 spaces)	\$5,858	Res 1124	7/1/2012	No change
	Exterior Side by Side Crypts (2 Sp)				
	Sixth Level F	\$3,527	Res 1124	7/1/2012	No change
	Fifth Level E	\$3,940	Res 1124	7/1/2012	No change
	Fourth Level D	\$4,359	Res 1124	7/1/2012	No change
	Third Level C	\$5,215	Res 1124	7/1/2012	No change
	Second Level B	\$5,215	Res 1124	7/1/2012	No change
	First and Westminster Level A (4 spaces)	\$6,330	Res 1124	7/1/2012	No change
	Opening & Closing for Crypts				
	Each Entombment	\$600	Res 1124	7/1/2012	No change
	Disinterment from Westminster Crypt	\$750	Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$650	Res 1124	7/1/2012	No change
	Opening & Closing for Niches				
	Each Inurnment	\$325	Res 1124	7/1/2012	No change
	Disinterment	\$425	Res 1124	7/1/2012	No change
	Disinterment/Reinterment	\$500	Res 1124	7/1/2012	No change
	Crypt Name Bar Installation	\$364	Res 1124	7/1/2012	No change
	Niche Name Bar Installation	\$294	Res 1124	7/1/2012	No change
	Emblems (Elks, Rotary, Cross, etc)	\$90	Res 1124	7/1/2012	No change
	Extra Plastic Vase & Holder	\$90	Res 1124	7/1/2012	No change
	Replace Plastic Vase	\$45	Res 1124	7/1/2012	No change
	Weekend & Holiday Services (additional fee)	\$300	Res 1124	7/1/2012	No change
	Overtime Fee				\$300, new to correspond with existing rules (Res 931)
	Cemetery Title Transfer	\$75	Res 1124	7/1/2012	No change

CITY OF CANBY MASTER FEE SCHEDULE

Fees and charges in effect as of 7/1/2013

Authorized by Resolution No. 1157

Fee Description	Fee Amount
GENERAL	
Photocopies or Printouts-Black and White, sizes to 8 1/2 x 14, single or double-sided	25¢ per sheet
Photocopies or Printouts-Color, sizes to 8 1/2 x 14, single or double-sided	75¢ per sheet
Photocopies or Printouts-Black and White, size 11x17, single sided only	\$1.00 per sheet
Photocopies or Printouts-Color, size 11x17, single sided only	\$1.25 per sheet
Plotter prints (8 1/2 x 11)	\$2
Plotter prints (11 x 17)	\$4
Plotter prints (17 x 22)	\$6
Plotter prints (24 x 36)	\$8
Plotter prints (36 x 48)	\$10
Audio Cassette copy	\$10
Records on CD/DVD	\$10 plus staff time costs
Public Records-Transcription	\$20/hr
Public Records-Clerical Research	\$20/hr
Public Records-Admin Research	\$35/hr
Public Records-Legal Research	\$80/hr
Public Records-Faxing	50¢ per page sent
Public Records-Mailing costs	Actual costs + \$1.00 handling fee
Returned check fee	\$25
Lien Search fee	\$25
License/Permit/Certificate replacement fee	\$10
ADMINISTRATION	
Business License Annual Renewal	\$50
Business License Past Due	\$10/mo up to \$50
Business License-Transfer or Assign	\$50
Liquor License Application New	\$100
Liquor License Change of Ownership, Location, or Privilege	\$75
Liquor License Annual Renewal	\$35
Small Animal Permit	\$10
Impounded Animal Redemption Fee	\$50
Sidewalk Vending Permit	\$10
First Friday Marketing Program	\$25 per month
Noise Variance Fee	\$75
Human Resources Application Fee (Police)	\$20
Franchise Application and Review Fee	\$2,000
Franchise Fees-Cable	5% gross revenue
Franchise Fees-Natural Gas	5% gross revenue
Franchise Fees-Telephone	7% gross revenue
Franchise Fees-Solid Waste	5% gross revenue
In-lieu of Franchise Fees-Water/ Electric	5% of commodity sales
In-lieu of Franchise Fees-Wastewater/ Stormwater	7% of service charge collected

POLICE	
Special Event Security	\$60/hr
Alarm Permits	\$20 annual (waived over 65 & gov't)
Alarm Permit Delinquent Fee	\$25
False Alarm Response	Third alarm \$50; fourth alarm \$75, fifth & up \$100 each
Vehicle Release	\$125
Police Reports	Photocopy - \$10 DMV accident only/\$15 all others
Fingerprinting	\$20 per card/\$10 each add'l card
Name Check Letter/Printout	\$5
Address Printout	\$5
Citation - Photocopy	\$5
Officer's Notes - Photocopy	\$5
Photos on CD	\$15
Radar Certification - Photocopy	\$5
Temporary/Special Event Liquor License Fee	\$35
COURT	
Payment Plan Fee	\$10 per \$100 of fine, not to exceed \$50 (waived if paid within 60 days)
Show Cause Fee	\$35 certified letter/\$10 regular letter
Warrant Costs	\$150
Late Fee	\$15 if more than 10 days late
FTA Fee	\$25
Appeal Transcript Fee	\$35
City Cost Assessment	\$7 per offense
Returned Check Fee	\$38 (includes demand letter certified)
Fix It Dismissal Fee	\$25
Guilty by Default Fee	\$25
Collections Fee	25% of outstanding balance (by statute), not to exceed \$250
Discovery Fee	\$10 (reports/documents); \$20 per CD/DVD (vidoe/photos)
Seatbelt Class	\$50
Juvenile Deferred Sentence	\$41, \$27 or \$14 depending on class of offense
Good Drivers Deferred Sentence	\$50 less than presumptive fine schedule of offense
MIP Deferred Sentence	\$150
Misdemeanor Deferred Sentence	\$250
Civil Compromise	\$150
LIBRARY	
Lost item replacement	Cost plus \$5.00
Damaged item	Cost
Printing Charge for Internet, Black & White	15¢/page
Printing Charge for Internet, Color	50¢/page
Microform reader/printer	15¢/page
Out of District Library Card Fee	\$95
Fines	10¢ per day

CANBY AREA TRANSIT		
Dial-A-Ride General Public	\$1.00 per boarding	
Dial-A-Ride Complementary Paratransit	\$1.00 per boarding	
Dial-A-Ride Premium	\$1.00 per boarding	
Shopping Shuttle Services	no charge	
Fixed-Route Bus Service	\$1.00 per boarding	
Monthly Pass	\$40/calendar month	
Discounted Monthly Pass	\$20/calendar month	
Fare Assistance Pass	Based on eligibility and availability	
Punch Pass (24 rides)	\$20.00	
Payroll and self-employment tax	0.6%	
PARKS		
	In City	Out of City
Rental of Gazebo in Wait Park (waived for non-profits)	\$110	\$220
Rental of Wait Park (waived for non-profits)	\$375	\$750
PUBLIC WORKS		
Public Works Labor Rate	\$40/hr	
Equipment Rates (include 1 operator):		
Vactor Truck	\$125/hr	
Street Sweeper	\$75/hr	
TV Van	\$100/hr	
High Ranger	\$90/hr	
Dump Truck	\$90/hr	
Backhoe	\$90/hr	
Street Closure Request	\$50 (waived for non-profits)	
Railroad Parking Lot Event Fee	\$50 (waived for non-profits)	
Street Barricade Delivery Fee	\$25 + \$250 refundable deposit with approved street closure permit	
Map Copying and Research on Easements	\$60/hr+ printing charge	
Banner Installation	\$100 (waived for non-profits)	
Plan Review, Inspections, and Witnessing for Construction Projects	\$60/hr	
Street Excavation (Construction) Permit Fee	\$100	
Encroachment Application Permit Fee	\$50	
Building Number Installation Charge	\$50	
Advance Finance Public Improvement Application Fee	\$150	
Erosion Control	Without ESPC Certification	With ESPC Certification
	Base Rate, to 4 inspections, includes Plan Review	
Single Family	\$190	\$145
Duplex	\$285	\$218
Triplex	\$475	\$363
Single Family Additions (disturbing less than 500 sq. ft.)	\$145	
	Base Rate, to 8 inspections, includes Plan Review	
All Other Lots (Up to 1 acre)	\$500	\$395
Each additional acre	\$85	\$75
Each additional inspection	\$45	
Violations	\$100 per Violation per Day	

Street Maintenance Fee, Monthly	
Residential Single Family	\$5
Multi-Family Residences	\$3.34/unit
Detached Senior Housing and Mobile Home Parks	\$2.09/unit
Attached Senior Housing and Congregate Care Facilities	\$1.04/unit
Non-residential	Varies: \$0.522 x trip value x units (\$5 min)
Street Tree Removal Permit	\$25
Sewer Tap Fee (on-site connection)	\$100
House Move Permit	\$50
Fleet Services Labor Rate	\$75/hr
SEWER/STORMWATER	
Combined Sewer/Stormwater Rates (monthly):	
Residential Single Family	\$41.90
Residential , apartment, per unit	\$41.90
Mobile home	\$41.90
Reduced sewer rate	\$29.86
Elementary school, per student	\$1.65
Middle & High school, per student	\$2.18
Transient housing (1st unit)	\$41.90
Each additional bed	\$22.01
Nursing home (1st two beds)	\$41.90
Each additional bed	\$22.01
Commercial retail, minimum	\$41.90
per 100 cf of water use Nov-Mar	\$5.24
Commercial government, minimum	\$41.90
per 100 cf of water use Dec & Jan	\$5.24
Industrial, minimum	\$41.90
per 100 cf of water use	\$5.24
Industrial Wastewater Discharge Permit	\$5,000
Industrial Wastewater Discharge Permit application review fee	\$55/hr
CONSTRUCTION EXCISE TAX	
Residential, per dwelling unit	
First 1,000 square feet	\$0.25/sq ft
Next 500 square feet	\$0.50/sq ft
Next 500 square feet	\$0.75/sq ft
Above 2,000 square feet	\$1.00/sq ft
SYSTEMS DEVELOPMENT CHARGES	
Stormwater	
Residential - per dwelling unit	
Low Density	\$160.58/DU
Manufactured	\$78.29/DU
Medium/High Density	\$107.26/DU
Non-Residential - per 1,000 square feet	
Residential/Commercial (mixed use)	\$251.70/1,000 sf
Convenience	\$173.28/1,000 sf
Downtown	\$251.70/1,000 sf
Highway	\$314.63/1,000 sf

Commercial/Manufacturing	\$487.41/1,000 sf
Industrial	\$147.34/1,000 sf
Schools	\$217.67/1,000 sf
Transportation	Estimated SDA per unit
Single-Family per unit	\$2,955
Multi-Family	\$2,069
Commercial/Industrial	Varies by Use - \$155 per person trip end
Wastewater	
5/8" x 3/4" Water meter	\$2,571
3/4" Water meter	\$5,034
1" Water meter	\$8,382
1 1/2" Water meter	\$16,790
2" Water meter	\$26,858
3" Water meter	\$58,725
4" Water meter	\$100,686
6" Water meter	\$209,755
8" Water meter	\$302,059
Multi-family Unit	\$2,014
Parks	
Single Family	\$4,987/Dwelling
Multi-Family	\$5,192/Dwelling
Manufactured Housing	\$4,165/Dwelling
Commercial/Industrial	\$400/per employee; varies by use
PLANNING	
Annexation – Less than 1 Acre	\$1,850 - (Base Fee)
Annexation – 1 – 10 Acres	Plus \$105 per Acre
Annexation – 11 – 50 Acres	Plus \$55 per Acre
Annexation – 51+ Acres	Plus \$10 per Acre
Annexation Legal Review – Development Agreement or Development Concept Plan	Applicant pays actual costs
Annexation Election Deposit (Does not include County Elections Costs which will be billed separately)	\$2,500
Appeal - Interpretation or type II decision to Planning Commission	\$1,600
Appeal - Planning Commission decision to City Council	\$1,920
Building Permit Site Plan Review	
Single Family House	\$100 per application
Duplex (including conversions of single family to duplex)	\$120 per application
Non-Living Space addition (garage, carport, porch, etc)	\$50 per application
Living Space addition (expansion and/or creation of accessory dwelling)	\$75 per application
Multifamily - based on valuation	\$60 per unit (first 20 units)/\$10 per unit (each additional)
Demolitions (Residential)	\$25
Demolitions (Commercial or Industrial)	\$50
Signs, commercial tenant improvements and remodels not involving additional square footage	\$50
Existing Wireless Telecommunications System Facility/Tower Modification	\$50

All other commercial and industrial based on building square footage:	
0 to 2,000 square feet	\$100
2,001 to 5,000 square feet	\$100 for the first 2,000 sq. ft. and \$1.75 for each additional 100 Sq. ft. or fraction thereof
5,001 to 10,000 square feet	\$152.50 for the first 5,000 sq. ft. and \$1.50 for each additional 100 sq. ft. or fraction thereof
10,001 to 50,000 square feet	\$160 for the first 10,000 sq. ft. and \$1.25 for each additional 100 sq. ft. or fraction thereof
50,001 to 100,000 square feet	\$210 for the first 50,000 sq. ft. and \$1.00 for each additional 500 sq. ft. or fraction thereof
100,001 square feet and up	\$260 for the first 100,000 sq. ft. and \$0.75 for each additional 1,000 sq. ft. or fraction thereof
Comprehensive Plan Amendment	\$3,220
Conditional Use Permit	\$2,040
Condominium Construction, less than six units	\$280
Interpretation	\$580
Lot Line Adjustment	\$520
Non-conforming Structure/Use	\$520
Parking Lot/Paving Projects	\$300
Partition - Major	\$1,360
Partition - Minor	\$1,280
Planned Unit Development	\$1,500
Plat (Final) Review	\$100
Pre-Application Conference	
Type II (Administrative Review)	\$300
Types III or IV (Quasi-Judicial Review)	\$700
Preconstruction Conference	\$100 (+\$60 per hr. over 2 hrs)
Minor Modification	\$100
Sidewalk Café Annual Permit Fee	\$25
Sidewalk Café Annual Right of Way Rental Fee	\$1
Site and Design Review (Type II)	
First 0.5 Acres	\$950 (Base Fee)
From 0.5 Acres up to 2.5 Acres	\$100 for each additional 0.1 acres
From 2.5 acres up to 8.0 Acres	\$100 for each additional 0.5 acres
From 8.0 Acres up to 13 Acres	\$100 for each additional 1.0 acres
13 Acres and above	\$5,000 maximum
Site and Design Engineering Plan Review	0.2% of total private on-site building construction cost, capped at \$3000; \$300 minimum
Site and Design Review (Type III)	
First 0.5 Acres	\$1,500 (Base Fee)
From 0.5 Acres up to 2.5 Acres	\$100 for each additional 0.1 acres
From 2.5 acres up to 8.0 Acres	\$100 for each additional 0.5 acres
From 8.0 Acres up to 13 Acres	\$100 for each additional 1.0 acres
13 Acres and above	\$5,000 maximum
Site and Design Engineering Plan Review	0.2% of total private on-site building construction cost, capped at \$3000; \$300 minimum

Special Permit (hardship)	\$100
Special Permit Public Hearing (additional charge)	No fee
Subdivision – 4 Lots	\$1,700 (Base Fee)
Subdivision – 5 – 10 Lots	\$95 per Lot
Subdivision – 11+ Lots	\$130 per Lot
Subdivision Engineering Public Improvement Plan Review	0.4% of public improvement cost
Temporary Vendor Permit	\$100 (\$50 non-profit)
Temporary Vendor Permit Renewal	\$50 (\$25 non-profit)
Text Amendment	\$2,880
Traffic Engineering Scope	\$500 min. \$1,000 max. deposit
Traffic Impact Study	Applicant pays actual costs
Variance - Major	\$2,120
Variance - Minor	\$520
Withdrawal of Territory – Less then 1 acre	\$1,388 - (Base Fee)
Withdrawal of Territory – 1 – 10 Acres	Plus \$79 per Acre
Withdrawal of Territory – 11 – 50 Acres	Plus \$41 per Acre
Withdrawal of Territory – 51+ Acres	Plus \$8 per Acre
Zoning Map Amendment	\$2,640
BUILDING	
Building Permit Fee	
\$0 to \$3,000 valuation	\$80
\$3,001 to \$25,000 valuation	\$80 for the first \$3,000 and \$12 for each additional \$1,000 or fraction thereof
\$25,001 to \$50,000 valuation	\$344 for the first \$25,000 and \$9 for each additional \$1,000 or fraction thereof
\$50,001 to \$100,000 valuation	\$569 for the first \$50,000 and \$6 for each additional \$1,000 or fraction thereof
\$100,001 and up	\$869 for the first \$100,000 and \$5 for each additional \$1,000 or fraction thereof
Plan Review Fee	100% of Building Permit fee
Temporary Certificate of Occupancy	\$250
Deferred submittal processing and reviewing fee	Equal to the building permit fee for the valuation of the particular deferred portion or portions of the project, with a set minimum fee of \$300
Phased or Partial Building Permit plan review fee	\$300 plus 10% of the total project building permit fee not to exceed \$2,000 for each phase in addition to above fees
Inspections outside of normal business hours	\$160/hr (minimum charge – two hours)
Re-inspection Fees	\$80
Inspections for which no fee is specifically indicated	\$160/hr (minimum charge – 1/2 hour)
Additional plan review required by changes, additions or revisions to proposed or approved plans	\$160/hr (minimum charge – 1/2 hour)

Residential Fire Suppression Systems	
Combined Plan Permit and Plan Check Fees:	
0 sq. ft to 2,000 sq. ft	\$160
2001 sq. ft. to 3600 sq. ft.	\$210
3601 sq. ft. to 7200 sq. ft.	\$269
7201 sq. ft. and greater	\$377
Mechanical Fee Schedule for New and Additions or Alterations, to One and Two Family Dwellings:	
Install/Replace Furnace: Up to 100,000btu	\$24.75 per appliance
Install/Replace Furnace: Over 100,000btu	\$31.50 per appliance
Install/Replace/Relocate Heaters: Suspended, Wall or Floor Mounted.	\$24.75 per appliance
Appliance Vent	\$12.50 per appliance
Alteration Of Existing HVAC System	\$24.75
Air Handling Units	\$18.75 per appliance
Air Conditioning under 100,000btu	\$24.75 per appliance
Air Conditioning over 100,000btu	\$46.50 per appliance
Dryer Exhaust	\$18.75 per appliance
Hood	\$18.75 per appliance
Exhaust Fan Connected To A Single Duct	\$12.50 per appliance
Gas Piping: 1 To 4 Outlets	\$8.25
Gas Piping: Each Additional Outlet	\$2.25 per outlet
Fireplace	\$18.75 per appliance
Wood Stove	\$18.75 per appliance
Other	\$18.75 per appliance
Minimum Permit Fee	\$80
Plan Review Fee (Mechanical)	100% of Mechanical Permit fee
Mechanical Fee Schedule for New and Additions or Alterations to Commercial, Multi-Family and Industrial Projects	
\$0.00 to \$5000.00 valuation	\$80
\$5001.00 to \$10,000.00 valuation	\$80 for the first \$5000 and \$3 for each additional \$100 or fraction thereof
\$10,001.00 to \$100,000 valuation	\$230.00 for the first \$10,000.00 and \$12.00 for each additional \$1,000.00 or fraction thereof
\$100,001.00 and up	\$1,310 for the first \$100,000 and \$10 for each additional \$1,000 or fraction thereof
Plan Review Fee (Mechanical)	37% of Mechanical Permit fee
Grading Permit Fee Schedule	
50 cubic yards or less	\$80
51 to 100 cubic yards	\$117
101 to 1,000 cubic yards	\$117 for the first 100 cubic yards, plus \$55 for each additional 100 cubic yards or fraction thereof
1,001 to 10,000 cubic yards	\$612 for the first 1,000 cubic yards, plus \$46 for each additional 1,000 cubic yards or fraction thereof

10,001 to 100,000 cubic yards	\$1026 for the first 10,000 cubic yards, plus \$210 for each additional 10,000 cubic yards or fraction thereof	
100,001 cubic yards and up	\$2916 for the first 100,000 cubic yards, plus \$115 for each additional 10,000 cubic yards or fraction thereof	
Plan Review Fee (Grading)	65% of Grading Permit fee	
Manufactured Dwelling Installation		
Installation and set up	\$350	
Earthquake bracing when not part of original installation	\$280	
Prescriptive Flat Fee Solar Installation	\$240	
SWIM CENTER		
	In City	Out of City
Daily Admission - Youth	\$2.50	\$3.75
Daily Admission - Senior	\$2.50	\$3.75
Daily Admission - Adult	\$3.25	\$4.50
Daily Admission - Family	\$8.25	\$12.00
Tickets - 10 Swims Youth/Senior	\$25.00	\$37.50
Tickets - 10 Swims Adult	\$32.50	\$45.00
Pass 3 month - Youth	\$50.00	\$75.00
Pass 3 month - Senior	\$50.00	\$75.00
Pass 3 month - Adult	\$65.00	\$90.00
Pass 3 month - 1 + 1	\$97.50	\$135.00
Pass 3 month - Family	\$130.00	\$180.00
Pass 12 month - Youth	\$137.50	\$206.25
Pass 12 month - Senior	\$137.50	\$206.25
Pass 12 month - Adult	\$178.75	\$247.50
Pass 12 month - 1 + 1	\$268.00	\$371.25
Pass 12 month - Family	\$357.50	\$495.00
Water Exercise - Youth	\$2.50	\$3.75
Water Exercise - Senior	\$2.50	\$3.75
Water Exercise - Adult	\$3.25	\$4.50
Lessons - Public Lessons	\$3.50	\$5.25
Lessons - Spring Penguin	\$50.00	\$70.00
Lessons - Summer Penguin	\$80.00	\$100.00
Lessons - School Programs	by contract	
Rentals - Public	\$45.00/hr	\$62.50/hr
Rentals - Canby Gators	by contract	
CEMETERY		
Grave Lots	Property	Perpetual Care Fee
Standard Grave Lot	\$450	\$700
Child Grave Lot (1/2 sp)	\$150	\$350
Baby Grave Lot (1/4 sp)	\$125	\$350
Cremains Lot	\$300	\$100
Grave Opening, Closing & Recording Fee:		
Standard		
Opening & Closing	\$650	
Disinterment	\$1,000	

	Disinterment/Reinterment	\$1,250
Child		
	Opening & Closing	\$275
	Disinterment	\$400
	Disinterment/Reinterment	\$600
Baby		
	Opening & Closing	\$200
	Disinterment	\$370
	Disinterment/Reinterment	\$470
Cremains		
	Opening & Closing	\$300
	Disinterment	\$350
	Disinterment/Reinterment	\$400
Grave Liners:		
	Wholesale to Funeral Home	\$360
	Standard	\$420
	Child	\$240
	Baby	\$240
	Cremains Vault	\$155
Monument Installation:		
	24" or less in all dimensions	\$160
	36" & Over	\$190
	48" & Over	\$225
	3' x 7' Grave Ledger	\$255
	24" Bronze Military	\$160
	Upright Monuments	\$260
Mausoleum Phase I (All prices includes perpetual care of \$60)		
Exterior Single Crypts (1 space)		
	Sixth Level F	\$1,650
	Fifth Level E	\$1,980
	Fourth Level D	\$2,365
	Third Level C	\$2,830
	Second Level B	\$2,830
	First and Westminster Level A (2 spaces)	\$3,350
Exterior Tandem Crypts (2 spaces)		
	Sixth Level F	\$2,805
	Fifth Level E	\$3,115
	Fourth Level D	\$3,465
	Third Level C	\$3,915
	Second Level B	\$3,915
	First and Westminster Level A (4 spaces)	\$4,880
Exterior Side by Side Crypts (2 Sp)		
	Sixth Level F	\$2,905
	Fifth Level E	\$3,255
	Fourth Level D	\$3,610
	Third Level C	\$4,335
	Second Level B	\$4,335
	First and Westminster Level A (4 spaces)	\$5,280
Niche Spaces (All prices includes perpetual care of \$35)		
	Level 1 through 6	\$420
	Level 7 through 10	\$350
	Level 11 through 12	\$330

Mausoleum Phase II (All prices includes perpetual care of \$100)	
Exterior Single Crypts (1 space)	
Sixth Level F	\$2,047
Fifth Level E	\$2,436
Fourth Level D	\$2,890
Third Level C	\$3,439
Second Level B	\$3,439
First and Westminster Level A (2 spaces)	\$4,053
Exterior Tandem Crypts (2 spaces)	
Sixth Level F	\$3,409
Fifth Level E	\$3,775
Fourth Level D	\$4,359
Third Level C	\$5,215
Second Level B	\$5,215
First and Westminster Level A (4 spaces)	\$5,858
Exterior Side by Side Crypts (2 Sp)	
Sixth Level F	\$3,527
Fifth Level E	\$3,940
Fourth Level D	\$4,359
Third Level C	\$5,215
Second Level B	\$5,215
First and Westminster Level A (4 spaces)	\$6,330
Opening & Closing for Crypts	
Each Entombment	\$600
Disinterment from Westminster Crypt	\$750
Disinterment/Reinterment	\$650
Opening & Closing for Niches	
Each Inurnment	\$325
Disinterment	\$425
Disinterment/Reinterment	\$500
Crypt Name Bar Installation	\$364
Niche Name Bar Installation	\$294
Emblems (Elks, Rotary, Cross, etc)	\$90
Extra Plastic Vase & Holder	\$90
Replace Plastic Vase	\$45
Weekend & Holiday Services (additional fee)	\$300
Overtime fee	\$300
Cemetery Title Transfer	\$75

MEMORANDUM



TO: *Honorable Mayor Hodson and City Council*
FROM: *Jerry Nelzen, Public Works Lead*
DATE: *May 8, 2013*
THROUGH: *Greg Ellis, City Administrator*

Issue: Purchase of a Case CX50B Mini Excavator

Synopsis: The Public Works Department would like to purchase a Case CX50B mini excavator to facilitate our needs for making repairs to sewer and storm mains, laterals and catch basins. The mini excavator has the ability to grade sidewalks, alleyways or roads to slope and grade. This would put less wear and tear on our Vector truck. It would also permit more departments within Public Works to accomplish tasks like tree and stump removal and reduce work currently being done by hand. City staff obtained three quotes and Sonsray Machinery has the best purchase price.

The City has several pieces of equipment that are no longer needed or used which can be traded in and applied toward the purchase price of the mini excavator. In order for the equipment to be traded in it must first be declared as surplus property by the City Council.

Money has been budgeted in the street fund for capital equipment purchases. The purchase price for the excavator is \$53,313.00, less the trade in amount of surplus equipment of \$21,850.00, for a total of \$31,463.00.

Recommendation: Staff recommends Council adopt Resolution 1158 approve Ordinance 1376.

Recommended motion: ***"I move to adopt Resolution 1158, A RESOLUTION DECLARING CITY ITEMS AS SURPLUS PROPERTY AND INDICATING INTENT AND METHOD FOR DISPOSAL OF SUCH PROPERTY"***

I move to approve Ordinance 1376, AN ORDINANCE AUTHORIZING THE PURCHASE OF A CASE CX50B MINI EXCAVATOR FROM SONSRAY MACHINERY, LLC to come up for second reading on June 5, 2013.

Attached: Resolution 1158 and Ordinance 1376.

THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR

Halley J. 5/1/13

RESOLUTION 1158

A RESOLUTION DECLARING CITY ITEMS AS SURPLUS PROPERTY AND INDICATING INTENT AND METHOD FOR DISPOSAL OF SUCH PROPERTY

The Council of the City of Canby, Clackamas County, does hereby resolve that:

WHEREAS, the City of Canby has the below listed items which are no longer needed or used; and

WHEREAS, the City of Canby wishes to declare these items as surplus property; and

WHEREAS, the Public Works Department requests using the revenue from the sale of the listed surplus property to be credited toward the purchase of a Case CX50B Mini Excavator through Sonsray Machinery.

NOW, THEREFORE, BE IT RESOLVED that the City of Canby hereby declares the below items as surplus property and authorizes the City Administrator to arrange for the sale of said items to Sonsray Machinery as part of the purchase of a Case CX50B Mini Excavator.

SURPLUS ITEMS:

1. 1992 Gilcrest 813RT (\$17,500)
2. Case model 1194 Tractor with loader (\$2,450)
3. Box Scraper (\$250)
4. Rears Pak 50 Sprayer (\$450)
5. Unknown 3pt mower (\$250)
6. Sweepster RHFA 3pt sweeper(\$950)

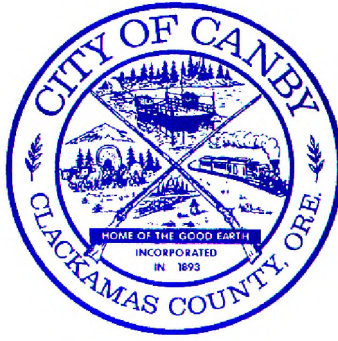
This resolution shall take effect on May 15, 2013.

ADOPTED this 15th day of May 2013 by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder



To: Canby Council & Mayor
From: Greg Ellis
Date: 5/8/2013
Re: Ordinance No. 1374 - Establishing a Transient Room Tax

Issue:

The funding for the Canby Main Street Program currently comes from Urban Renewal and the Canby General Fund, with the majority of that funding coming from the Urban Renewal District. With the Urban Renewal District scheduled to terminate in 2019 the funding for this successful economic development program will need to come from other sources.

Background:

The City of Canby currently has only one motel. However, the Transient Room Tax applies to Bed & Breakfast (B&B) establishments as well as Recreational Vehicle (RV) Parks. During the research required to develop this ordinance City Attorney Joseph Lindsay found that there were many cities in the State that had not only a City Transient Room Tax but there was also a County Transient Room Tax. There were also several that had a 9% tax, as recommended for Canby in Ordinance No. 1374, and there were some that were higher.

Recommendation:

Staff recommends the adoption of Ordinance No. 1374, which is an ordinance adding Chapter 3.50 to the Canby Municipal Code.

Suggested Motion For First Reading:

“I move to approve Ordinance 1374; AN ORDINANCE ADDING CHAPTER 3.50 TO THE CANBY MUNICIPAL CODE ESTABLISHING A TRANSIENT ROOM TAX to come up for second reading on June 5, 2013.”

ORDINANCE NO. 1374

**AN ORDINANCE ADDING CHAPTER 3.50 TO THE CANBY MUNICIPAL CODE
THEREBY ESTABLISHING A TRANSIENT ROOM TAX.**

WHEREAS, the City of Canby desires to implement a transient room tax to generate some funds for tourism and tourism related facilities within the City; and

WHEREAS, the City of Canby desires to dedicate 70% of the net proceeds of this transient room tax to fund tourism promotion or tourism related facilities in accordance with Oregon Revised Statute Chapter 320;

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1. The Canby Municipal Code is hereby amended to include Chapter 3.50 Transient Room Tax as copy of which is attached hereto as Exhibit "A".

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, May 15, 2013; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 5, 2013, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd 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 5th day of June 2013, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

EXHIBIT “A”
CANBY MUNICIPAL CODE CHAPTER 3.50 TRANSIENT ROOM TAX

3.50 TRANSIENT ROOM TAX

§ 3.50.010 Definitions

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

A. **ACCRUAL ACCOUNTING** means the operator enters the rent due from a transient on his records when the rent is earned, whether or not it is paid.

B. **COUNCIL** means the City of Canby City Council.

C. **CASH ACCOUNTING** means the operator does not enter the rent due from a transient on his records until rent is paid.

D. **CITY** means City of Canby.

E. **HOTEL** means any structure, or any portion of any structure, which is occupied or intended or designed for transient occupancy, for thirty (30) days or less, for dwelling, lodging, or sleeping purposes. This includes, but is not limited to, any hotel, motel, inn, bed and breakfast, space in mobile home or trailer parks, tourist home, condominium, hostel, studio hotel, lodging house, rooming house, apartment house, public or private dormitory, fraternity, sorority, public or private club, or similar structure or portions thereof so occupied.

F. **OCCUPANCY** means the use or possession, or the right to the use or possession, for lodging or sleeping purposes, of any room or rooms in a hotel, or space in a mobile home, or trailer park, or portion thereof.

G. **OPERATOR** means the person who is proprietor of the hotel in any capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his principal. Compliance with the provisions of this chapter, by either the principal or the managing agent, shall be considered to be compliance by both.

H. **PERSON** means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

I. **RENT** means the consideration charged, whether or not received by the operator, for the occupancy of space in a hotel, valued in money, goods, labor, credits, property, or any other consideration valued in money, without any deduction; but does not include the sale of any goods, services, and commodities, other than the furnishing of room accommodations and

parking space in mobile home parks or trailer parks. A guaranteed no-show charge based on the rate charged for the room is considered rent, but a cancellation fee is not rent.

J. RENT PACKAGE PLAN means the consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of transient room tax under this chapter shall be the same charge made for rent when consideration is not a part of a package plan.

K. TAX ADMINISTRATOR means the City Recorder or other official designated by the City Administrator to carry out provisions of this chapter.

L. TAX means either the tax payable by the transient or the aggregate amount of taxes due from an operator during the period for which he is required to report his collections.

M. TRANSIENT means any person who exercises occupancy, or is entitled to occupancy, in a hotel for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the thirty (30) day period if the transient is not charged rent for that day by the operator. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy, or the tenancy actually extends more than thirty (30) consecutive days. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this chapter, may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient.

3.50.020 Tax Imposed

A. For the privilege of occupancy in any hotel, on and after the effective date of this chapter, each transient shall pay a tax in the amount of nine percent (9%) of the rent charged by the operator. The tax constitutes a debt owed by the transient to the City, which is extinguished only by payment to the operator. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. The operator shall enter the tax on his records when rent is collected if the operator keeps his records on the cash accounting basis, and when earned if the operator keeps his records on the accrual accounting basis. If rent is paid in installments, the transient shall pay a proportionate share of the tax to the operator with each installment.

B. Pursuant to ORS 320.350, seventy percent (70%) of the net proceeds from this transient room tax shall be used for the purposes described in ORS 320.350 (5)(a) or (c) (tourism promotion or tourism related facilities, including the financing or refinancing of tourism related facilities). Pursuant to ORS 320.350, thirty percent (30%) of the net proceeds from this transient room tax may be used to fund City services.

3.50.030 Where Tax is Imposed

The tax imposed by this chapter shall apply to all hotels located within the City of Canby.

3.50.040 Collections of Tax by Operator, Rules for Collection

A. Every operator renting rooms in this City, the occupancy of which is not exempted under the terms of this chapter, shall collect a tax from the occupant. The tax collected or accrued by the operator constitutes a debt owed by the operator to the City.

B. In all cases of credit or deferred payment of rent, the payment of tax to the operator may be deferred until the rent is paid, and the operator shall not be liable for the tax until credits are paid or deferred payments are made.

3.50.050 Operator's Duties

Each operator shall collect the tax imposed by this chapter at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the operator's records and any receipt rendered by the operator. Bills and invoices provided to transients shall list the City of Canby Transient Room Tax separately and must accurately state the amount of the tax. No operator of a hotel shall advertise that the tax, or any part of the tax, will be assumed or absorbed by the operator, or that it will not be added to the rent, or that when added, any part will be refunded, except in the manner provided by this chapter.

3.50.060 Exemptions

No tax imposed under this chapter shall be imposed upon:

A. Any person for more than thirty (30) successive calendar days; (a person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient);

B. Any person whose rent is of a value less than \$5 per day;

C. Any person who rents a private home, vacation cabin, or like facility from any owner who personally rents such facilities incidentally to his own use thereof;

D. Any occupant whose rent is paid for hospital room or to a medical clinic, convalescent home or home for aged people; or

E. Employees, officials or agents of the U. S. Government occupying a hotel in the course of official business.

3.50.070 Registration of Operator, Form and Contents, Execution, Certification of Authority

Every person engaging or about to engage in, business as an operator of a hotel in this City shall register with the Tax Administrator on a form provided by him or her. Operators engaged in business at the time this chapter is adopted, must not register later than thirty (30) calendar days after passage of this chapter. Operators starting business after this chapter is adopted must register within fifteen (15) calendar days after commencing business. The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment, or collection of tax, regardless of registration. Registration shall set forth the name under which an operator transacts or intends to transact business, the location of his

place or places of business and such other information to facilitate the collection of the tax as the Tax Administrator may require. The operator shall sign the registration.

The Tax Administrator shall, within ten (10) days after registration, issue without charge from the occupant, a Certificate of Authority to the registrant to collect the tax, from the occupant of the hotel, together with a duplicate thereof, for each additional place of business for each registrant. Certificates shall be non-assignable and nontransferable and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named or upon its sale or transfer.

Each certificate and duplicate shall state the place of business to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all occupants and persons seeking occupancy.

Said certificate shall, among other things, state the following:

A. The name of the operator;

B. The address of the hotel;

C. The date upon which the certificate was issued; and,

D. "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Transient Room Tax Chapter of the Canby Municipal Code by registration with the Tax Administrator for the purpose of collecting from transients the room tax imposed by the City of Canby and remitting the tax to the Tax Administrator."

3.50.80 Due Date, Returns, and Payments

A. The transient shall pay the tax imposed by this chapter to the operator at the time that rent is paid. All amounts of such taxes collected by any operator are due and payable to the Tax Administrator on a quarterly basis of the calendar year for periods ending on April 30, June 30, September 30, and January 31. Tax collections are due by the fifteenth (15th) day of the month following the preceding quarter and are delinquent on the last day of the month in which they are due.

B. On or before the fifteenth (15th) day of the month following each quarter of collection a return for the preceding month's tax collections shall be filed with the Tax Administrator. The return shall be filed in such form as the Tax Administrator may prescribe by every operator liable for payment of tax.

C. Returns shall show the amount of tax collected or otherwise due for the related period. The Tax Administrator may require returns to show the total rentals upon which tax was collected or otherwise due, gross receipts of the operator for such period, and an explanation in detail of any discrepancy between such amounts, and the amount of rents exempt, if any.

D. The person that required filing the return should deliver the return together with the remittance of the amount of the tax due to the Tax Administrator at his office either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.

E. For good cause, the Tax Administrator may extend for up to one (1) month the time for making any return or payment of tax. No further extension shall be granted, except by the Council. Any operator to whom an extension is granted shall pay interest at the rate of one percent (1%) per month, on the amount of tax due without proration for a fraction of a month. If a return is not filed and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this chapter.

F. If the operator has complied with the terms of this chapter and particularly the provisions of this section relating to prompt payment of taxes due and payable to the Tax Administrator, the operator shall be permitted to deduct as collection expense five percent (5%) of the amount of the total taxes collected for that quarter, as shown by the return mentioned in paragraph C of this section.

3.50.090 Penalties and Interest.

A. Original Delinquency: Any operator who has not been granted an extension of time for remittance of tax due, and who fails to remit any tax imposed by this chapter prior to delinquency, shall pay a penalty of ten percent (10 %) of the amount of tax due in addition of the amount of the tax.

B. Continued Delinquency: Any operator who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent, shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due, plus the amount of the tax due, and the ten percent (10%) penalty first imposed.

C. Fraud: If the Tax Administrator determines that the nonpayment of any remittance due under this chapter is due to fraud, or intent to evade the provisions thereof, a penalty of twenty-five percent (25%) of the amount of the tax due shall be added thereto, in addition to the penalties stated in paragraphs (A) and (B) of this section.

D. Interest: In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent (.5%) per month or fraction thereof without proration for portions of a month on the amount of the tax due, exclusive of penalties, for the date on which the remittance first became delinquent until paid.

E. Penalties merged with tax: Every penalty imposed and such interest as accrues under the provisions of this chapter, shall be merged with and become a part of the tax herein required to be paid.

F. Petition for waiver: Any operator who fails to remit the tax levied within the time stated, shall pay the penalties stated. However, the operator may petition the Council for waiver and refund of

the penalty or any portion thereof, and the Board may if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

G. Any penalties or interest applied under this section do not bar the application of further penalties under 3.50.180.

3.50.100 Deficiency Determinations, Fraud, Evasion, Operator Delay

A. Deficiency determination: If the Tax Administrator determines that the returns are incorrect, he or she may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns, or upon the basis of any information within his or her possession. One or more deficiency determinations may be made of the amount due for one or more than one period, and the amount so determined shall be due and payable immediately upon service of notice as herein provided, after which the amount determined is delinquent. Penalties on deficiencies shall be applied as set forth in 3.50.090.

1. In making a Determination, the Tax Administrator may offset overpayments, if any, which may have been previously made for a period or periods against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayments. The interest on underpayments shall be computed in the manner set forth in 3.50.090.

2. The Tax Administrator shall give to the operator or occupant a written notice of his determination. The notice may be served personally or by certified mail. In the case of service by mail of any notice required by this chapter, the service is complete upon receipt by the operator or his agent or employee, or if refused, the date of its refusal as shown by the United States Postal Department return receipt.

3. Except in the case of fraud or intent to evade this chapter or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three (3) years after the last day of the month following the close of the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.

4. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten (10) days after the Tax Administrator has given notice thereof. However, the operator may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

B. Fraud, Refusal to Collect, Evasion. If any operator shall fail or refuse to collect said tax or to make within the time provided in this chapter any report and remittance of said tax or any portion thereof required by this chapter, or makes a fraudulent return or otherwise willfully attempts to evade this chapter, the Tax Administrator shall proceed in such manner as he/she may deem best to obtain facts and information on which to base an estimate of the tax due. As soon as the Tax Administrator has determined the tax due that is imposed by this chapter from any operator who has failed or refused to collect the same and to report and remit said tax, he/she shall proceed to determine and assess against such operator the tax, interest, and penalties provided for by this chapter. In case such determination is made, the Tax Administrator shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice

shall be made and mailed within three (3) years after discovery by the Tax Administrator of any fraud, intent to evade, or failure, or refusal to collect said tax or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten (10) days after the Tax Administrator has given notice thereof. However, the operator may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

C. Operator Delay. If the Tax Administrator believes that the collection of any tax or any amount of tax required to be collected and paid to the County, will be jeopardized by delay or if any determination will be jeopardized by delay, s/he shall thereupon make a determination of the tax or amount of tax required to be collected noting the fact upon the determination. The amount so determined as herein provided shall be immediately due and payable, and the operator shall immediately pay same determination to the Tax Administrator after service of notice thereof provided. However, the operator may petition after payment has been made for redemption and refund of such determination, if the petition is filed within ten (10) days from the date of service of notice by the Tax Administrator.

3.50.110 Re-determinations

A. Any operator against whom a determination is made under Section 8.02.100 or any person directly interested may petition for a re-determination and redemption and refund within the time required in 3.50.100, hereof. If a petition for re-determination and refund is not filed within the time required in 3.50.100, the determination becomes final at the expiration of the allowable time.

B. If a petition for re-determination and refund is filed within the allowable period, the Tax Administrator shall reconsider the determination, and if the person has so requested in his petition, shall grant the person an oral hearing, and shall give him ten (10) days notice of the time and place of the hearing. The Tax Administrator may continue the hearing from time to time as may be necessary.

C. The Tax Administrator may decrease or increase the amount of the determination as a result of the hearing, and if an increase is determined, such increase shall be payable immediately after the hearing.

D. The order or decision of the Tax Administrator upon a petition for re-determination of redemption and refund becomes final ten (10) days after service upon the petitioner of notice thereof, unless appeal of such order or a decision is filed with the Council within ten (10) days after service of such notice.

E. No petition for re-determination of redemption and refund or appeal there from shall be effective for any purpose unless the operator has first complied with the payment provisions hereof.

3.50.120 Security, Collection of Tax

A. The Tax Administrator, after delinquency and when he or she deems it necessary to insure compliance with this chapter, may require any operator subject thereto to deposit with him/her such security in the form of cash, bond, or other security as the Tax Administrator may

determine. The amount of the security shall be fixed by the Tax Administrator but shall not be greater than twice the operator's estimated average monthly liability for the period for which he files returns, determined in such manner as the Tax Administrator deems proper, or Five Thousand Dollars (\$5,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the Tax Administrator subject to the limitations herein provided.

B. At any time within three (3) years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three (3) years after any determination becomes final, the Tax Administrator may bring an action in the courts of this State, or any State, or of the United States in the name of the City to collect the amount delinquent together with penalties and interest.

3.50.130 Lien

A. The tax imposed by this chapter together with the interest and penalties herein provided and the filing fees paid to the Clerk of Clackamas County, Oregon, and advertising costs which may be incurred when same becomes delinquent as set forth in this chapter shall be and until paid remain a lien from the date of its recording with the Clerk of Clackamas County, Oregon, and superior to all subsequent recorded liens on all tangible personal property used in the hotel of an operator, which may be foreclosed on and sold as may be necessary to discharge said lien if the lien has been recorded. Notice of lien may be issued by the Tax Administrator or his or her deputy whenever the operator is in default in the payment of said tax, interest, and penalty and shall be recorded and a copy sent by certified mail to the delinquent operator. The personal property subject to such lien may be seized by any authorized deputy or employee of the City and may be sold at public auction after twenty- (20) days notice of sale given by two publications in a newspaper of general circulation in the City. The notices required hereunder shall be published not less than seven (7) days apart. Such seizure and sale shall be in addition to any other process to secure payment of the delinquent tax allowed by law.

B. Any lien for taxes shall upon the payment of all taxes, penalties, and interest thereon be released by the Tax Administrator, and the operator or person making such payment shall receive a receipt therefore stating that the full amount of taxes, penalties, and interest thereon have been paid and that the lien is thereby released.

3.50.140 Refunds

A. Operators' refunds. Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter, it may be refunded provided a verified claim in writing therefore stating the specific reason upon which the claim is founded is filed with the Tax Administrator within three (3) years from the date of payment. The claim shall be made on forms provided by the Tax Administrator. If the claim is approved by the Tax Administrator, the excess amount collected or paid may be refunded or may be credited on any amounts then due and payable from the operator from whom it was collected or by whom paid, and the balance may be refunded to each such operator, his administrators, executors or assignees.

B. Transient Refunds. Whenever the tax required by this chapter has been collected by the operator and deposited by the operator with the Tax Administrator and it is later determined that

the tax was erroneously or illegally collected or received by the Tax Administrator, it may be refunded by the Tax Administrator to the transient provided a verified claim in writing therefore, the specific reason on which the claim is founded, is filed with the Tax Administrator within three (3) years from the date of payment.

3.50.150 Administration

A. Transient Room Tax Fund. The Tax Administrator shall place all monies received pursuant to this order in the Transient Room Tax Fund.

B. Records Required from Operators. Every operator shall keep guest records of room sales and accounting books and records of room sales. The operator shall retain all records for a period of three (3) years and six (6) months after they come into being.

C. Examination of Records, Investigations. For the purpose of enforcing 3.50.100 of this chapter, if the Tax Administrator has reason to believe that the returns are incorrect or that fraud, refusal to remit, evasion or operator delay has occurred as set forth in 3.50.100 of this chapter, then the Tax Administrator or any person authorized in writing by him or her may examine during normal business hours the books, papers, and accounting records relating to room sales of any operator after notification to the operator liable for the tax and may investigate the business of the operator in order to verify the accuracy of any return made, or if no return is made by the operator, to ascertain and determine the amount required to be paid.

D. Confidential Character of Information Obtained, Disclosure Unlawful. It shall be unlawful for the Tax Administrator or any person having an administrative or clerical duty under the provisions of this chapter to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person required to obtain a Transient Occupancy Registration Certificate or pay a transient occupancy tax, or any other person visited or examined in the discharge of official duty, or the amount of source of income, profits, losses, expenditures, or any particular thereof set forth in any statement or application, or to permit any statement or application, or copy of either, or any book containing any abstract or particulars thereof to be seen or examined by any person. Nothing in this subsection shall be construed to prevent:

1. The disclosure to or the examination of records and equipment by another city official, employee, or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this chapter or collecting taxes imposed hereunder;

2. The disclosure after the filing of a written request to that effect to the taxpayer himself receivers, trustees, executors, administrators' assignees, and guarantors if directly interested of information as to any paid tax, and unpaid tax or amount of tax required to be collected, or interest, and penalties; further provided, however, that the Canby City Attorney approves each such disclosure, and that the Tax Administrator may refuse to make any disclosure referred to in this paragraph when in his/her opinion the public interest would suffer thereby;

3. The disclosure of the names and addresses of any persons to whom Transient Occupancy Registration Certificates have been issued; or

4. The disclosure of general statistics regarding taxes collected or business done in the City.

3.50.170 Appeals to the Council

Any person aggrieved by any provisions of the Tax Administrator may appeal to the Council by filing a notice of appeal with the Tax Administrator within ten (10) days of the Tax Collector's decision. The Tax Administrator shall transmit said notice of appeal, together with the file of said appealed matter to the Council who shall fix a time and place for hearing such appeal. The Council shall give the appellant not less than ten (10) days written notice of the time and place of hearing of said appealed matter.

3.50.180 Violations

It is unlawful for any operator or other person so required, to fail or refuse to register as required herein, or to furnish any return required to be made, or fail or refuse to furnish a supplemental return or other data required by the Tax Administrator, or to render a false or fraudulent return. No person required to make, render, sign, or verify any report shall make any false or fraudulent report with intent to defeat or evade the determination of any amount due, required by this chapter. Any person willfully violating any of the provisions of this chapter shall be subject to a fine not to exceed \$2,000 per violation.

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

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

April 25, 2013

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

**RE: CITY OF CANBY
2013 STREET MAINTENANCE PROGRAM
RECOMMENDATION OF AWARD**

Mr. Mayor & City Council Members:

On April 18, 2013, the City of Canby solicited and received seven bids for the 2013 Street Maintenance Program project. The summary of the pricing is shown on the attached tabulation, with the low bid received from S-2 Contractors, Inc.

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

S-2 Contractors, Inc.	\$671,821.10
Roy L. Houck Construction, LLC	\$690,330.80
Eagle-Elsner, Inc.	\$696,357.00
Eastside Paving, Inc.	\$743,740.25
North Santiam Paving Company	\$762,093.40
Knife River Corporation Northwest	\$775,703.07
Brix Paving Company	\$827,095.20

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. We are noting one deviation, the fourth low bid had a mathematical error entry but did not impact the ranking. All bidders were deemed responsive substantially complying with the solicitation documents.

We have not directly worked with the low bidder, **S-2 Contractors, Inc.** however, they have a good record with the Construction Contractors Board and we are not aware of any concerns, prequalified with the Oregon Department of Transportation and a familiar name with many successful projects of similar scope over the years in Oregon and Cities throughout the metropolitan area. We have also checked their references and received a good feedback.

In summary all of the bids were deemed responsive.

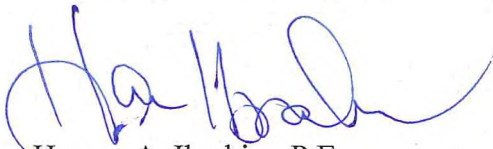
SUMMARY & RECOMMENDATION

After review of all bids received, we recommend and without hesitation the City of Canby award the 2013 Street Maintenance Program Construction Contract to the lowest responsive, responsible bidder **S-2 Contractors, Inc.**, in the amount of Six Hundred Seventy One Thousand, Eight Hundred Twenty One and 10/100 Dollars (\$671,821.10).

We have enclosed a staff report, Ordinance 1375, a bid tabulation and a proposed contract for the City to proceed with award of the contract. In anticipation of award, we issued the Notice of Intent to Award to all bidders on April 19, 2013.

Very truly yours,

CURRAN-McLEOD, INC.

A handwritten signature in blue ink, appearing to read 'Hassan A. Ibrahim', with a stylized flourish at the end.

Hassan A. Ibrahim, P.E.

Enclosures: Staff Report 1375
Draft Ordinance 1375
Bid Tabulation
Contract for Construction

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 SW HAMPTON, SUITE 210
PORTLAND, OR 97223

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

FROM: Hassan Ibrahim, P.E.
CURRAN-McLEOD, INC.

THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR

Hailey J 4/29/13

DATE: April 25, 2013

ISSUE: **2013 STREET MAINTENANCE PROGRAM
APPROVAL OF CONSTRUCTION CONTRACT ORDINANCE 1359**

SYNOPSIS: On April 18th, 2013, the City of Canby solicited and received seven bids for the 2013 Street Maintenance Program. This staff report is to request Council approval for award of the contract to the low responsive bidder.

RECOMMENDATION:

That the Council approve Ordinance 1375 authorizing the Mayor and City Administrator to execute a contract with S-2 Contractors, Inc. in the amount of \$671,821.10 for the 2013 Street Maintenance Program; and declaring an emergency.

RATIONALE:

Competitive sealed 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 were deemed to be responsible and responsive, with S-2 Contractors, Inc. submitting the low responsible and responsive bid.

The low responsive bid is at the available budget for the 2013-2014 fiscal year in anticipation of this project. In past years, the final invoice amount has been under the executed contract. As we have always done in the past, we will keep a close watch on the available budget and if unforeseen conditions arise during the construction phase that creates additional expenditures beyond the available budget amount, we will consult with City staff and we can easily defer some of the work until the next fiscal year without any negative impact.

BACKGROUND:

This project is part of the Street Maintenance Program funded through the street maintenance fee. It is a continuation of the annual street maintenance program based on the Pavement Condition Index survey. The funding source is limited to maintenance of the existing street network.

FISCAL IMPACT:

Attached are Ordinance 1375 and the proposed contract for execution. Our recommendation is to accept the low responsive bid from S-2 Contractors, Inc. and execute a contract for construction in the bid amount of \$671,821.10. The low responsive bid of \$671,821.10 which is at the available budget amount for 2013 - 2014 fiscal year.

This work is funded with \$650,000 of street maintenance fee and local gas tax revenues and the remainder \$20,000 from storm system maintenance.

ENCLOSURES:

- Ordinance Number 1375
- Exhibit 'A' Construction Contract
- Exhibit 'B' Bid Tabulation
- Recommendation of Award

cc: Mr. Greg Ellis, City Administrator
Ms. Kim Scheafer

ORDINANCE NO. 1375

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH S-2 CONTRACTORS, INC. IN THE AMOUNT OF \$671,821.10 FOR CONSTRUCTION OF THE 2013 STREET MAINTENANCE PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby has heretofore advertised and received seven (7) bids for the 2013 Street Maintenance Program; and

WHEREAS, the notice of call for bids was duly and regularly published in the Oregon Daily Journal of Commerce on April 1, 2013; and

WHEREAS, bids were received and opened on April 18, 2013 at 2:00 pm in the City Hall Conference Room of the City of Canby and the bids were read aloud:

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

S-2 Contractors, Inc.	\$671,821.10
Roy L. Houck Construction, LLC	\$690,330.80
Eagle-Elsner, Inc.	\$696,357.00
Eastside Paving, Inc.	\$743,740.25
North Santiam Paving Company	\$762,093.40
Knife River Corporation Northwest	\$775,703.07
Brix Paving Company	\$827,095.20

WHEREAS, the Canby City Council, acting as the City's Contract Review Board, met on Wednesday, May 15, 2013, 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 S-2 Contractors, 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 S-2 Contractors, Inc. for the 2013 Street Maintenance Program in the amount of \$671,821.10. A copy of the contract with, S-2 Contractors, 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, May 15, 2013; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 5, 2013, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd 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 5th day of June 2013, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

CONTRACT FOR CONSTRUCTION

THIS AGREEMENT is dated as of the ____ day of _____ in the year 2013 by and between

City of Canby

(hereinafter called OWNER) and

S-2 Contractors, 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 2013 Street Maintenance Program

The scope of work consists of the following:

- \$ Approximately 7,200 tons of asphaltic concrete pavement at 1.5", 2" and 4" thickness.
- \$ Approximately 3,215 square feet of pervious pavement (5' and 8' wide section).
- \$ Approximately 8,700 square feet of minor pavement restoration and pavement reconstruction at multiple streets.
- \$ Approximately 5,800 square yard of Petromat geotextile fabric.
- \$ Retrofit nineteen (19) ADA ramps to include approximately 425 lineal feet of concrete curbs and sidewalks and six (6) catch basin replacements.
- \$ Restore approximately 5,000 lineal feet of 4" and 8" wide stripes and approximately 1,900 square feet of stop bars, continental crosswalks including miscellaneous legends.

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 Six Hundred Seventy One Thousand Eight Hundred Twenty One and 10/100 Dollars (\$671,821.10) 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
2013 Street Maintenance Program
- 8.9 Addenda numbers -none-.
- 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 _____, 2013.

OWNER:		CONTRACTOR:
City of Canby		S-2 Contractors, Inc.
P.O. Box 930		6860 S. Anderson Road
Canby, OR 97013		Aurora, OR 97002
By: _____		By: _____
Name/Title: _____		Name/Title: _____
Name/Title: _____		Attest: _____
		Address for giving notices:
		6860 S. Anderson Road
		Aurora, OR 97002

City of Canby

Project: 2013 Street Maintenance and Resurfacing Project

Bid Date: 4/18/13

1

2

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4

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BID TABULATION			S-2 Contractors	Roy Houck Construction	Eagle-Elsner, Inc.	Eastside Paving	North Santiam Paving	Knife River Co.	Brix Paving
Basic Bid			Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
1	Mobilization	1 LS	\$ 26,800.00	\$ 62,000.00	\$ 32,355.70	\$ 40,375.00	\$ 70,800.00	\$ 68,000.00	\$ 33,144.73
			\$ 26,800.00	\$ 62,000.00	\$ 32,355.70	\$ 40,375.00	\$ 70,800.00	\$ 68,000.00	\$ 33,144.73
2	1/2" Dense Mix Asphalt Concrete Prelevel	100 Tons	\$ 67.00	\$ 71.70	\$ 67.50	\$ 90.00	\$ 125.00	\$ 85.40	\$ 89.89
			\$ 6,700.00	\$ 7,170.00	\$ 6,750.00	\$ 9,000.00	\$ 12,500.00	\$ 8,540.00	\$ 8,989.00
3	1.5" Lift, 1/2" Dense Mix Asphalt Concrete Pavement Overlay	3200 Tons	\$ 67.00	\$ 67.00	\$ 67.50	\$ 74.50	\$ 72.00	\$ 71.30	\$ 84.36
			\$ 214,400.00	\$ 214,400.00	\$ 216,000.00	\$ 238,400.00	\$ 230,400.00	\$ 228,160.00	\$ 269,952.00
4	2" Lift, 1/2" Dense Mix Asphalt Concrete Pavement Overlay	3500 Tons	\$ 67.00	\$ 67.00	\$ 67.50	\$ 74.50	\$ 71.00	\$ 66.50	\$ 83.51
			\$ 234,500.00	\$ 234,500.00	\$ 236,250.00	\$ 260,750.00	\$ 248,500.00	\$ 232,750.00	\$ 292,285.00
5	4" Lift, 1/2" Dense Mix Asphalt Concrete Pavement Overlay	475 Tons	\$ 69.00	\$ 71.70	\$ 98.00	\$ 74.50	\$ 72.00	\$ 111.25	\$ 97.63
			\$ 32,775.00	\$ 34,057.50	\$ 46,550.00	\$ 35,387.50	\$ 34,200.00	\$ 52,843.75	\$ 46,374.25
6	4" Lift, 1/2" Open Graded Asphalt Concrete Pavement	1 LS	\$ 2,500.00	\$ 1,600.00	\$ 2,800.00	\$ 2,500.00	\$ 2,800.00	\$ 6,890.00	\$ 2,658.93
			\$ 2,500.00	\$ 1,600.00	\$ 2,800.00	\$ 2,500.00	\$ 2,800.00	\$ 6,890.00	\$ 2,658.93
7	Grind Existing Pavement (6' Wide Panel, 2" Max. Depth)	660 LF	\$ 12.00	\$ 7.50	\$ 7.50	\$ 15.00	\$ 20.00	\$ 14.10	\$ 18.23
			\$ 7,920.00	\$ 4,950.00	\$ 4,950.00	\$ 9,900.00	\$ 13,200.00	\$ 9,306.00	\$ 12,031.80
8	Petromat Geo-Technical Fabric (12.5' Wide)	5787 SY	\$ 2.80	\$ 1.40	\$ 2.90	\$ 3.25	\$ 1.70	\$ 2.11	\$ 2.91
			\$ 16,203.60	\$ 8,101.80	\$ 16,782.30	\$ 18,807.75	\$ 9,837.90	\$ 12,210.57	\$ 16,840.17
9	Pervious Pavement Panel (5' or 8' Wide)	3215 SF	\$ 6.00	\$ 6.15	\$ 9.90	\$ 8.00	\$ 8.20	\$ 10.55	\$ 11.30
			\$ 19,290.00	\$ 19,772.25	\$ 31,828.50	\$ 25,720.00	\$ 26,363.00	\$ 33,918.25	\$ 36,329.50
10	Minor Pavement Restoration	1145 SF	\$ 5.00	\$ 3.25	\$ 1.60	\$ 3.50	\$ 9.20	\$ 4.70	\$ 3.42
			\$ 5,725.00	\$ 3,721.25	\$ 1,832.00	\$ 4,007.50	\$ 10,534.00	\$ 5,381.50	\$ 3,915.90
11	Pavement Reconstruction	7570 SF	\$ 5.25	\$ 4.15	\$ 5.35	\$ 4.25	\$ 4.80	\$ 4.25	\$ 2.53
			\$ 39,742.50	\$ 31,415.50	\$ 40,499.50	\$ 32,172.50	\$ 36,336.00	\$ 32,172.50	\$ 19,152.10
12	Truncated Dome Detectable Warning Cast-In-Place	19 Ea	\$ 450.00	\$ 265.00	\$ 290.00	\$ 420.00	\$ 400.00	\$ 465.00	\$ 455.74
			\$ 8,550.00	\$ 5,035.00	\$ 5,510.00	\$ 7,980.00	\$ 7,600.00	\$ 8,835.00	\$ 8,659.06
13	Concrete Curb Type "C"	425 LF	\$ 25.00	\$ 23.50	\$ 25.00	\$ 33.00	\$ 32.00	\$ 32.00	\$ 45.01
			\$ 10,625.00	\$ 9,987.50	\$ 10,625.00	\$ 14,025.00	\$ 13,600.00	\$ 13,600.00	\$ 19,129.25
14	4" Concrete Sidewalk	250 SY	\$ 50.00	\$ 105.00	\$ 62.00	\$ 60.00	\$ 75.00	\$ 108.50	\$ 70.64
			\$ 12,500.00	\$ 26,250.00	\$ 15,500.00	\$ 15,000.00	\$ 18,750.00	\$ 27,125.00	\$ 17,660.00
15	Type G-2 Catch Basin	6 Ea	\$ 1,800.00	\$ 1,650.00	\$ 1,700.00	\$ 1,950.00	\$ 1,700.00	\$ 3,115.00	\$ 3,247.18
			\$ 10,800.00	\$ 9,900.00	\$ 10,200.00	\$ 11,700.00	\$ 10,200.00	\$ 18,690.00	\$ 19,483.08
16	4" Wide Yellow or White Thermoplastic Stripe	4950 LF	\$ 1.20	\$ 1.10	\$ 1.10	\$ 1.10	\$ 1.05	\$ 1.07	\$ 1.20
			\$ 5,940.00	\$ 5,445.00	\$ 5,445.00	\$ 5,445.00	\$ 5,197.50	\$ 5,296.50	\$ 5,940.00
17	12" Wide White Thermoplastic Stop & Crosswalk Bars, 24" Wide x 9' Long Continental Crosswalk	1880 SF	\$ 4.00	\$ 4.00	\$ 4.05	\$ 4.00	\$ 3.75	\$ 3.80	\$ 4.27
			\$ 7,520.00	\$ 7,520.00	\$ 7,614.00	\$ 7,520.00	\$ 7,050.00	\$ 7,144.00	\$ 8,027.60
18	Bike Stencil Legend	1 Ea	\$ 280.00	\$ 265.00	\$ 270.00	\$ 350.00	\$ 250.00	\$ 255.00	\$ 284.83
			\$ 280.00	\$ 265.00	\$ 270.00	\$ 350.00	\$ 250.00	\$ 255.00	\$ 284.83
19	Rail Road Crossing Legend	1 Ea	\$ 800.00	\$ 800.00	\$ 900.00	\$ 900.00	\$ 750.00	\$ 755.00	\$ 854.52
			\$ 800.00	\$ 800.00	\$ 900.00	\$ 900.00	\$ 750.00	\$ 755.00	\$ 854.52
20	Arrows	5 Ea	\$ 250.00	\$ 240.00	\$ 115.00	\$ 120.00	\$ 225.00	\$ 230.00	\$ 256.36
			\$ 1,250.00	\$ 1,200.00	\$ 575.00	\$ 600.00	\$ 1,125.00	\$ 1,150.00	\$ 1,281.80
21	International ADA Symbols	4 Ea	\$ 150.00	\$ 130.00	\$ 400.00	\$ 400.00	\$ 125.00	\$ 130.00	\$ 569.68
			\$ 600.00	\$ 520.00	\$ 1,600.00	\$ 1,600.00	\$ 500.00	\$ 520.00	\$ 2,278.72
22	Sign Posts and V-Loc Bases	8 Ea	\$ 800.00	\$ 215.00	\$ 190.00	\$ 200.00	\$ 200.00	\$ 270.00	\$ 227.87
			\$ 6,400.00	\$ 1,720.00	\$ 1,520.00	\$ 1,600.00	\$ 1,600.00	\$ 2,160.00	\$ 1,822.96
TOTAL BASIC BID			\$ 671,821.10	\$ 690,330.80	\$ 696,357.00	\$ 743,740.25	\$ 762,093.40	\$ 775,703.07	\$ 827,095.20

* Bold Numbers indicate a math error

ORDINANCE NO. 1376

**AN ORDINANCE AUTHORIZING THE PURCHASE OF A CASE CX50B MINI EXCAVATOR FROM
SONSRAY MACHINERY, LLC**

WHEREAS, the City of Canby desires to purchase a Case Mini Excavator for use by its Works Department; and

WHEREAS, the mini excavator is an essential tool for use with cleaning bioswales and catch basins, and reducing potential damages in tight utility easements; and

WHEREAS, an offer by Sonsray Machinery, LLC will result in fair trade-in value for current surplus machinery as part of the purchase of the Case Mini Excavator;

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Administrator is hereby authorized on behalf of the City to enter into a contract with Sonsray Machinery to purchase a Case CX50B Mini Excavator for the purchase price of \$53,313 minus the trade-in amount of \$21,850 for a total of \$31,463. A copy of the Formal Proposal from Sonsray Machinery is attached hereto and marked as Exhibit "A" and by this reference incorporated herein.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, May 15, 2013; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 5, 2013, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd 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 5th day of June 2013, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder



FORMAL PROPOSAL

Sonsray Machinery, LLC
1745 NE Columbia Blvd.
Portland, OR 97211
Phone: (503) 283-2461
Fax: (503) 283-2879

CUSTOMER: Chris Goetz City of Canby 1470 NE Territorial Rd, Canby, OR 97013		PHONE: FAX: MOBILE:	
EQUIPMENT:		UNIT#: CX50B2823 S/N: NCTN82823	
New Case model CX50B excavator equipped with open ROPS canopy, vinyl seat, thumb mounted controls for factory installed auxiliary hydraulic circuit, 38HP Yanmar diesel engine, self-bleeding fuel system, rubber tracks, hydraulic control pattern selector valve, cast iron wrap-around rear counterweight, hydraulic thumb, manual wedge bucket coupler, 18" & 24" HD digging buckets, 48" smoothlip bucket.			
PURCHASE PRICE:	\$52,918.00	DOC. FEE (financed sales only):	\$395.00
TRADE ALLOWANCE:	\$21,850.00	STATE SALES TAX @ 0.000%	\$0.00
+ TRADE PAYOFF = NET SALE:		TOTAL SALES PRICE:	
\$31,068.00		\$31,463.00	

Finance Example upon approval with CNH Capital Corporation

New Equipment Finance Plan: Finance principal @ 4.90% APR for 48 months.
Terms as follows:

Purchase Price (including taxes and fees):	\$53,313.00
0% + Trade 1992 Gllcrest 813RT, SN 2918	\$21,850.00
Additional Cash Down:	\$0.00
Balance to finance:	\$31,463.00 <i>Case after trade in</i>
Monthly payment on principal over 48 months:	\$723.15

Warranty & Customer Service Agreement Options: None offered.

Enhancements: Additional trade unit(s) valued above: 1992 Case 1194, SN 11040127; 1992 Sweepster RHFA, SN 881500

We believe the equipment as quoted will exceed your expectations. On behalf of Sonsray Machinery, LLC, thank you for the opportunity to quote Case machinery.

Sincerely,

Mark D Ten Eyck

Mark Ten Eyck
Sales Representative

Good for 30 days from February 27, 2013
Machinery subject to prior sale.

ORDINANCE NO. 1378

AN ORDINANCE GRANTING TO CLACKAMAS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE & MAINTAIN A TELECOMMUNICATIONS NETWORK AND PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF CANBY OREGON, AND DECLARING AN EMERGENCY

WHEREAS: Clackamas County, Oregon, a political subdivision of the State of Oregon (Franchisee) desires to provide Telecommunications services within the City of CANBY, Oregon; and

WHEREAS: the City believes it is in the best interests of the City to promote the offering of competitive telecommunications services, subject to the City's lawful authority to regulate the use of Public Rights-of-Way; and

WHEREAS: Franchisee has applied for a Telecommunications Franchise pursuant to Canby Municipal Code (CMC) Chapter 12.36 relating to Telecommunications located in the public rights of way, and the City of CANBY "City" has reviewed said application and has determined that it meets the requirements of the City's Ordinance subject to the terms and conditions of CMC Chapter 12.36 and stated herein:

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Definitions.

Gross Revenues: Any and all revenue, of any kind, nature, or form, without deduction for expense, earned in the City of CANBY and is further defined in Section 11. All such revenue remains subject to applicable FCC rules and regulations which exclude revenues from internet access services while prohibited by law.

Other definitions located in CMC Chapter 12.36

Section 2: Grant of Franchise. The City hereby grants to Franchisee, its successors and assigns as authorized herein, a nonexclusive right, privilege, authority and Franchise to erect, construct, operate, repair and maintain in, under, upon, along, and across the City's Rights-of-Way, its lines, anchors, wires, cables, conduits, laterals and other necessary and convenient fixtures and equipment, for the purposes of constructing, operating and maintaining a competitive Telecommunications network within the City. If required, franchisee agrees to obtain and maintain a business license to conduct business in the City of Canby and keep it current during the life of this Franchise. Franchisee agrees to comply with all applicable federal, state, and local laws, ordinances, rules and regulations, including CMC Chapter 12.36, as amended from time to time.

Section 3: Franchise Not Exclusive. The Franchise granted herein (the "Franchise") is not exclusive, and shall not be construed as any limitation upon the right of the City to grant to other persons or corporations, including itself, rights, privileges or authority the same as, similar to or

different from the rights, privileges or authority herein set forth, in the same or other Rights-of-Way, by Franchise, permit or otherwise; provided, however, that any such grant shall be done in a competitively neutral and non-discriminatory manner with respect to the rights, privileges and authorities afforded Franchisee.

Section 4: Term and Termination. The term of this Franchise shall be ten (10) years, commencing with the effective date of this Ordinance. Thereafter, this Franchise shall continue in full force and effect for an additional ten (10) years unless notice is given by either party ninety (90) days before expiration, of its intention to terminate or renegotiate the Franchise. Upon termination or expiration of the Franchise, Grantee shall, within one hundred and eighty days (180), remove all its facilities from the City's Rights-of-Way. Should the Grantee fail to remove its facilities within the one hundred and eighty day period (180), the City may remove.

Section 5: No Limitation of City Authority.

(a) Except as provided in Section 6 below, nothing in this Franchise shall in any way be construed or interpreted to prevent, or in any way limit, the City from modifying or performing any work in its Rights-of-Way, or granting other franchises for use of Rights-of-Way, or of adopting general ordinances regulating use of or activities in the Rights-of-Way, or of otherwise abrogating or limiting any rights, privileges or property interest the City now has in its Rights-of-Way, whether now owned or hereinafter acquired.

(b) In the event that any portion of the Franchisee's infrastructure interferes with any present or future use the City desires to make of its Rights-of-Way, Franchisee shall, upon request, and at its sole expense, promptly relocate such infrastructure, and restore the area where such relocation occurs to as good a condition as existed before the work was undertaken, unless otherwise directed by the City.

(c) Where the Franchisee had paid for the relocation costs of the same facilities at the request of the City within the past five (5) years, the Franchisee's share of the cost of relocation will be paid by the City if it requested the subsequent relocation.

(d) Except as otherwise provided by law, and subject to Section 6 herein, nothing in this Franchise shall be construed to give the Franchisee any credit or exemption from any nondiscriminatory, generally applicable business tax, or other tax now or hereafter levied upon Franchisee's taxable real or personal property, or against any permit fees or inspection fees required as a condition of construction of any improvements upon Franchisee's real property and imposed under a generally applicable ordinance or resolution.

Section 6: Competitively Neutral Application. The City shall impose, on a competitively neutral and nondiscriminatory basis, similar terms and conditions upon other similarly situated providers of Telecommunications services operating within the City. Any requirement imposed on Franchisee that is determined not in compliance with this Section 6 shall be unenforceable against Franchisee.

Section 7: Construction, Maintenance and Repair of Infrastructure.

Franchisee may make all needful excavations in any Right-of-Way for the purpose of placing, erecting, laying, maintaining or repairing Franchisee's infrastructure, and shall repair, renew and replace the same in accordance with Canby Municipal Code.

Franchisee shall obtain all necessary permits for such excavation and construction, and pay all applicable fees. Such work shall be done only in accordance with plans or designs submitted to, and approved by, the City, such plans to be evaluated by the standards applied to the construction of other similar Telecommunications systems in the City.

Such work shall be performed in a good and workmanlike manner and in compliance with all rules, regulations, or ordinances which may, during the term of this Franchise, be adopted from time to time by the City, or any other authority having jurisdiction over Rights-of-Way. Prior to commencing excavation or construction, Franchisee shall give appropriate notice to other franchisees, licensees or permittees of the City owning or maintaining facilities which may be affected by the proposed excavation or construction.

(b) In the event emergency repairs are necessary for Franchisee's facilities, Franchisee may after reasonable attempts to contact the City provided emergency contacts immediately initiate such emergency repairs. At least two emergency contacts will be provided and kept up to date. Franchisee shall give notice to the City's Department of Public Works by telephone, electronic data transmittal or other appropriate means before commencement of work performed under emergency conditions. Franchisee shall make such repairs in compliance with applicable ordinances and regulations, and shall apply for any necessary permits no later than the business day next following the discovery of the need for such repairs.

(c) Franchisee shall construct and maintain its Telecommunications system in such a manner so as to not interfere with City sewer or water systems, or other City facilities.

Section 8: Insurance.

(a) General. At all times during the term of this Franchise, Franchisee, at its own cost and expense, shall provide the insurance specified in this section.

(b) Evidence Required. Within 30 days of the effective date of this Franchise, Franchisee shall provide the City with a certificate of insurance executed by an authorized representative of the insurer or insurers, evidencing that Franchisee's insurance complies with this section. As an alternative to the insurance requirements contained herein, the County, as a government entity, may provide evidence of self-insurance subject to review and acceptance by the city.

(c) Notice of Cancellation, Reduction, or Material Change in Coverage. Policies shall include a provision requiring written notice by the insurer or insurers to the City in accordance with policy provisions prior to cancellation, reduction, or material change in coverage. If insurance coverage is canceled, reduced or materially changed, Franchisee shall, prior to the effective date of such cancellation, reduction or material change, obtain the coverage required under this section, and provide the City with documentation of such coverage. Franchisee shall be responsible, to the extent not caused by the City's negligence or intentional misconduct, for the costs of any damage, liability, or injury, which are not otherwise covered by insurance or because of a failure to comply with this section.

(d) Insurance Required. During the term of this contract, Franchisee shall maintain in force, at its own expense, the following insurance:

(1) Workers' compensation insurance for all subject workers; and

(2) General liability insurance with a combined single limit, or the equivalent, of not less than \$1,000,000 for each person, and \$3,000,000, for each occurrence of bodily injury and \$3,000,000 for property damage, which coverages shall include contractual liability coverage for the indemnity provided under this contract, and naming the City, its officials, officers, employees and agents as additional insureds with respect to Franchisee's activities pursuant to this Franchise.

The insurance policy limits required in section 8 may be satisfied by Provider through a combination of the underlying insurance policy and umbrella (excess) liability policy(ies) so long as said umbrella policies are, at a minimum, "follow form" and provide insurance equal to or greater than coverage afforded by the underlying liability policy(ies).

Section 9: Transfers and Change in Control.

(a) Transfer. This Franchise shall not be sold, leased, assigned or otherwise transferred, nor shall any of the rights or privileges herein granted or authorized be leased, assigned, mortgaged, sold or transferred, either in whole or in part, nor shall title hereto, either legal or equitable, or any right, interest or property herein, pass to or vest in any person, except the Franchisee, either by act of the Franchisee or by operation of law, without the consent of the City, expressed in writing, such consent not to be unreasonably withheld. If the Franchisee wishes to transfer this Franchise, the Franchisee shall give City written notice of the proposed transfer, and shall request consent of the transfer by the City.

(b) Any transfer of ownership affected without the prior written consent of the City shall render this Franchise subject to revocation. The City shall have 60 days to act upon any request for approval of a transfer. If the City fails to render a final decision on the request within said 60 days, the request shall be deemed granted unless the Franchisee and the City agree to an extension of time.

(c) The Franchisee, upon any transfer, shall within 60 days thereafter file with the City a certified statement evidencing the transfer and an acknowledgment of the transferee that it agrees to be bound by the terms and conditions contained in this Franchise.

(d) The requirements of this section shall not be deemed to prohibit the use of the Franchisee's property as collateral for security in financing the construction or acquisition of all or part of a Telecommunications System of the Franchisee or any affiliate of the Franchisee. However, the Telecommunications System franchised hereunder, including portions thereof used as collateral, shall at all times continue to be subject to the provisions of this Franchise.

(e) The requirements of this section shall not be deemed to prohibit sale of tangible assets of the Franchisee in the ordinary conduct of the Franchisee's business without the consent of the City.

The requirements of this section shall not be deemed to prohibit, without the consent of the City, a transfer to a transferee whose primary business is Telecommunications System operation and having a majority of its beneficial ownership held by the Franchisee, a parent of the Franchisee, or an affiliate, a majority of whose beneficial ownership is held by a parent of the Franchisee.

Section 10: Indemnification.

Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, the County shall indemnify, defend and hold harmless the City, its councilors, officers, employees and agents from and against any and all liability, claims, damages, losses, and expenses, including but not limited to reasonable attorneys fees, arising out of or resulting from the acts of the County, its officers, employees, and agents in the performance of this Agreement or arising out of or resulting from the construction, operation, repair and/or maintenance of the Facilities.

Such indemnification shall not extend to independent claims of City negligence for City acts outside the scope of this contractual agreement. This indemnity shall survive the termination of this Agreement.

Section 11: Compensation.

(a) Franchise Fee. In consideration of permission to use the streets and Rights-of-Way of the City for the construction, operation, and maintenance of a Telecommunications system within the Franchise area the Franchise shall pay to City during the term of this Franchise an amount equal to seven percent (7%) of the Franchisee's Gross Revenues ("Franchise Fee"). Any net uncollectibles, bad debts or other accrued amounts deducted from Gross Revenues shall be included in Gross Receipts at such time as they are actually collected. Revenue from point to point or multi-point services is based on the pro-rata share of the revenue from those services. Point to point or multi-point services include but are not limited to fiber optic connections that are leased between two or more nodes or endpoints.

(b) Modification Resulting from Action by Law. Upon thirty days notice and in the event any law or valid rule or regulation applicable to this Franchise limits the Franchise Fee below the amount provided herein, or as subsequently modified, the Franchisee agrees to and shall pay the maximum permissible amount and, if such law or valid rule or regulation is later repealed or amended to allow a higher permissible amount, then Franchisee shall pay the higher amount commencing from the date of such repeal or amendment, up to the maximum allowable by law.

(c) Payment of Franchise Fees. Payments due under this provision shall be computed and paid quarterly for the preceding quarter, as of March 31, June 30, September 30, and December 31, each quarterly payment due and payable no later than 45 days after such dates. Not later than the date of each payment, the Franchisee shall file with the City a written statement, in a form satisfactory to the City and signed under penalty of perjury by an officer of the Franchisee, identifying in detail the amount of gross revenue received by the Franchisee, the computation basis and method, for the quarter for which payment is made.

(d) The Franchise Fee includes all compensation for the use of the City's Rights-of-Way. Franchisee may offset against the Franchise Fee the amount of any fee or charge paid to the City

in connection with the Grantee's use of the Rights-of-Way when the fee or charge is not imposed under a generally applicable ordinance or resolution. The Franchise Fee shall not be deemed to be in lieu of or a waiver of any ad valorem property tax which the City may now or hereafter be entitled to, or to participate in, or to levy upon the property of Franchisee.

(e) Late franchise fee payments will be subject to late fees calculated on the basis of nine percent (9%) per annum of the amount past due. No acceptance of any payment shall be construed as accord that the amount paid is in fact the correct amount, nor shall such acceptance of payment be construed as a release of any claim the City may have for further or additional sums payable under the provisions of this Franchise. All amounts paid shall be subject to audit and recomputation by the City.

Section 12: Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Facilities owned, maintained, or operated by Grantee located within any public Rights-of-Ways of the annexed territory shall be subject to all of the terms of this Ordinance.

Section 13: Right to Inspect Records. In order to manage the Franchisee's use of Rights-of-Way pursuant to this Franchise, and to determine and verify the amount of compensation due to the City under this Franchise, the Franchisee shall provide, upon request, the following information in such form as may be reasonably required by the City: maps of the Franchisee's Telecommunications System; the amount collected by the Franchisee from users of Telecommunications Service provided by Franchisee via its Telecommunications network; the character and extent of the Telecommunications Service rendered therefore to them; and any other related financial information required for the exercise of any other lawful right of Franchisee under this Franchise. The City agrees that such information is confidential and that the City will use such information only for the purpose of managing its Rights-of-Way, determining compliance with the terms of this Franchise, and verifying the adequacy of Franchisee's Fee payments. The City further agrees to protect such information from disclosure to third parties to the maximum extent allowed by Oregon law.

Section 14: Right to Perform Franchise Fee Audit or Review; Default. In addition to all rights granted under Section 13, the City shall have the right to have performed, a formal audit or a professional review of the Franchisee's books and records by an independent private auditor, for the sole purpose of determining the Gross Receipts of the Franchisee generated through the provision of Telecommunications Services under this Franchise and the accuracy of amounts paid as Franchise Fees to the City by the Franchisee; provided, however, that any audit or review must be commenced not later than 3 years after the date on which Franchise Fees for any period being audited or reviewed were due. The cost of any such audit or review shall be borne by the City. The City agrees to protect from disclosure to third parties, to the maximum extent allowed by State law, any information obtained as a result of its rights pursuant to this Section, or any compilation or other derivative works created using information obtained pursuant to the exercise of its rights hereunder.

Section 15: Right to Inspect Construction. The City or its representatives shall have the right to inspect all construction or installation work performed pursuant to this Franchise and to make

such tests as it shall find necessary to ensure compliance with the terms of this Franchise and other pertinent provisions of law relating to management of the City's Rights-of-Way.

Section 16: Venue.

(b) Venue for any proceeding brought to enforce any term or condition of this Franchise shall be the local Circuit Court for the City; provided, however, that should any proceeding be brought in a federal forum, such proceeding shall be brought in the U.S. District Court of Oregon in Portland, Oregon, with the parties stipulating to trial in Portland, Oregon.

Section 17: Limitation of Liability. The City and the Franchisee agree that neither shall be liable to the other for any indirect, special, or consequential damages, or any lost profits, arising out of any provision or requirement contained herein, or, in the event this Franchise, or any part hereof, is determined or declared to be invalid.

Section 18: Compliance with Applicable Laws. Franchisee shall comply with all applicable federal, state, and local laws, ordinances, and regulations, whether now in existence or hereinafter enacted. Nothing contained in this Franchise shall be construed as authorizing the Franchisee, its officers, employees or agents, to violate any federal, state or local law, whether now in existence or hereinafter enacted, including, by way of illustration but not of limitation, any provision of Oregon anti-trust law, ORS 646.750-646.836, or the Oregon Unlawful Trade Practices Act, ORS 646.650-646.652. Nothing contained in this section shall be construed as requiring Franchisee to comply with any federal, state or local law that is repealed or otherwise rendered unenforceable subsequent to the adoption of this Franchise.

Section 19: Notice. Any notice provided for under this Franchise shall be sufficient if in writing and (1) delivered personally to the other party or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested; (2) sent overnight by commercial air courier; or (3) sent by facsimile transmission, provided receipt of such facsimile is confirmed, in writing, on the first business day following the date of transmission. Notice shall be sent to the following addresses, or such other addresses as each party may specify in writing:

Notice to the City:

City Administrator
P.O. Box 930
Canby, OR 97013
Phone: 503-266-4021
Facsimile: 503-266-7961

With a copy to

City Attorney
1175 NW 3rd Avenue
Canby, OR 97013
Phone: 503-266-4027
Facsimile: 503-266-9316

Notice to the County:

Manager, Clackamas Broadband Express
Clackamas County Technology Services
121 Library Court
Oregon City, OR 97045
Phone: 503-722-6656
Facsimile: 503-655-8255

with a copy to

Chief Information Officer
Clackamas County Technology Services
121 Library Court
Oregon City, OR 97045
Phone: 503-655-8322
Facsimile: 503-655-8255

Notice shall be deemed effective upon the earliest date of actual delivery; three business days after deposit in the U.S. mail as provided herein; one business day after shipment by commercial air courier; or the same day as transmitted by facsimile, provided transmission of such facsimile is confirmed in writing as provided herein.

Section 20: Captions. The captions to sections of this Franchise are intended solely to facilitate reading and reference of the sections and provisions contained herein, and shall not affect the meaning or interpretation of any section or provision of this Franchise.

Section 21: Severability. If any part of this Franchise becomes or is held to be invalid for any reason, the determination will affect only the invalid portion of this Franchise. In all other respects this Franchise will stand and remain in full force and effect as if the invalid provision had not been part of this Franchise.

Section 22: Waiver.

(a) The City is vested with the power and authority to reasonably regulate, and manage, its Rights-of-Way in a competitively neutral and non-discriminatory manner, and in the public interest. Franchisee shall not be relieved of its obligations to comply with any provision of this Franchise by reason of the failure of the City to enforce prompt compliance, nor does the City waive or limit any of its rights under this Franchise by reason of such failure or neglect.

(b) No provision of this Franchise will be deemed waived unless such waiver is in writing and signed by the party waiving its rights. However, if Franchisee gives written notice of a failure or inability to cure or comply with a provision of this Franchise, and the City fails to object within a reasonable time after receipt of such notice, such provision shall be deemed waived.

Section 23: Emergency. The City Council of CANBY finds the health, safety and welfare of the City requires this Ordinance to have immediate effect. Therefore, the City Council hereby declares the existence of an emergency and this ordinance shall be in full force and effect from the time of its passage and approval.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, May 15, 2013; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 5, 2013, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd 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 5th day of June 2013, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

Attest:

Kimberly Scheafer, MMC
City Recorder

Approved as to form

Joseph A. Lindsay
City Attorney

Accepted _____(date)

Clackamas County

By _____

ORDINANCE NO. 1381

AN ORDINANCE GRANTING TO TW TELECOM OF OREGON LLC ("TWTC"), A DELAWARE LIMITED LIABILITY COMPANY, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE & MAINTAIN A TELECOMMUNICATIONS NETWORK AND PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF CANBY OREGON, AND DECLARING AN EMERGENCY

WHEREAS: tw telecom of oregon llc ("TWTC"), a Delaware limited liability company, provides Telecommunications services within the City of CANBY, Oregon ("City"); and

WHEREAS: the City believes it is in the best interests of the City to promote the offering of competitive telecommunications services, subject to the City's lawful authority to regulate the use of Public Rights-of-Way; and

WHEREAS: Franchisee has applied for a Telecommunications Franchise pursuant to Canby Municipal Code (CMC) Chapter 12.36 relating to Telecommunications located in the public rights of way, and the City has reviewed said application and has determined that it meets the requirements of the City's Ordinance subject to the terms and conditions of CMC Chapter 12.36 and stated herein:

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Definitions.

Gross Revenues: Any and all revenue, of any kind, nature, or form, without deduction for expense in the City of CANBY and is further defined in Section 11. All such revenue remains subject to applicable FCC rules and regulations which exclude revenues from internet access services while prohibited by law.

Other definitions located in CMC Chapter 12.36

Section 2: Grant of Franchise. The City hereby grants to Franchisee, its successors and assigns as authorized herein, a nonexclusive right, privilege, authority and Franchise to erect, construct, operate, repair and maintain in, under, upon, along, and across the City's Rights-of-Way, its lines, anchors, wires, cables, conduits, laterals and other necessary and convenient fixtures and equipment, for the purposes of constructing, operating and maintaining a competitive Telecommunications network within the City. Franchisee agrees to obtain and maintain a business license to conduct business in the City of Canby and keep it current during the life of this Franchise. Franchisee agrees to comply with all applicable federal, state, and local laws, ordinances, rules and regulations, including CMC Chapter 12.36, as amended from time to time.

Section 3: Franchise Not Exclusive. The Franchise granted herein (the "Franchise") is not exclusive, and shall not be construed as any limitation upon the right of the City to grant to

other persons or corporations, including itself, rights, privileges or authority the same as, similar to or different from the rights, privileges or authority herein set forth, in the same or other Rights-of-Way, by Franchise, permit or otherwise; provided, however, that any such grant shall be done in a competitively neutral and non-discriminatory manner with respect to the rights, privileges and authorities afforded Franchisee.

Section 4: Term and Termination. The term of this Franchise shall be ten (10) years, commencing with the effective date of this Ordinance. Thereafter, this Franchise shall continue in full force and effect for an additional ten (10) years unless notice is given by either party ninety (90) days before expiration, of its intention to terminate or renegotiate the Franchise. Upon termination or expiration of the Franchise, Grantee shall, within one hundred and eighty days (180), remove all its facilities from the City's Rights-of-Way. Should the Grantee fail to remove its facilities within the one hundred and eighty day period (180), the City may remove.

Section 5: No Limitation of City Authority.

(a) Except as provided in Section 6 below, nothing in this Franchise shall in any way be construed or interpreted to prevent, or in any way limit, the City from modifying or performing any work in its Rights-of-Way, or granting other franchises for use of Rights-of-Way, or of adopting general ordinances regulating use of or activities in the Rights-of-Way, or of otherwise abrogating or limiting any rights, privileges or property interest the City now has in its Rights-of-Way, whether now owned or hereinafter acquired.

(b) In the event that any portion of the Franchisee's infrastructure interferes with any present or future use the City desires to make of its Rights-of-Way, Franchisee shall, upon request, and at its sole expense, promptly relocate such infrastructure, and restore the area where such relocation occurs to as good a condition as existed before the work was undertaken, unless otherwise directed by the City.

(c) Where the Franchisee had paid for the relocation costs of the same facilities at the request of the City within the past five (5) years, the Franchisee's share of the cost of relocation will be paid by the City if it requested the subsequent relocation.

(d) Except as otherwise provided by law, and subject to Section 6 herein, nothing in this Franchise shall be construed to give the Franchisee any credit or exemption from any nondiscriminatory, generally applicable business tax, or other tax now or hereafter levied upon Franchisee's taxable real or personal property, or against any permit fees or inspection fees required as a condition of construction of any improvements upon Franchisee's real property and imposed under a generally applicable ordinance or resolution.

Section 6: Competitively Neutral Application. The City shall impose, on a competitively neutral and nondiscriminatory basis, similar terms and conditions upon other similarly situated providers of Telecommunications services operating within the City. Any requirement imposed on Franchisee that is determined not in compliance with this Section 6 shall be unenforceable against Franchisee.

Section 7: Construction, Maintenance and Repair of Infrastructure.

Franchisee may make all needful excavations in any Right-of-Way for the purpose of placing, erecting, laying, maintaining or repairing Franchisee's infrastructure, and shall repair, renew and replace the same in accordance with Canby Municipal Code.

Franchisee shall obtain all necessary permits for such excavation and construction, and pay all applicable fees. Such work shall be done only in accordance with plans or designs submitted to, and approved by, the City, such plans to be evaluated by the standards applied to the construction of other similar Telecommunications systems in the City.

Such work shall be performed in a good and workmanlike manner and in compliance with all rules, regulations, or ordinances which may, during the term of this Franchise, be adopted from time to time by the City, or any other authority having jurisdiction over Rights-of-Way. Prior to commencing excavation or construction, Franchisee shall give appropriate notice to other franchisees, licensees or permittees of the City owning or maintaining facilities which may be affected by the proposed excavation or construction.

(b) In the event emergency repairs are necessary for Franchisee's facilities, Franchisee may after reasonable attempts to contact the City provided emergency contacts immediately initiate such emergency repairs. At least two emergency contacts will be provided and kept up to date. Franchisee shall give notice to the City's Department of Public Works by telephone, electronic data transmittal or other appropriate means before commencement of work performed under emergency conditions. Franchisee shall make such repairs in compliance with applicable ordinances and regulations, and shall apply for any necessary permits no later than the business day next following the discovery of the need for such repairs.

(c) Franchisee shall construct and maintain its Telecommunications system in such a manner so as to not interfere with City sewer or water systems, or other City facilities.

Section 8: Insurance.

(a) General. At all times during the term of this Franchise, Franchisee, at its own cost and expense, shall provide the insurance specified in this section.

(b) Evidence Required. Within 30 days of the effective date of this Franchise, Franchisee shall provide the City with a certificate of insurance executed by an authorized representative of the insurer or insurers, evidencing that Franchisee's insurance complies with this section.

(c) Notice of Cancellation, Reduction, or Material Change in Coverage. Policies shall include a provision requiring written notice by the insurer or insurers to the City in accordance with policy provisions prior to cancellation, reduction, or material change in coverage. If insurance coverage is canceled, reduced or materially changed, Franchisee shall, prior to the effective date of such cancellation, reduction or material change, obtain the coverage required under this section, and provide the City with documentation of such coverage. Franchisee shall be

responsible, to the extent not caused by the City's negligence or intentional misconduct, for the costs of any damage, liability, or injury, which are not otherwise covered by insurance or because of a failure to comply with this section.

(d) Insurance Required. During the term of this contract, Franchisee shall maintain in force, at its own expense, the following insurance:

(1) Workers' compensation insurance for all subject workers; and

(2) General liability insurance with a combined single limit, or the equivalent, of not less than \$1,000,000 for each person, and \$3,000,000, for each occurrence of bodily injury and \$3,000,000 for property damage, which coverages shall include contractual liability coverage for the indemnity provided under this contract, and naming the City, its officials, officers, employees and agents as additional insureds with respect to Franchisee's activities pursuant to this Franchise.

The insurance policy limits required in section 8 may be satisfied by Provider through a combination of the underlying insurance policy and umbrella (excess) liability policy(ies) so long as said umbrella policies are, at a minimum, "follow form" and provide insurance equal to or greater than coverage afforded by the underlying liability policy(ies).

Section 9: Transfers and Change in Control.

(a) Transfer. This Franchise shall not be sold, leased, assigned or otherwise transferred, nor shall any of the rights or privileges herein granted or authorized be leased, assigned, mortgaged, sold or transferred, either in whole or in part, nor shall title hereto, either legal or equitable, or any right, interest or property herein, pass to or vest in any person, except the Franchisee, either by act of the Franchisee or by operation of law, without the consent of the City, expressed in writing, such consent not to be unreasonably withheld. If the Franchisee wishes to transfer this Franchise, the Franchisee shall give City written notice of the proposed transfer, and shall request consent of the transfer by the City.

(b) Any transfer of ownership affected without the prior written consent of the City shall render this Franchise subject to revocation. The City shall have 60 days to act upon any request for approval of a transfer. If the City fails to render a final decision on the request within said 60 days, the request shall be deemed granted unless the Franchisee and the City agree to an extension of time.

(c) The Franchisee, upon any transfer, shall within 60 days thereafter file with the City a certified statement evidencing the transfer and an acknowledgment of the transferee that it agrees to be bound by the terms and conditions contained in this Franchise.

(d) The requirements of this section shall not be deemed to prohibit the use of the Franchisee's property as collateral for security in financing the construction or acquisition of all or part of a Telecommunications System of the Franchisee or any affiliate of the Franchisee. However, the

Telecommunications System franchised hereunder, including portions thereof used as collateral, shall at all times continue to be subject to the provisions of this Franchise.

(e) The requirements of this section shall not be deemed to prohibit sale of tangible assets of the Franchisee in the ordinary conduct of the Franchisee's business without the consent of the City. The requirements of this section shall not be deemed to prohibit, without the consent of the City, a transfer to a transferee whose primary business is Telecommunications System operation and having a majority of its beneficial ownership held by the Franchisee, a parent of the Franchisee, or an affiliate, a majority of whose beneficial ownership is held by a parent of the Franchisee.

Section 10: Indemnification. Franchisee shall indemnify and hold the City harmless for any losses, claims, damages, awards, penalties or injuries incurred by any third party, including reasonable attorney's fees, which arise from any alleged breach of representations and warranties made under this Agreement, provided that the Franchisee is promptly notified of any such claims. The Franchisee shall have the sole right to defend such claims at its own expense. The City shall provide, at the Franchisee's expense, such assistance in investigating and defending such claims as the Franchisee may reasonably request.

Such indemnification shall not extend to independent claims of City negligence for City acts outside the scope of this contractual agreement.

This indemnity shall survive the termination of this Agreement.

Section 11: Compensation.

(a) Franchise Fee. In consideration of permission to use the streets and Rights-of-Way of the City for the construction, operation, and maintenance of a Telecommunications system within the Franchise area the Franchise shall pay to City during the term of this Franchise an amount equal to seven percent (7%) of the Franchisee's Gross Revenues ("Franchise Fee"). Any net uncollectibles, bad debts or other accrued amounts deducted from Gross Revenues shall be included in Gross Receipts at such time as they are actually collected. Revenue from point to point or multi-point services is based on the pro-rata share of the revenue from those services.

(b) Modification Resulting from Action by Law. Upon thirty days notice and in the event any law or valid rule or regulation applicable to this Franchise limits the Franchise Fee below the amount provided herein, or as subsequently modified, the Franchisee agrees to and shall pay the maximum permissible amount and, if such law or valid rule or regulation is later repealed or amended to allow a higher permissible amount, then Franchisee shall pay the higher amount commencing from the date of such repeal or amendment, up to the maximum allowable by law.

(c) Payment of Franchise Fees. Payments due under this provision shall be computed and paid quarterly for the preceding quarter, as of March 31, June 30, September 30, and December 31, each quarterly payment due and payable no later than 45 days after such dates. Not later than

the date of each payment, the Franchisee shall file with the City a written statement, in a form satisfactory to the City and signed under penalty of perjury by an officer of the Franchisee, identifying in detail the amount of gross revenue received by the Franchisee, the computation basis and method, for the quarter for which payment is made.

(d) The Franchise Fee includes all compensation for the use of the City's Rights-of-Way. Franchisee may offset against the Franchise Fee the amount of any fee or charge paid to the City in connection with the Grantee's use of the Rights-of-Way when the fee or charge is not imposed under a generally applicable ordinance or resolution. The Franchise Fee shall not be deemed to be in lieu of or a waiver of any ad valorem property tax which the City may now or hereafter be entitled to, or to participate in, or to levy upon the property of Franchisee.

(e) Late franchise fee payments will be subject to late fees calculated on the basis of nine percent (9%) per annum of the amount past due. No acceptance of any payment shall be construed as accord that the amount paid is in fact the correct amount, nor shall such acceptance of payment be construed as a release of any claim the City may have for further or additional sums payable under the provisions of this Franchise. All amounts paid shall be subject to audit and recomputation by the City.

Section 12: Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Facilities owned, maintained, or operated by Grantee located within any public Rights-of-Ways of the annexed territory shall be subject to all of the terms of this Ordinance.

Section 13: Right to Inspect Records. In order to manage the Franchisee's use of Rights-of-Way pursuant to this Franchise, and to determine and verify the amount of compensation due to the City under this Franchise, the Franchisee shall provide, upon request, the following information in such form as may be reasonably required by the City: maps of the Franchisee's Telecommunications System; the amount collected by the Franchisee from users of Telecommunications Service provided by Franchisee via its Telecommunications network; the character and extent of the Telecommunications Service rendered therefore to them; and any other related financial information required for the exercise of any other lawful right of Franchisee under this Franchise. The City agrees that such information is confidential and that the City will use such information only for the purpose of managing its Rights-of-Way, determining compliance with the terms of this Franchise, and verifying the adequacy of Franchisee's Fee payments. The City further agrees to protect such information from disclosure to third parties to the maximum extent allowed by Oregon law.

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review must be commenced not later than 3 years after the date on which Franchise Fees for any period being audited or reviewed were due. The cost of any such audit or review shall be borne by the City. The City agrees to protect from disclosure to third parties, to the maximum extent allowed by State law, any information obtained as a result of its rights pursuant to this Section, or any compilation or other derivative works created using information obtained pursuant to the exercise of its rights hereunder.

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Greg Ellis
City Administrator
PO Box 930
CANBY, OR 97013
Phone: 503-266-4021
Facsimile: 503-266-7961

tw telecom of oregon llc Attn: VP-Regulatory
10475 Park Meadows Drive Littleton, CO
80124
Phone: (303) 566-1280
Facsimile: (720) 225-5616

With a copy to:
tw telecom of oregon llc
Attn: Sr. VP & Deputy General Counsel
10475 Park Meadows Drive
Littleton, CO 80124
Phone: (303) 566-1279
Facsimile: (303) 803-9636

Notice shall be deemed effective upon the earliest date of actual delivery; three business days after deposit in the U.S. mail as provided herein; one business day after shipment by commercial air courier; or the same day as transmitted by facsimile, provided transmission of such facsimile is confirmed in writing as provided herein.

Section 20: Captions. The captions to sections of this Franchise are intended solely to facilitate reading and reference of the sections and provisions contained herein, and shall not affect the meaning or interpretation of any section or provision of this Franchise.

Section 21: Severability. If any part of this Franchise becomes or is held to be invalid for any reason, the determination will affect only the invalid portion of this Franchise. In all other respects this Franchise will stand and remain in full force and effect as if the invalid provision had not been part of this Franchise.

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Section 23: Emergency. The City Council of CANBY finds the health, safety and welfare of the City requires this Ordinance to have immediate effect. Therefore, the City Council hereby

declares the existence of an emergency and this ordinance shall be in full force and effect from the time of its passage and approval.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, May 15, 2013; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 5, 2013, after the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd 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 5th day of June 2013, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

Attest:

Kimberly Scheafer, MMC
City Recorder

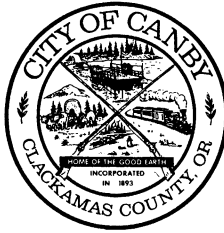
Approved as to form

Joseph A. Lindsay
City Attorney

Accepted _____ (date)

tw telecom of oregon llc
By: tw telecom holdings inc.,
Its sole member

By _____
Printed Name: Title:



MEMORANDUM

DATE: MAY 15, 2013
TO: HONORABLE MAYOR HODSON AND CANBY CITY COUNCIL
FROM: HALEY FISH, FINANCE DIRECTOR
THROUGH: GREG ELLIS, CITY ADMINISTRATOR
RE: 3RD QUARTER FINANCIAL REPORT

Report Format: The Fund Summary Report attached summarizes activity for the fiscal year (FY) through March 31, 2013 by Fund and Category: Personal Services, Materials and Services, Capital Outlay, Debt Service, Transfers and Contingency. This is consistent with the level at which funds were appropriated and therefore compliance is assessed except for the General Fund which is appropriated at the department level. As of the date of this report 75% of the year had lapsed. Personal Services and Transfers are generally consistent throughout the year however Materials and Services, Capital Outlay and Debt Service may be seasonal, project driven or have periodic scheduled payments that would not necessarily correspond to the % of the year that has lapsed.

You are encouraged to provide questions in writing to Haley Fish, Director of Finance, at FishH@ci.canby.or.us in advance of the meeting to allow staff time to research specifics and prepare a response to be presented at the meeting.

Financial Analysis by Fund:

General Fund – No exceptions noted.

Library Fund – Note \$1,000,000 capital Grant received from Clackamas County and approximately \$20,000 in donations received for the new library project.

Street Fund – No exceptions noted.

911 Emergency Fund – Per SB 1559, 911 distributions made after January 1, 2013 are to be made directly to CCOM. We had budgeted \$76,000 in revenue for FY 2012-13 however only approximately \$19,000 was received therefore additional funds will be needed from the General Fund to make the City's required payments for emergency dispatch services; increase in transfer will be included in the June supplemental budget.

Parks Development Fund – No exceptions noted.

Library Endowment Fund – No exceptions noted.

Financial Analysis by Fund (continued):

Cemetery Perpetual Care Fund – No exceptions noted.

Forfeiture Fund – Increase in State and Federal Forfeiture revenue received, this unexpected revenue will allow the police department to take advantage of some opportunities to purchase allowable equipment however an increase in materials and services expense will need to be appropriated through the supplemental budget.

Transit Fund - Grant revenue includes approximately \$512,000 in Business Energy Tax Credit (BETC) Revenue. Also will need to increase transfers to the Sewer Combined Fund through the supplemental budget to repay 1st operating interfund loan which was made in FY 2011-12 in accordance with ORS 294.468 which states: *“The payment of any operating loans not repaid in the year or budget period in which the operating loan was made shall be budgeted as a requirement in the ensuing year or ensuing budget period.”* The 2nd operating interfund loan which was made in the current FY is budgeted to be repaid in the FY 2013-14 proposed budget.

Swim Center Levy Fund – Note Personal Services are trending high due to unexpected benefits costs related to employees becoming eligible for PERS contributions due to hitting 600 hour benchmark. The finance department in cooperation with the swim center management has estimated the increase through the end of this FY which will need to be adjusted through the supplemental budget and have factored these costs into next years proposed budget.

Urban Renewal General Fund – Not planning to enter into LOCAP loan as budgeted, this loan was expected to fund the gateway projects and the railroad quiet zone project. The gateway projects have been deferred and the railroad quiet zone project has been redesigned on a much smaller scale and is included in the FY 2013-14 proposed budget to be funded with alternative sources.

Urban Renewal Debt Service Fund – Interest revenue appears low as the ARRA interest subsidy on the Direct Payment Federally Taxable Recovery Zone Economic Development Obligations had not been received as of the date of this report. Half of the subsidy was received in April however we have been notified by our calculation agent that as a result of the sequestration process required by the Balance Budget and Emergency Deficit Control Act of 1985, as amended, the credit payment amount requested will be reduced by an amount equal to 8.7% of the of the requested subsidy. When this is confirmed through notification by the IRS, I believe this gives us the opportunity to call the bonds at which point we should do a cost analysis to consider refunding the taxable bonds at a lower rate considering that a portion or all of the subsidy may not be realizable in the future.

Debt Service Fund – No exceptions noted.

Street Reserve Fund – No exceptions noted.

Capital Reserve Fund – No exceptions noted.

Fleet Reserve Fund – Actual cost for the year April 1, 2012-March 31, 2013 were calculated and transfers were adjusted accordingly, costs to departments ended up being approximately 25% less than budgeted. Some changes to the budget methodology were made in the 2013-14 proposed budget to better align actual and budget.

Facilities Fund – No exceptions noted.

Tech Services Fund – No exceptions noted.

Sewer Combined Fund – No exceptions noted.

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
GENERAL REVENUES						
PROPERTY TAXES	131,908.98	3,626,729.24	.00	3,829,697.00	202,967.76	94.7
FRANCHISE FEES	2,000.00	302,801.11	.00	451,500.00	148,698.89	67.1
INTERGOVERNMENTAL	15,583.52	228,698.37	.00	350,000.00	121,301.63	65.3
IN LIEU OF TAXES	52,416.84	410,316.64	.00	570,000.00	159,683.36	72.0
CHARGES FOR SERVICES	1,781.90	9,148.04	.00	9,000.00	(148.04)	101.6
PASS THRU REVENUE	.00	516,787.23	.00	517,000.00	212.77	100.0
MISCELLANEOUS REVENUE	164.41	6,388.46	.00	8,500.00	2,111.54	75.2
INTEREST REVENUES	910.27	5,441.78	.00	8,400.00	2,958.22	64.8
REVENUE TRANSFERS	20,285.29	171,757.56	.00	226,800.00	55,042.44	75.7
CASH CARRYOVER	.00	.00	.00	1,292,855.00	1,292,855.00	.0
	225,051.21	5,278,068.43	.00	7,263,752.00	1,985,683.57	72.7
ADMINISTRATION REVENUE						
CHARGES FOR SERVICES	5,500.00	37,520.00	.00	57,050.00	19,530.00	65.8
	5,500.00	37,520.00	.00	57,050.00	19,530.00	65.8
COURT REVENUES						
CHARGES FOR SERVICES	37,404.96	289,104.81	.00	351,000.00	61,895.19	82.4
PASS THRU REVENUE	30.00	495.00	.00	2,000.00	1,505.00	24.8
MISCELLANEOUS REVENUE	2,476.00	24,594.26	.00	26,175.00	1,580.74	94.0
	39,910.96	314,194.07	.00	379,175.00	64,980.93	82.9
PLANNING REVENUES						
CHARGES FOR SERVICES	6,070.00	17,408.15	.00	33,500.00	16,091.85	52.0
MISCELLANEOUS REVENUE	.00	162.10	.00	100.00	(62.10)	162.1
	6,070.00	17,570.25	.00	33,600.00	16,029.75	52.3
PARKS REVENUE						
CHARGES FOR SERVICES	110.00	645.00	.00	500.00	(145.00)	129.0
	110.00	645.00	.00	500.00	(145.00)	129.0
BUILDING REVENUES						
CHARGES FOR SERVICES	1,095.86	7,557.82	.00	15,250.00	7,692.18	49.6
	1,095.86	7,557.82	.00	15,250.00	7,692.18	49.6

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
POLICE REVENUES						
GRANT REVENUE	1,750.00	19,286.80	.00	21,200.00	1,913.20	91.0
CHARGES FOR SERVICES	2,530.00	20,240.00	.00	23,500.00	3,260.00	86.1
MISCELLANEOUS REVENUE	40.00	30,685.28	.00	60,188.00	29,502.72	51.0
DONATIONS	.00	2,178.59	.00	500.00	(1,678.59)	435.7
	4,320.00	72,390.67	.00	105,388.00	32,997.33	68.7
CEMETERY REVENUES						
CHARGES FOR SERVICES	6,634.00	47,240.00	.00	52,010.00	4,770.00	90.8
MISCELLANEOUS REVENUE	300.00	3,075.00	.00	2,400.00	(675.00)	128.1
	6,934.00	50,315.00	.00	54,410.00	4,095.00	92.5
FINANCE REVENUES						
OPERATIONAL TRANSFERS IN	71,630.17	644,671.53	.00	859,562.00	214,890.47	75.0
	71,630.17	644,671.53	.00	859,562.00	214,890.47	75.0
	360,622.20	6,422,932.77	.00	8,768,687.00	2,345,754.23	73.3

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
EXPENDITURES						
ADMINISTRATION DEPT						
PERSONAL SERVICES	77,147.68	479,361.91	.00	623,993.00	144,631.09	76.8
MATERIAL SERVICES	16,095.69	784,108.80	13,207.00	868,928.00	71,612.20	91.8
TRANSFERS OUT	12,441.16	386,924.80	.00	432,408.00	45,483.20	89.5
CONTINGENCY/OTHER	.00	.00	.00	403,880.00	403,880.00	.0
	105,684.53	1,650,395.51	13,207.00	2,329,209.00	665,606.49	71.4
COURT DEPT						
PERSONAL SERVICES	12,065.41	158,605.66	.00	234,254.00	75,648.34	67.7
MATERIAL SERVICES	4,656.67	44,824.74	11,275.80	64,195.00	8,094.46	87.4
CAPITAL OUTLAY	.00	15,649.84	.00	15,650.00	.16	100.0
TRANSFERS OUT	1,195.75	10,761.75	.00	14,349.00	3,587.25	75.0
	17,917.83	229,841.99	11,275.80	328,448.00	87,330.21	73.4
PLANNING DEPT						
PERSONAL SERVICES	33,637.23	225,779.73	.00	293,445.00	67,665.27	76.9
MATERIAL SERVICES	1,342.80	13,315.26	1,022.50	94,315.00	79,977.24	15.2
TRANSFERS OUT	1,195.75	10,761.75	.00	14,349.00	3,587.25	75.0
	36,175.78	249,856.74	1,022.50	402,109.00	151,229.76	62.4
PARKS DEPT						
PERSONAL SERVICES	46,207.23	280,411.52	.00	410,204.00	129,792.48	68.4
MATERIAL SERVICES	7,434.83	43,417.45	3,683.46	65,225.00	18,124.09	72.2
TRANSFERS OUT	2,422.90	39,611.54	.00	55,783.00	16,171.46	71.0
	56,064.96	363,440.51	3,683.46	531,212.00	164,088.03	69.1
BUILDING DEPT						
PERSONAL SERVICES	8,030.57	51,658.75	.00	67,174.00	15,515.25	76.9
MATERIAL SERVICES	241.98	5,254.64	.00	9,165.00	3,910.36	57.3
TRANSFERS OUT	7,179.09	64,611.81	.00	86,149.00	21,537.19	75.0
	15,451.64	121,525.20	.00	162,488.00	40,962.80	74.8
POLICE DEPT						
PERSONAL SERVICES	412,346.98	2,721,139.19	61,917.01	3,648,898.00	865,841.80	76.3
MATERIAL SERVICES	19,239.13	192,364.55	764.24	252,250.00	59,121.21	76.6
TRANSFERS OUT	40,211.34	355,607.98	.00	473,095.00	117,487.02	75.2
TRANSFERS OUT	1,666.67	15,000.03	.00	20,000.00	4,999.97	75.0
	473,464.12	3,284,111.75	62,681.25	4,394,243.00	1,047,450.00	76.2
CEMETERY DEPT						

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
PERSONAL SERVICES	583.17	3,776.73	.00	4,971.00	1,194.27	76.0
MATERIAL SERVICES	7,600.00	76,412.00	15,200.00	101,400.00	9,788.00	90.4
	8,183.17	80,188.73	15,200.00	106,371.00	10,982.27	89.7
FINANCE DEPT						
PERSONAL SERVICES	44,997.85	303,382.92	.00	401,108.00	97,725.08	75.6
MATERIAL SERVICES	10,516.95	57,414.26	9,590.00	92,150.00	25,145.74	72.7
TRANSFERS OUT	1,195.75	10,761.75	.00	14,349.00	3,587.25	75.0
TRANSFERS OUT	350.00	5,950.00	.00	7,000.00	1,050.00	85.0
	57,060.55	377,508.93	9,590.00	514,607.00	127,508.07	75.2
	770,002.58	6,356,869.36	116,660.01	8,768,687.00	2,295,157.63	73.8
	(409,380.38)	66,063.41	(116,660.01)	.00	50,596.60	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

LIBRARY FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUE						
PROPERTY TAXES	.00	629,039.00	.00	696,730.00	67,691.00	90.3
GRANT REVENUE	.00	1,010,682.00	.00	3,000.00	(1,007,682.00)	33689.
CHARGES FOR SERVICES	304.63	3,937.67	.00	3,500.00	(437.67)	112.5
MISCELLANEOUS REVENUE	2,060.12	17,459.39	.00	23,000.00	5,540.61	75.9
INTEREST REVENUES	602.68	1,838.07	.00	400.00	(1,438.07)	459.5
DONATIONS	1,478.87	33,025.41	.00	21,500.00	(11,525.41)	153.6
OPERATIONAL TRANSFERS IN	.00	70,000.00	.00	70,000.00	.00	100.0
CASH CARRYOVER	.00	.00	.00	206,061.00	206,061.00	.0
	4,446.30	1,765,981.54	.00	1,024,191.00	(741,790.54)	172.4

EXPENDITURES

LIBRARY EXPENDITURES

PERSONAL SERVICES	72,801.47	467,435.09	.00	631,378.00	163,942.91	74.0
MATERIAL & SERVICES	17,628.31	96,696.87	299.40	144,600.00	47,603.73	67.1
TRANSFERS OUT	13,033.59	117,302.31	.00	156,403.00	39,100.69	75.0
CONTINGENCY/OTHER	.00	.00	.00	91,810.00	91,810.00	.0
	103,463.37	681,434.27	299.40	1,024,191.00	342,457.33	66.6
	(99,017.07)	1,084,547.27	(299.40)	.00	(1,084,247.87)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

STREETS FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
<i>REVENUE</i>						
<i>PROGRAM REVENUES</i>						
INTERGOVERNMENTAL	132,008.12	1,172,739.00	.00	1,658,198.00	485,459.00	70.7
CHARGES FOR SERVICES	445.00	4,366.00	.00	4,800.00	434.00	91.0
MISCELLANEOUS REVENUE	45.67	738.23	.00	1,200.00	461.77	61.5
INTEREST REVENUES	196.05	2,661.68	.00	3,000.00	338.32	88.7
CASH CARRYOVER	.00	.00	.00	601,393.00	601,393.00	.0
	132,694.84	1,180,504.91	.00	2,268,591.00	1,088,086.09	52.0
<i>EXPENDITURES</i>						
<i>STREETS EXPENDITURES</i>						
PERSONAL SERVICES	45,342.82	296,240.61	.00	402,552.00	106,311.39	73.6
MATERIAL & SERVICES	21,121.22	114,601.84	2,932.69	201,560.00	84,025.47	58.3
CAPITAL OUTLAY	.00	.00	.00	34,000.00	34,000.00	.0
CONTINGENCY/OTHER	.00	.00	.00	306,547.00	306,547.00	.0
TRANSFERS OUT	16,302.26	268,141.98	.00	356,532.00	88,390.02	75.2
TRANSFERS OUT	485,685.10	704,351.74	.00	967,400.00	263,048.26	72.8
	568,451.40	1,383,336.17	2,932.69	2,268,591.00	882,322.14	61.1
	(435,756.56)	(202,831.26)	(2,932.69)	.00	205,763.95	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

911 EMERGENCY FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
INTERGOVERNMENTAL	.00	19,191.77	.00	76,000.00	56,808.23	25.3
INTEREST REVENUES (9.32)	4.96	.00	20.00	15.04	24.8
OPERATIONAL TRANSFERS IN	6,000.00	54,000.00	.00	72,000.00	18,000.00	75.0
CASH CARRYOVER	.00	.00	.00	23,081.00	23,081.00	.0
	5,990.68	73,196.73	.00	171,101.00	97,904.27	42.8
EXPENDITURES						
911 EMERGENCY EXPENDITURES						
MATERIAL & SERVICES	12,435.12	117,655.44	37,305.61	170,501.00	15,539.95	90.9
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
	12,485.12	118,105.44	37,305.61	171,101.00	15,689.95	90.8
	(6,494.44)	(44,908.71)	(37,305.61)	.00	82,214.32	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

PARKS DEVELOP FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
SPECIAL ASSESSMENTS-SDC'S	4,987.00	76,840.32	.00	152,620.00	75,779.68	50.4
MISCELLANEOUS REVENUE	.00	600.00	.00	.00	(600.00)	.0
INTEREST REVENUES	423.47	3,672.42	.00	4,500.00	827.58	81.6
DONATIONS	.00	27.00	.00	5,000.00	4,973.00	.5
TRANSFER IN	1,422.25	12,800.25	.00	17,067.00	4,266.75	75.0
CASH CARRYOVER	.00	.00	.00	886,555.00	886,555.00	.0
	6,832.72	93,939.99	.00	1,065,742.00	971,802.01	8.8
EXPENDITURES						
PARKS DEVELOP EXPENDITURES						
MATERIAL & SERVICES	.00	.00	.00	5,000.00	5,000.00	.0
CAPITAL OUTLAY	11,289.95	83,869.44	2,336.25	1,060,142.00	973,936.31	8.1
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
	11,339.95	84,319.44	2,336.25	1,065,742.00	979,086.31	8.1
	(4,507.23)	9,620.55	(2,336.25)	.00	(7,284.30)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

LIBRARY ENDOWMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
<i>REVENUE</i>						
<i>PROGRAM REVENUES</i>						
INTEREST REVENUES	61.75	547.34	.00	650.00	102.66	84.2
CASH CARRYOVER	.00	.00	.00	135,365.00	135,365.00	.0
	61.75	547.34	.00	136,015.00	135,467.66	.4
<i>EXPENDITURES</i>						
<i>LIBRARY ENDOWMENT EXPENDITUR</i>						
CAPITAL OUTLAY	.00	.00	.00	135,415.00	135,415.00	.0
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
	50.00	450.00	.00	136,015.00	135,565.00	.3
	11.75	97.34	.00	.00	(97.34)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

CEMETERY PERPETUAL CARE FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
CHARGES FOR SERVICES	1,435.00	13,575.00	.00	10,600.00	(2,975.00)	128.1
INTEREST REVENUES	375.45	3,270.71	.00	3,500.00	229.29	93.5
INTERFUND LOAN TRANSFERS	2,053.00	18,477.00	.00	24,636.00	6,159.00	75.0
CASH CARRYOVER	.00	.00	.00	783,757.00	783,757.00	.0
	3,863.45	35,322.71	.00	822,493.00	787,170.29	4.3
EXPENDITURES						
CEMETERY PERPETUAL CARE EXPE						
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
CONTINGENCY/OTHER	.00	.00	.00	821,893.00	821,893.00	.0
	50.00	450.00	.00	822,493.00	822,043.00	.1
	3,813.45	34,872.71	.00	.00	(34,872.71)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

FORFEITURE FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
MISCELLANEOUS REVENUE	.00	39,631.25	.00	2,000.00	(37,631.25)	1981.6
INTEREST REVENUES	21.53	208.21	.00	110.00	(98.21)	189.3
CASH CARRYOVER	.00	.00	.00	14,008.00	14,008.00	.0
	21.53	39,839.46	.00	16,118.00	(23,721.46)	247.2
EXPENDITURES						
FORFEITURE EXPENDITURES						
MATERIAL & SERVICES	9,584.00	16,290.73	.00	16,118.00	(172.73)	101.1
	9,584.00	16,290.73	.00	16,118.00	(172.73)	101.1
	(9,562.47)	23,548.73	.00	.00	(23,548.73)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

TRANSIT FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
GRANT REVENUE	261,069.00	1,060,937.00	.00	786,786.00	(274,151.00)	134.8
PAYROLL TAX	24,903.11	562,208.95	.00	916,875.00	354,666.05	61.3
INTEREST REVENUES	437.38	2,434.58	.00	500.00	(1,934.58)	486.9
DONATIONS	120.00	547.25	.00	700.00	152.75	78.2
TRANSFER IN	.00	250,000.00	.00	250,000.00	.00	100.0
CASH CARRYOVER	.00	.00	.00	47,199.00	47,199.00	.0
	286,529.49	1,876,127.78	.00	2,002,060.00	125,932.22	93.7
EXPENDITURES						
TRANSIT EXPENDITURES						
PERSONAL SERVICES	16,378.32	108,803.28	.00	150,769.00	41,965.72	72.2
MATERIAL & SERVICES	63,283.48	591,180.93	277,198.91	906,312.00	37,932.16	95.8
CAPITAL OUTLAY	.00	52,405.61	48,960.00	254,842.00	153,476.39	39.8
TRANSFERS OUT	61,664.41	439,441.69	.00	566,666.00	127,224.31	77.6
CONTINGENCY/OTHER	.00	.00	.00	123,471.00	123,471.00	.0
	141,326.21	1,191,831.51	326,158.91	2,002,060.00	484,069.58	75.8
	145,203.28	684,296.27	(326,158.91)	.00	(358,137.36)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

SWIM CENTER LEVY

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUE						
PROPERTY TAXES	17,953.36	493,620.77	.00	531,215.00	37,594.23	92.9
CHARGES FOR SERVICES	11,811.14	123,355.88	.00	172,600.00	49,244.12	71.5
INTEREST REVENUES	131.11	866.98	.00	800.00	(66.98)	108.4
CASH CARRYOVER	.00	.00	.00	157,430.00	157,430.00	.0
	29,895.61	617,843.63	.00	862,045.00	244,201.37	71.7
EXPENDITURES						
SWIM CENTER EXPENDITURES						
PERSONAL SERVICES	57,151.73	345,823.49	.00	435,178.00	89,354.51	79.5
MATERIAL & SERVICES	6,501.57	68,996.57	3,499.98	123,380.00	50,883.45	58.8
CAPITAL OUTLAY	.00	14,064.51	.00	14,065.00	.49	100.0
TRANSFERS OUT	8,135.33	73,217.97	.00	97,624.00	24,406.03	75.0
CONTINGENCY/OTHER	.00	.00	.00	191,798.00	191,798.00	.0
	71,788.63	502,102.54	3,499.98	862,045.00	356,442.48	58.7
	(41,893.02)	115,741.09	(3,499.98)	.00	(112,241.11)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

URBAN RENEWAL GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
URD PROGRAM REVENUE						
DEBT PROCEEDS	.00	15,179,711.25	.00	17,039,712.00	1,860,000.75	89.1
GRANT REVENUE	.00	10,300.00	.00	.00	(10,300.00)	.0
MISCELLANEOUS REVENUE	.00	6,578.00	.00	100.00	(6,478.00)	6578.0
INTEREST REVENUES	6,221.28	29,881.77	.00	10,000.00	(19,881.77)	298.8
OPERATIONAL TRANSFERS IN	43,500.00	391,500.00	.00	522,000.00	130,500.00	75.0
CASH CARRYOVER	.00	.00	.00	4,165,138.00	4,165,138.00	.0
	49,721.28	15,617,971.02	.00	21,736,950.00	6,118,978.98	71.9
EXPENDITURES						
URD EXPENDITURES						
MATERIAL & SERVICES	69,116.16	592,051.27	3,543.50	783,550.00	187,955.23	76.0
CAPITAL OUTLAY	452,197.55	3,324,697.85	1,024,833.94	18,600,669.00	14,251,137.21	23.4
CONTINGENCY/OTHER	.00	.00	.00	139,875.00	139,875.00	.0
TRANSFERS OUT	.00	2,212,853.44	.00	2,212,856.00	2.56	100.0
	521,313.71	6,129,602.56	1,028,377.44	21,736,950.00	14,578,970.00	32.9
	(471,592.43)	9,488,368.46	(1,028,377.44)	.00	(8,459,991.02)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

URBAN RENEWAL DEBT SVC. FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
URD DEBT SERVICE REVENUE						
PROPERTY TAXES	75,856.16	2,085,160.47	.00	2,169,129.00	83,968.53	96.1
SPECIAL ASSESSMENTS	18,394.31	39,159.18	.00	42,194.00	3,034.82	92.8
INTEREST REVENUES	12,479.01	28,182.86	.00	93,399.00	65,216.14	30.2
OPERATIONAL TRANSFERS IN	.00	2,212,853.44	.00	2,212,856.00	2.56	100.0
CASH CARRYOVER	.00	.00	.00	148,410.00	148,410.00	.0
	106,729.48	4,365,355.95	.00	4,665,988.00	300,632.05	93.6
EXPENDITURES						
URBAN RENEWAL DEBT EXPENDITU						
DEBT	.00	3,059,755.59	.00	4,143,988.00	1,084,232.41	73.8
TRANSFERS OUT	43,500.00	391,500.00	.00	522,000.00	130,500.00	75.0
	43,500.00	3,451,255.59	.00	4,665,988.00	1,214,732.41	74.0
	63,229.48	914,100.36	.00	.00	(914,100.36)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

DEBT SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
SPECIAL ASSESSMENTS	.00	421.80	.00	.00	(421.80)	.0
INTEREST REVENUES	8.77	463.12	.00	100.00	(363.12)	463.1
OPERATIONAL TRANSFERS IN	8,439.75	307,047.75	.00	332,367.00	25,319.25	92.4
CASH CARRYOVER	.00	.00	.00	4,830.00	4,830.00	.0
	8,448.52	307,932.67	.00	337,297.00	29,364.33	91.3
EXPENDITURES						
DEBT EXPENDITURES						
MATERIAL & SERVICES	.00	113,001.23	.00	115,297.00	2,295.77	98.0
DEBT	.00	74,018.74	.00	79,020.00	5,001.26	93.7
TRANSFERS OUT	11,915.00	107,235.00	.00	142,980.00	35,745.00	75.0
	11,915.00	294,254.97	.00	337,297.00	43,042.03	87.2
	(3,466.48)	13,677.70	.00	.00	(13,677.70)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

STREET RESERVE FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
GRANT REVENUE	.00	164,265.94	.00	161,500.00	(2,765.94)	101.7
SPECIAL ASSESSMENTS-SDC'S	2,423.10	51,488.60	.00	135,056.00	83,567.40	38.1
INTEREST REVENUES	280.90	1,709.22	.00	7,500.00	5,790.78	22.8
RESERVE TRANSFERS IN	485,685.10	704,351.74	.00	967,400.00	263,048.26	72.8
CASH CARRYOVER	.00	.00	.00	1,085,153.00	1,085,153.00	.0
	488,389.10	921,815.50	.00	2,356,609.00	1,434,793.50	39.1
EXPENDITURES						
STREET RESERVE EXPENDITURES						
CAPITAL OUTLAY	12,142.50	1,310,446.49	12,377.00	2,356,009.00	1,033,185.51	56.2
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
	12,192.50	1,310,896.49	12,377.00	2,356,609.00	1,033,335.51	56.2
	476,196.60	(389,080.99)	(12,377.00)	.00	401,457.99	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

CAPITAL RESERVE FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
<i>REVENUE</i>						
<i>PROGRAM REVENUES</i>						
MISCELLANEOUS REVENUE	2,399.12	38,086.12	.00	53,631.00	15,544.88	71.0
INTEREST REVENUES	61.58	422.45	.00	400.00	(22.45)	105.6
RESERVE TRANSFERS IN	12,500.00	112,500.00	.00	150,000.00	37,500.00	75.0
CASH CARRYOVER	.00	.00	.00	71,647.00	71,647.00	.0
	14,960.70	151,008.57	.00	275,678.00	124,669.43	54.8
<i>EXPENDITURES</i>						
<i>CAPITAL RESERVE EXPENDITURES</i>						
CAPITAL OUTLAY	18,317.20	76,662.47	.00	275,678.00	199,015.53	27.8
	18,317.20	76,662.47	.00	275,678.00	199,015.53	27.8
	(3,356.50)	74,346.10	.00	.00	(74,346.10)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

FLEET SERVICES FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
CHARGES FOR SERVICES	.00	.00	.00	90,000.00	90,000.00	.0
MISCELLANEOUS REVENUE	32.98	4,714.86	.00	3,300.00	(1,414.86)	142.9
INTEREST REVENUES	224.28	1,872.99	.00	800.00	(1,072.99)	234.1
CASH CARRYOVER	.00	.00	.00	331,859.00	331,859.00	.0
	257.26	6,587.85	.00	425,959.00	419,371.15	1.6
OPERATIONAL REVENUE						
CHARGES FOR SERVICES	441.80	5,884.46	.00	15,500.00	9,615.54	38.0
	441.80	5,884.46	.00	15,500.00	9,615.54	38.0
OPERATIONAL TRANSFERS IN						
OPERATIONAL TRANSFERS IN	74,669.69	731,036.41	.00	984,550.00	253,513.59	74.3
	74,669.69	731,036.41	.00	984,550.00	253,513.59	74.3
	75,368.75	743,508.72	.00	1,426,009.00	682,500.28	52.1
EXPENDITURES						
FLEET EXPENDITURES						
PERSONAL SERVICES	25,019.95	159,183.13	.00	223,342.00	64,158.87	71.3
MATERIAL & SERVICES	31,947.06	319,015.01	5,378.21	694,603.00	370,209.78	46.7
CONTINGENCY/OTHER	.00	.00	.00	122,595.00	122,595.00	.0
TRANSFERS OUT	3,556.67	32,010.03	.00	42,680.00	10,669.97	75.0
TRANSFERS OUT	12,500.00	112,500.00	.00	150,000.00	37,500.00	75.0
	73,023.68	622,708.17	5,378.21	1,233,220.00	605,133.62	50.9
FLEET RESERVES						
CAPITAL OUTLAY	.00	32,813.22	6,342.42	192,789.00	153,633.36	20.3
	.00	32,813.22	6,342.42	192,789.00	153,633.36	20.3
	73,023.68	655,521.39	11,720.63	1,426,009.00	758,766.98	46.8
	2,345.07	87,987.33	(11,720.63)	.00	(76,266.70)	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

FACILITIES FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
INTEREST REVENUES	36.80	436.45	.00	400.00	(36.45)	109.1
CASH CARRYOVER	.00	.00	.00	75,695.00	75,695.00	.0
	36.80	436.45	.00	76,095.00	75,658.55	.6
OPERATIONAL REVENUE						
CHARGES FOR SERVICE	146.36	723.89	.00	1,800.00	1,076.11	40.2
	146.36	723.89	.00	1,800.00	1,076.11	40.2
OPERATIONAL TRANSFERS						
OPERATIONAL TRANSFERS	21,919.68	197,277.12	.00	263,036.00	65,758.88	75.0
	21,919.68	197,277.12	.00	263,036.00	65,758.88	75.0
	22,102.84	198,437.46	.00	340,931.00	142,493.54	58.2
EXPENDITURES						
FACILITIES EXPENDITURES						
PERSONAL SERVICES	10,589.05	69,687.22	.00	92,482.00	22,794.78	75.4
MATERIAL & SERVICES	13,019.17	85,163.19	10,017.50	130,904.00	35,723.31	72.7
TRANSFERS OUT	1,000.00	3,000.00	.00	3,000.00	.00	100.0
CONTINGENCY/OTHER	.00	.00	.00	27,620.00	27,620.00	.0
	24,608.22	157,850.41	10,017.50	254,006.00	86,138.09	66.1
FACILITIES RESERVES						
CAPITAL OUTLAY	.00	56,661.13	3,758.00	86,925.00	26,505.87	69.5
	.00	56,661.13	3,758.00	86,925.00	26,505.87	69.5
	24,608.22	214,511.54	13,775.50	340,931.00	112,643.96	67.0
	(2,505.38)	(16,074.08)	(13,775.50)	.00	29,849.58	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

TECH SERVICES FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
INTEREST REVENUES	92.98	965.85	.00	1,200.00	234.15	80.5
CASH CARRYOVER	.00	.00	.00	223,798.00	223,798.00	.0
	92.98	965.85	.00	224,998.00	224,032.15	.4
OPERATIONAL TRANSFERS IN						
OPERATIONAL TRANSFERS IN	19,929.33	179,363.97	.00	239,152.00	59,788.03	75.0
	19,929.33	179,363.97	.00	239,152.00	59,788.03	75.0
RESERVES REVENUE						
RESERVE TRANSFERS IN	2,016.67	20,950.03	.00	27,000.00	6,049.97	77.6
	2,016.67	20,950.03	.00	27,000.00	6,049.97	77.6
	22,038.98	201,279.85	.00	491,150.00	289,870.15	41.0
EXPENDITURES						
TECH SERVICE EXPENDITURES						
PERSONAL SERVICES	12,948.07	80,068.51	.00	104,085.00	24,016.49	76.9
MATERIAL & SERVICES	38,300.53	134,131.08	30,877.94	198,480.00	33,470.98	83.1
CONTINGENCY/OTHER	.00	.00	.00	16,403.00	16,403.00	.0
TRANSFERS OUT	173.92	1,565.28	.00	2,087.00	521.72	75.0
	51,422.52	215,764.87	30,877.94	321,055.00	74,412.19	76.8
TECH RESERVE						
CAPITAL OUTLAY	965.50	14,303.92	6,500.00	170,095.00	149,291.08	12.2
	965.50	14,303.92	6,500.00	170,095.00	149,291.08	12.2
	52,388.02	230,068.79	37,377.94	491,150.00	223,703.27	54.5
	(30,349.04)	(28,788.94)	(37,377.94)	.00	66,166.88	.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

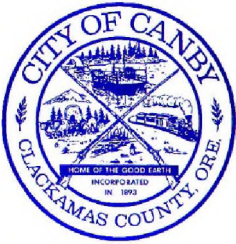
SEWER COMBINED FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
REVENUE						
PROGRAM REVENUES						
MISCELLANEOUS REVENUE	100.00	2,346.93	.00	.00	(2,346.93)	.0
INTEREST REVENUES	1,121.31	9,315.40	.00	10,000.00	684.60	93.2
CASH CARRYOVER	.00	.00	.00	2,338,131.00	2,338,131.00	.0
	1,221.31	11,662.33	.00	2,348,131.00	2,336,468.67	.5
OPERATIONS REVENUE						
CHARGES FOR SERVICES	289,789.91	2,453,679.32	.00	3,240,000.00	786,320.68	75.7
	289,789.91	2,453,679.32	.00	3,240,000.00	786,320.68	75.7
RESERVES REVENUE						
SPECIAL ASSESSMENTS	5,393.50	62,399.90	.00	100,276.00	37,876.10	62.2
INTERFUND LOAN TRANSFERS IN	8,439.75	75,957.75	.00	101,277.00	25,319.25	75.0
	13,833.25	138,357.65	.00	201,553.00	63,195.35	68.7
	304,844.47	2,603,699.30	.00	5,789,684.00	3,185,984.70	45.0
EXPENDITURES						
SEWER/WWTP EXPENDITURES						
PERSONAL SERVICES	69,927.16	452,177.13	.00	598,716.00	146,538.87	75.5
MATERIAL & SERVICES	53,401.10	387,886.27	1,062.46	750,750.00	361,801.27	51.8
TRANSFERS OUT	19,125.43	157,633.43	.00	207,762.00	50,128.57	75.9
TRANSFERS OUT	.00	250,000.00	.00	250,000.00	.00	100.0
TRANSFERS OUT	20,285.29	171,757.56	.00	226,800.00	55,042.44	75.7
CONTINGENCY/OTHER	.00	.00	.00	253,875.00	253,875.00	.0
	162,738.98	1,419,454.39	1,062.46	2,287,903.00	867,386.15	62.1
SEWER COLLECTIONS EXPENDITUR						
PERSONAL SERVICES	31,793.66	210,277.70	.00	267,947.00	57,669.30	78.5
MATERIAL & SERVICES	20,675.10	34,697.47	98.91	89,130.00	54,333.62	39.0
TRANSFERS OUT	1,466.76	101,446.12	.00	149,969.00	48,522.88	67.6
	53,935.52	346,421.29	98.91	507,046.00	160,525.80	68.3
STORMWATER EXPENDITURES						
PERSONAL SERVICES	17,531.81	100,174.88	.00	143,548.00	43,373.12	69.8
MATERIAL & SERVICES	5,966.60	17,742.81	411.53	77,350.00	59,195.66	23.5
TRANSFERS OUT	7,160.67	64,446.03	.00	85,928.00	21,481.97	75.0

CITY OF CANBY
FUND SUMMARY
FOR THE 9 MONTHS ENDING MARCH 31, 2013

SEWER COMBINED FUND

	PERIOD ACTUAL	YTD ACTUAL	ENCUMBERED	BUDGET	(OVER)/UNDER	PCNT
	30,659.08	182,363.72	411.53	306,826.00	124,050.75	59.6
SEWER DEBT						
DEBT	.00	269,637.51	.00	564,925.00	295,287.49	47.7
	.00	269,637.51	.00	564,925.00	295,287.49	47.7
SEWER RESERVE						
MATERIAL & SERVICES	8,077.50	8,077.50	95,922.50	104,950.00	950.00	99.1
CAPITAL OUTLAY	250.00	226,324.41	99,909.10	2,017,434.00	1,691,200.49	16.2
TRANSFERS OUT	50.00	450.00	.00	600.00	150.00	75.0
	8,377.50	234,851.91	195,831.60	2,122,984.00	1,692,300.49	20.3
	255,711.08	2,452,728.82	197,404.50	5,789,684.00	3,139,550.68	45.8
	49,133.39	150,970.48	(197,404.50)	.00	46,434.02	.0



City of Canby Bi-Monthly Report
Department: Administration
For Months of:
March and April 2013

To: The Honorable Mayor Hodson & City Council
From: Kim Scheafer, MMC, City Recorder
Prepared by: Erin Burckhard, Office Specialist II
Through: Greg Ellis, City Administrator
Date: May 6, 2013

1. **Business Licenses** – Sixty-five (65) new business licenses were issued during the months of March and April 2013. This compares to 27 new licenses issued during March and April 2012. Thirty-two (32) business licenses were inactivated during the months of March and April 2013. This compares to 24 inactivated during the same period in 2012. Two hundred-one (201) business license renewals were sent out, compared to 185 in 2012. The total number of businesses licensed with the City of Canby is 1,110, of which 636 have Canby addresses.
2. **Complaints/Inquiries** – Five (5) complaints/inquiries were received during March and April 2013, all of which have been resolved. Two (2) were resolved within 24 hours. Two (2) follow-up cards were mailed and one was returned with Excellent and Good ratings. We received no Poor ratings during this tracking period.

Cemetery - Total property purchases recorded: Three
Total interments recorded: Five
3. **Training/Meetings** –
 - Kim Scheafer and Erin Burckhard toured Zion Memorial Cemetery on March 5.
 - Kim Scheafer and Sue Ryan attended the OAMR Mid-Year Conference on April 5.
 - Greg Ellis, Kim Scheafer, and Mayor Hodson attended the LOC Class Council/Manager/Staff Relations on April 22.
4. **Special Animal Permits** – Two.
5. **Sidewalk/Park Vending Permit** – None.
6. **Liquor Licenses Processed** – Two (2) liquor licenses were processed and taken to the City Council.
7. **Miscellaneous** – The City's electronic newsletter was distributed to 1,128 email addresses in March and 1,134 in April 2013.



M E M O R A N D U M

TO: *Honorable Mayor Hodson and City Council*
FROM: *Renate Mengelberg, Economic Development Director*
Jamie Stickel, Main Street Manager
THROUGH: *Greg Ellis, City Administrator*

RE: *BI-MONTHLY STAFF REPORT MARCH – APRIL 2013*
ECONOMIC DEVELOPMENT DEPARTMENT

Economic Development Updates

The following projects are funded through Urban Renewal.

Economic Development Strategy – The plan was unanimously approved by City Council on April 3, 2013. A web page is in place to make the plan, executive summary and background reports and documents accessible at: http://www.canbybusiness.com/ec_dev_strategy.htm

Urban Renewal Annual Report – Staff updated and expanded the report with frequently asked questions, project updates, list of remaining projects, past projects, and revenue impacts on taxing bodies. The plan was unanimously adopted by the URA Board on April 10th. Copies can be found online at: <http://www.ci.canby.or.us/URD/Plan.htm> or at city hall and the development services building.

Canby Film and Video Program – City Council approved a film and video resolution March 6th. Staff is partnering with Clackamas County to attract film and video productions to Canby. A new webpage makes it easy to find the resources, applications and assistance - see <http://www.canbybusiness.com/film&video.htm>. Property owners of film worthy buildings and sites are encouraged to submit photos and information on the County's database. Staff is working on expanding the number of sites and buildings listed and are reaching out to the owners of 20 promising properties to encourage their participation. New photos have been taken and are in the process of being loaded on to "Reel Scout" – the online Film and Video listing service.

Business Assistance

- The owners of Canby Rental are exploring rebuilding a larger building at their current 1st and Elm Street location by spring 2015. Staff prepared a \$5,000 grant request from Clackamas County for conceptual 3-D designs and preliminary size and cost estimates. This will be helpful in securing financing and support for the project. They have also connected with staff to learn about the permitting process, financing and technical assistance.
- Staff met with Product Manufacturing representatives to touch base 1.5 years after they relocated to Canby from Sherwood. The company has grown to 29 employees, have purchased new equipment and are flourishing in their new facility. They have many positive comments about doing business in Canby.

Business Recruitment:

- A manufacturer is looking for 2 acres or 20,000 square feet of existing space. Staff connected them to the executives for the newly vacated Peco building.
- A broker lead from Portland for a manufacturer looking for 20 acres to build a 200,000-250,000 SF building to employ 400- 450 jobs. Staff presented 3 options.
- A nearby high end cabinetmaking shop is looking for 1-2 acres to build a new 10,000 square foot building. Several sites fit their specifications.
- A cycle shop in Oregon City is looking to add a branch location in Canby. Staff provided 3 spaces in or near downtown.
- Staff presented a proposal and 4 site options to the consultant representing a manufacturer looking for a 4-6 acre sites in Canby The manufacturer is currently located in Oregon City and has 50 employees.
- Project White Rose – Staff presented the Peco Building for this manufacturer of electrical scooters. The company would employ 32 workers with jobs paying over \$29,000 with full benefits. They are looking for a 30,000 square foot building and would begin operations in January 2014. The building, location and infrastructure all meet the company’s needs. Canby and other sites in Oregon are competing with 4 other states for this project.
- Project Freedom Update: Canby submitted an extensive proposal for this \$125 million 15 – 20 acre advanced energy plant – one of 15 the state received. The client will develop a short list by June 3rd.
- Two leads were evaluated and determined not to be a fit for Canby because we lack existing buildings in the size that is needed.

Staff provided an in-depth tour of the Canby Pioneer Industrial Park to Greenlight Greater Portland and Business Oregon staff. These regional and statewide teams actively recruit businesses to Oregon and market to site selectors nationally and internationally.

Community Response Team meeting: City, County and State leaders met to talk about transportation projects in and around Canby on May 1st. Holding annual discussions to coordinate efforts and share information was an action step identified in Canby’s newly adopted Vision.

Team Track Development: A team including the property owner, rail operator, and team track expert and city staff developed a scope of work for a study to determine demand and potential features for the Team Track. This facility would open up rail shipping access to Canby companies and surrounding businesses. The team has assessed the site and developed a preliminary layout to determine if the concept can work. From a technical and logistics standpoint it has proven to be a strong concept. If potential demand is strong, the concept will be positioned for a Connect Oregon grant in September.

Industrial Site Certification: Staff met with the Business Oregon Team to launch the process. Over the next few months, we will develop the application, reach out to property owners to confirm interest and begin collecting the substantial background materials needed for certification. We will aim to certify as many vacant Canby Pioneer Industrial properties as possible.

Main Street Updates

The following projects are funded through Urban Renewal.

Promotion

- **Downtown Canby First Friday** – The March 1st and April 5th First Friday events were successful. The program continues to grow with more interest from the public and downtown businesses, and will take place year round. The Cash Mob will return in May 2013. The Cash Mob is a promotion that brings participants who commit to spending at least \$10 in a secret Cash Mob location. The group gathers at 6:00pm outside of City Hall and once the Cash Mob location is announced, the entire group “mobs” the business, ready to purchase goods.
- **Garden Spot Run** – The Promotions Committee decided to postpone the Garden Spot Fun Run/Walk until September 7th. The Garden Spot Run will feature a 10K/5K run, a kiddie run, and a doggie dash. Committee members are working on coordinating all efforts of this event, including music, children’s activities, and working with local businesses to promote downtown Canby. Several of the runners and vendors have expressed interest in participating during the September run/walk. More information can be found at www.gardenspotrun.com or on the Facebook page, www.facebook.com/gardenspotrun.
- **Entertainment Brochure** – The Downtown Canby entertainment brochure was updated in March to reflect new businesses downtown, update information on existing listings, and update the color scheme. They are available in several places including City Hall, the Development Services Building, and the Chamber of Commerce.
- **Website and Social Media Updates** – Marketing downtown’s successful, unique businesses is imperative for the success of downtown Canby. The Main Street Manager will increase contact with businesses, residents, and all who are interested in learning more about downtown Canby through increasing the use of Canby Main Street’s website and Facebook page. The newsletter also lists resources for businesses, including information on the façade program and revolving loan fund, “Tools for Business Success”, and links to the Main Street and Shop Canby websites. The Canby Main Street Facebook page currently has 601 likes.

Organization

- **Historic Review Board** - The City of Canby appointed three new members to re-energize the dormant Historic Review Board. The board focuses on encouraging historic preservation and interpretation, encouraging historic elements throughout Canby, advising and supporting grant opportunities, reviewing historic building modification proposals, and providing guidance to the planning department. The Historic Review Board will meet between 2 and 4 times per year, or as necessary. Anyone interested in participating in this board should contact Jamie Stickel, Main Street Manager, at 503.266.0772 or StickelJ@ci.canby.or.us.
- **CLG Grant** –the Main Street Program was awarded the Certified Local Government Grant of \$11,750 from State Historic Preservation Office. This grant will fund several projects, including:

- Complete intensive level surveys on 2-5 properties noted as eligible in the 2009 downtown survey
- Install plaques with historic photo and information on 25 properties listed in the 2009 downtown survey
- Provide technical design assistance for downtown property owners
- Conference and training for staff and commissioners
- Grant administration

Design

- **Blade Sign Program** – The City of Canby has created a Blade Sign Program that encourages businesses to change from ‘A’ frame signs which can clutter sidewalks and make it difficult for pedestrians to pass by. The Blade Sign Program encourages pedestrian traffic, create a unique look for business signage, and allow for easy pedestrian access. Building off of the successful Façade Improvement Program, the Blade Sign Program will use Urban Renewal funds for hardware and mounting material, which will be permanent structures. The businesses will purchase the signage that will hopefully feature their logo and must fit within the City of Canby Municipal Code.
- **Façade Program** – At the April Urban Renewal meeting, three façade applications were approved for a matching grant up to \$25,000.
 - **Mike’s Place** (404 NW 1st Avenue) proposed to wash the exterior in preparation for painting, repair cracks and imperfections throughout the structure, prime all bare wood, metal and masonry as needed, and paint and trim the building.
 - The **Canby Clinic** (452 NW 1st Avenue) will replace the awning, replace the side entrance door, remove the planter box, replace the windows, extend the front windows to the ground, and install stonework slabs to be laid as a bench.
 - **Advantage Mortgage** (265 SW 1st Avenue) will be updating and modernizing the building, painting the exterior of the building, changing siding, new windows, and adding slate to the lower portion. They have chosen colors that complement the Bricks and Minifigs building that is across the street.

Newly completed Façade Improvement projects include:

- **Genes Electronics** – New tan and black stripped awning and paint.
- **T-Line Design** – new olive, gold and black paint and minor deck repairs.



Bi-Monthly Finance Department Report

To: Mayor Brian Hodson & City Council Members
From: Haley Fish, Finance Director
Through: Greg Ellis, City Administrator
Covering: March & April 2013
Compiled by: Suzan Duffy

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

- Activities this period were centered around building the **Proposed 2013-2014 Budget**, which has been provided to the Budget Committee and is available on the City web page. The Budget Committee is scheduled to meet May 14th, 22nd and 29th.

- The **CAFR (Comprehensive Annual Financial Report) for 2011-2012** was issued and dated 3/15/13 and upon receipt was promptly submitted to the federal audit clearing house and EMMA in accordance with federal audit requirements and our debt continuing disclosure requirements.

- In coordination with the Economic Development Department, the Finance Director completed the financial section of the **Canby Urban Renewal District Annual Report 2011-2012**, and presented it to the Agency.

- The annual review of the City **Master Fee Schedule** is underway. Recommended changes will be presented to Council in May.

- All members of the Finance department **committed to wellness goals** through the 5210 Program and Canby Walks America Challenge.

- The **Oregon Municipal Finance Officer Association** spring conference provided helpful sessions on current topics in municipal finance as well as an opportunity to network with personnel from other cities facing similar challenges.

Statistics this period:

- **Accounts Payable**

Invoices:	745
Invoice entries:	1166
Encumbrances:	25
Manual checks:	14
Total checks:	490

- **Payroll**

Timesheets processed:	443
Total checks and vouchers:	519
New hires/separations:	6/0

- **Transit Tax Collection**

Forms sent:	729
Delinquent notices sent:	2
Non-filed notices sent:	1
Collection notices sent:	0
Accounts sent to collections:	0
Accounts opened/closed:	63/25
Returns posted:	638

- **Utility Billing**

Bills sent:	9033
Counter payments:	312
Accounts opened and closed:	106
Lien payoffs:	5
Lien payoff inquiries:	37
Collection notices sent:	37
Accounts sent to collections:	0

- **General Ledger**

Total journal entries:	277
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- **Cash Receipts Processed**

Finance:	988
Utility:	512

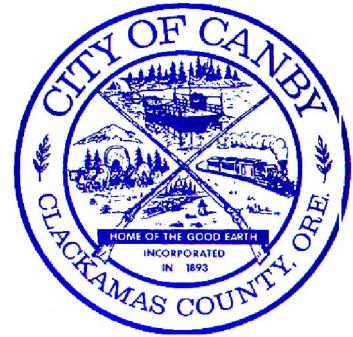
CANBY PUBLIC LIBRARY
BI-MONTHLY STAFF REPORT
March - April 2013

TO: Honorable Mayor Hodson and City Council

FROM: Penny Hummel, Library Director

THROUGH: Greg Ellis, City Administrator

DATE: May 1, 2013



New library planning. During this time period, the design of the new library has continued to evolve as details are confirmed and the input of various stakeholders is engaged. In April, the new library planning team selected Emerick Construction Co. as our CM/GC contractor. Negotiations with CUB for the property needed for the project continue to progress, and at the April 17 City Council meeting, council members affirmed the project's scope and location.

Programming highlights. The library's eight part Civil War series successfully concluded in April, with large audience participation and much lively discussion. We thank the Clackamas County Cultural Coalition, the Oregon Cultural Trust, the Friends of the Library, the Gilder Lehrman Institute of American History and the Library of America for their support of this project. The library also hosted a successful Dia de los Ninos/Dia de los Libros (Day of the Child/Day of the Book) on April 27, attracting over 100 children and adults to the library.

Grant awards. The Canby Public Library has received two national grants that will be fulfilled in partnership with the Student Peace Advocacy group at Baker Prairie Middle School. Provided by the National Endowment for the Humanities in cooperation with the American Library Association, the first grant will add the acclaimed *Muslim Journeys* Bookshelf to the library's collection. This collection of 25 books and three films provides an introduction to the complex history and culture of Muslims in the United States and around the world. To highlight the collection, two of the featured films will be screened and discussed in Canby. The public is invited and admission is free.

- *Islamic Art: Mirror of the Invisible World*, explores the richness of Islamic art in objects large and small, from ornate palaces to the exquisite beauty of ceramics, paintings and metal work. (Canby Public Library, Thursday, May 2, 6:00 p.m.)
- *Koran By Heart*. Each year, one hundred of the smartest kids from across the Islamic world arrive in Cairo for the world's oldest Koran reciting contest. Featuring the progress of three extraordinary 10 year olds who go head to head with kids nearly twice their age, *Koran By Heart* offers a compelling and nuanced glimpse into the pressures faced by the next generation of Muslims. (Baker Prairie Middle School, Thursday, May 16, 6:00 p.m.)

The library also received a \$2,000 grant from the United States Institute of Peace, an independent, nonpartisan institution established and funded by Congress to promote the peaceful resolution of international conflict. This grant will support two activities in Canby focused on peacemaking:

- *The Art of Peacemaking*, a daylong event at the Canby Public Library on Tuesday, May 21 exploring peace through art and poetry. Led by award-winning mosaic artist Lynn Takata and poet Cindy Williams Gutierrez, this bilingual program will weave together the creativity of children and adults in an exploration of what peace means to each of us. At the end of the day, all contributions will be combined in a unique piece of artwork incorporating mosaic tiles, glass and words.
 - Mosaic and Poetry Workshop for adults: 1 – 3 pm
 - After-school mosaic workshop: 3:30 – 5 pm
 - Family mosaics and poetry: 5:30 – 6:30 pm
 - Artist talk and poetry reading 6:30 – 7:30 pm
- *Negotiating and Promoting Peace*, a daylong residency on Thursday, May 23 at Baker Prairie Middle School by Steven Nakama. A native of South Africa, Nakama is adjunct instructor of Conflict Resolution at Portland State University, and is a Rotary Foundation World Peace Fellow. His work with students during the residency will complement an evening Israeli/Palestinian peace treaty simulation to be demonstrated by Baker Prairie students at 7 p.m. This event is free and open to the public.

The *Bridging Cultures Bookshelf: Muslim Journeys* is a project of the National Endowment for the Humanities, conducted in cooperation with the American Library Association. Support was provided by a grant from the Carnegie Corporation of New York. Additional support for the arts and media components was provided by the Doris Duke Foundation for Islamic Art. Additional programming as described above is supported by the U.S. Institute of Peace Public Education for Peacebuilding Support Initiative.

Community involvement. Volunteers donated 465 hours in March and April, helping the library by pulling holds, sorting, shelving, processing and mending books, staffing the Friends of the Library Bookstore, and assisting with library programming and events.

Better access to e-books. In March, we were pleased to participate in the launch of a new browser-based platform for Library2Go, the statewide service that provides downloadable e-books and digital audiobooks to Canby patrons. The new platform simplifies the process of discovering, checking out and using these e-resources. The new interface is much more user friendly and intuitive (take a peek [here!](#)). In addition, the LINCC libraries have pooled resources to buy additional copies of e-book bestsellers, to shorten wait times for popular titles.

Improved access to libraries around the state. This spring, the LINCC libraries have also joined together to become members of the Oregon Library Passport Program (OPPP), a statewide initiative of the Oregon Library Association. The OPPP's underlying premise is that cardholders of legally-established libraries in Oregon ought to be able to use other legally established

libraries. What is most exciting about the OPPP is that it significantly improves library services to our Canby community without additional revenue or costs. Here is how it works. Once a resident has a LINCC library card, he or she is eligible to get a library card at [over 100 other public, academic and special libraries across the state](#). Going to Manzanita for a week? You can borrow books to read on the beach. Headed for the Pendleton Round-Up? Stop by their library and pick up some books to read there, too! OPPP recognizes that library services ought to mirror the way Oregonians live, work and play.

PLANNING & DEVELOPMENT SERVICES MARCH/APRIL 2013 BI-MONTHLY REPORT



TO: *Honorable Mayor Hodson and City Council*
FROM: *Bryan Brown, Planning Director*
DATE: *May 6, 2013*
THROUGH: *Greg Ellis, City Administrator*

The following report provides a summary of the Planning and Development Services activities for the months of March and April, 2013. Please feel free to call departmental staff if you have questions or desire additional information about any of the listed projects or activities. This report includes planning activities, a listing of land use applications and building permit site plan review coordination projects.

Plan Preparation

- 1. Visioning Process.** The vision plan was adopted by the City Council this period.
- 2. Dog Park Plan.** Aurora Architectural Salvage is completing work on deconstructing the barn and outbuildings on the site. The City plans to seek bids for the demolition of the existing house. The Dog Park Advisory Committee is to meet in March to review and discuss a draft "Concept Plan" for the dog park.
- 3. NE Canby Master Plan.** The current draft plan is to be revised through a staff led effort to the effected property owners to gain consensus on a new land use/zoning scheme around the new Otto Road industrial access route. The land use type negotiations with property owners is defined and limited by a total traffic generation level accounted for with the approved TSP for this area. Initial contact with a couple key property owners has begun.
- 4. North Redwood Master Plan.** Senior planner submitted intent to apply for a Transportation Growth Management funded grant for planning assistance of this next key area within the Urban Growth Boundary that is likely to see pressure towards annexation and future development in the near future. Consultation has been held to strengthen the grant application by taking advantage of prior planning work on the Transportation System Plan and work currently underway with the Master Storm Water Plan.

City Program/Project Participation

- 5. Publishing of Code Update.** In conjunction with the latest code amendment staff installed an up-to-date version of the Land Development and Planning Ordinance (Chapter 16 of the Municipal Code) on the Development Services Department webpage separate from the overall City Code to provide a much more up-to-date version of the zoning code provisions.
- 6. Community Park/Pond Improvements.** Wilderness International and other cooperating partners have agreed to plan pond improvements. Matilda has

arranged for volunteers to assist with removing invasive plants and spreading bark mulch.

7. **GIS “GeoMoose” Web Site Access.** Staff tested the site. We are assessing the GIS interface prepared for the City to date by Dean Anderson to determine its value in its current state and compare it with use of the newly revamped Clackamas County C-Map product which is now providing service to the general public at our front counter. There are internal versus external privacy issues to be resolved with infrastructure layer information being available and whether exporting data to developers is useful or should be explored with the system. A meeting with the consultant to nail down final steps needed to make envisioned map layers accessible and more useful will be pursued.
8. **STIP Grants.** Staff continued to seek out and provide requested project information to support the competitive in-depth follow-up assessment review process for the South Ivy Street sidewalks and Township/Ivy traffic signal project submitted for funding on the State Transportation Improvement Program.
9. **Tree Ordinance.** Staff evaluated the options in incorporating the desired new tree ordinance provisions into our existing municipal code tree section and is ready to draft a complete rewrite of the tree ordinance to better accommodate and facilitate all the new provisions proposed.
10. **Buildable Land Needs Study.** Staff has reached out for possible grant assistance again for updating our building lands analysis. We are ready to inventory our existing buildable lands by zoning type now that we have a new county coordinated population forecast to arrive at the future needs element. Concerted staff time is still problematic in getting the project started without outside assistance.

Regional Activity Participation

11. **Clackamas County Coordinated Population Forecast for Five Rural Cities.** A coordinated population forecast for Canby was adopted by the Board of County Commissions and becomes the City’s official population forecast for all planning endeavors. The forecast is for a population of 26,750 by 2032.

Land Use Application Activity

APP 13-01	Save Downtown Canby	Fred Meyer Fuel Station	NW 2nd Ave
DR 13-01	Canby Library	New Library Facility	NW 2 nd Ave
PRA 13-01	Pro-Active Sports	Warehouse Addition	1200 SE 2 nd Ave
DR 13-02	Pro-Active Sports	Warehouse Addition	1200 SE 2 nd Ave
PRA 13-02	Northwoods Estates	Phase II	NW Canby
MOD 13-02	SMS Auto Fabrics	Warehouse Addition	350 S Redwood Street
VAR 13-01	Canby Library	Variance for Landscaping	NW 2nd

12. Pre-Application Conference(s):

- A pre-app conference for Pro-Active Sports warehouse addition at 1200 SE 2nd Avenue involving a new truck loading bay and alternative means of access for truck traffic entering from 3rd Avenue across a private share drive is being proposed.
- A pre-app for Northwood Estates Phase II residential subdivision involves review of a preliminary plat for 33 additional lots toward the implementation of an overall adopted Master Plan for which a development agreement with the City is in place.

13. Land Use Applications Submitted March 1 through April 30, 2013:

- An opposition group call "Save Downtown Canby" made an Appeal to City Council of Planning Commission decision on approval of the Site & Design Review for Fred Meyer Fuel Station proposed at the SW/corner of SE Locust Street & Hwy. 99E.
- FFA Architecture turned in the Site & Design Review and Major Variance application for the new library project. Its review by the Planning Commission was delayed from April 22 to May 13 due to lack of a quorum at the April Planning Commission meeting.
- An Intermediate Modification (Type II) application was submitted for Planning Director review and approval for a 14,400 square foot warehouse addition.
- Pro-Active Sports submitted their Site and Design Review (Type III) application for a 12,000 square foot warehouse addition.

14. Pre-Construction Conference(s) Held: None

15. LUBA Appeal:

- An appeal of Council decision to approve a Comprehensive Plan Text Amendment and Map Amendment adjusting the boundary of the outer highway subarea of the Downtown Canby Overlay District to apply to the proposed site of a Fred Meyer Fuel Station at the SW/corner of SE Locust Street & Hwy. 99E to the State Land Use Board of Appeals continues to run its course with written arguments having been submitted. Oral arguments with LUBA are scheduled for early May, 2013.

Permits Reviewed for County Approval/Issuance

16. Site Plan Reviews for March and April

SP 13-08	Edwards – SOS Lock	Change of Occupancy	906 S Ivy
SP 13-09	John Young	Garage Conversion	509NE 12th
SP 13-10	Travis Cross	Shop Construction	965 NW13th Ave
SP 13-11	Ken Hostetler Const	Interior Wall Construction	926 N Baker St
SP 13-12	Gretchen Keyser	Accessory Structure	900 NE 10 th Ave



SP 13-13	Pacific Lifestyle Homes	Single Family Residence	1387 NE 17 th
SP 13-14	Crystal Park Const	Single Family Residence	1353 N Elm
SP 13-15	Crystal Park Const	Single Family Residence	1326 N Fir
SP 13-16	Steel Curtain Const	Single Family Remodel	820 N Birch
SP 13-17	Francisco Gonzalez	Single Family Remodel	555 SE 2nd
SP 13-18	Darren Michel	Patio Cover	1575 N Ponderosa
SP 13-19	West Coast Homes	Single Family Residence	657 NW Territorial
SP 13-20	West Coast Homes	Single Family Residence	659 NW Territorial
SP 13-21	David Engebetson	Patio Cover	1800 SE 8th
SP 13-22	Advantage Mortgage	Façade Improvement	255 SW 1 st Ave
SP 13-23	J.D. Elder	Covered Patio	359 SE 14 th Place
SP 13-24	White River Homes	Single Family Homes	1487 N Elm St
SP 13-25	A J Howard	Covered Porch	665 N Holly
SP 13-26	Steve Morris	Finish Bonus Room	1392 S Lupine
SP 13-27	Brian Lisac	Single Family Residence	1355 N Fir St.
SP 13-28	AT & T Wireless	Additional Antenna	1905 SE 4 th Ave
SP 13-29	Ashton Homes Corp	Single Family Residence	597 NW 13 th Ave
SP 13-30	American Legion	Façade Improvements/Remodel	424 NW 1 st Ave

17. Sign Applications Reviews for March and April

SN 13-04	Quicksilver Neon	Wall Sign	386 S Sequoia
SN 13-05	Dr. Gisborne	Wall Sign	146 SW 2 nd Ave
SN 13-06	Cutsforth Thriftway	Wall Sign Alteration	225 NE 2 nd Ave
SN 13-07	Dragonberry	Monument Sign	386 S Sequoia

18. Permits Final led by Clackamas County (Completion or Occupancy Permit)

March

-  Habitat for Humanity – Resale Store - Change of Occupancy
-  Mr. Zimmer – Patio Cover

April

-  Jerald Bagge – Detached Garage/Shop
-  Single Family Residence Attached– Crisp Homes
-  Single Family Residence Attached – Crisp Homes
-  Single Family Residence – Pacific Lifestyle Homes
-  Single Family Residence Attached – Crisp Homes
-  Single Family Residence Attached – Crisp Homes

Canby Swim Center Report

From: Eric Laitinen, Aquatic Program Manager

Date: May 2013

Re: Bi-monthly Report

Recreation swims have picked up of late with the recent great weather, but the story of March and April proved to be public and school swimming lessons. Revenue and Attendance were both up over the last two months. Revenue is up \$700.00 and Attendance is also up 700 swims, up \$7,400.00 and 800 swims for the year. We have a few months remaining of spring swimming lessons and summer program registration is underway. Spring break was typically packed with additional afternoon public swims for the kids as well as a lifeguarding class and recertification for current employees. As in previous years, Spring Penguin club is full and summer program will likely follow suit. Penguin club is a junior swim team program that is ½ swimming lesson and ½ swim team. It is great for getting swimmers more confident with their swimming as they swim lengths of the pool instead of back and forth on the side.

The Canby Gators swam ended their season in March at the Tall Timber Championship in Astoria where they finished in 2nd place, moving up one spot from last year. Next year they hope to compete for a championship as it will be held at the Canby Swim Center...cross your fingers for some good weather. In April the Canby Gators started the long course season after a short rest during spring break.

The Pool is all a buzz at the moment as the last preparations for the Canby Swim Club Gator Grinder Triathlon are being completed. The Triathlon brings in 300 athletes plus friends and family members. The Canby swim club has many volunteers running the race, but also receives a lot of help from City staff, the police department as well as the county sheriff's department. We are very thankful for their help. It helps to make a safe and enjoyable race.

FROM : ERIC LAITINEN, AQUATIC PROGRAM MANAGER
SUBJECT: MONTHLY REPORT FOR JANUARY 2013
DATE: MARCH 2013

CANBY SWIM CENTER JANUARY 2013	ADMIT 2012	ADMIT 2013	PASS 2012	PASS 2013	TOTAL 2012	TOTAL 2013	YTD TOTAL II-I2	YTD TOTAL II-I3
MORNING LAP	64	83	264	281	328	364	2177	2240
ADULT RECREATION SWIM	46	14	613	511	659	525	4454	3833
MORNING WATER EXERCISE	103	46	385	355	488	401	2850	2614
PARENT/ CHILD	38	0	0	0	38	0	1361	944
MORNING PUBLIC LESSONS	141	96	0	0	141	96	3613	3649
SCHOOL LESSONS	0	0	0	0	0	0	680	1670
NOON LAP	128	96	300	268	428	364	2213	1962
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	259	202	8	5	267	207	2215	2673
PENGUIN CLUB	0	0	0	0	0	0	712	1043
CANBY H.S. SWIM TEAM	0	0	998	891	998	891	2383	1958
CANBY GATORS	0	0	822	732	822	732	4946	4890
MASTER SWIMMING	0	25	0	25	0	50	0	335
EVENING LESSONS	440	712	0	0	440	712	5002	5888
EVENING LAP SWIM	57	63	35	42	92	105	790	952
EVENING PUBLIC SWIM	290	251	25	9	315	260	2806	2936
EVENING WATER EXERCISE	118	40	80	74	198	114	1038	726
ADULT LESSONS	0	0	0	0	0	0	49	50
GROUPS AND RENTALS	229	345	0	0	229	345	1559	1780
KAYAK	0	0	0	0	0	0	0	0
OUTREACH SWIMMING	0	0	0	0	0	0	523	488
TOTAL ATTENDANCE	1,913	1,973	3,530	3,193	5,443	5,166	39371	40631

FROM : ERIC LAITINEN, AQUATIC PROGRAM MANAGER
SUBJECT: MONTHLY REPORT FOR FEBRUARY 2013
DATE: MARCH 2013

CANBY SWIM CENTER FEBRUARY 2013	ADMIT 2012	ADMIT 2013	PASS 2012	PASS 2013	TOTAL 2012	TOTAL 2013	YTD TOTAL II-I2	YTD TOTAL II-I3
MORNING LAP	55	48	286	325	341	373	2518	2613
ADULT RECREATION SWIM	35	19	627	434	662	453	5116	4286
MORNING WATER EXERCISE	91	53	400	403	491	456	3341	3070
PARENT/ CHILD	192	132	0	0	192	132	1553	1076
MORNING PUBLIC LESSONS	206	132	0	0	206	132	3819	3781
SCHOOL LESSONS	114	136	0	0	114	136	794	1806
NOON LAP	117	61	292	242	409	303	2622	2265
TRIATHLON CLASS	6	3	0	0	6	3	6	3
AFTERNOON PUBLIC	252	230	15	10	267	240	2482	2913
PENGUIN CLUB	0	0	0	0	0	0	712	1043
CANBY H.S. SWIM TEAM	0	0	340	175	340	175	2723	2133
CANBY GATORS	0	0	1052	1014	1052	1014	5998	5904
MASTER SWIMMING	50	25	0	25	50	50	50	385
EVENING LESSONS	978	1150	0	0	978	1150	5980	7038
EVENING LAP SWIM	64	59	49	36	113	95	903	1047
EVENING PUBLIC SWIM	574	271	32	22	606	293	3412	3229
EVENING WATER EXERCISE	119	36	46	60	165	96	1203	822
ADULT LESSONS	0	0	0	0	0	0	49	50
GROUPS AND RENTALS	447	361	0	0	447	361	2006	2141
KAYAK	0	0	0	0	0	0	0	0
OUTREACH SWIMMING	0	0	0	0	0	0	523	488
TOTAL ATTENDANCE	3,300	2,716	3,139	2,746	6,439	5,462	45810	46093



City of Canby Bi-Monthly Report
Department: Police
March-April 2013

To: The Honorable Mayor Hodson & City Council
 From: Chief Bret Smith
 Date: May 6, 2013

Monthly Stats

Description	March	April
Calls for Service	1275	1137
Juvenile Arrests	9	11
Adult Arrests	77	79
Accidents	7	8
Crime Reports	89	83
Traffic Citations	197	147
Parking Citations	20	17
False Alarm Calls	26	24
Abandoned Vehicle / Parking Complaints	1	0
Animal Complaints	8	7
Other Ordinance Viol. Complaints	10	5
Total Code Enforcement Calls for Service	19	47

Training

March 2013

Ethington	Mar 5	Creating a High Performing Organization	Portland, OR
TET Members	Mar 11	TET Training	Canby, OR
All Officers	Mar 13	Department Firearms Training	CRGC
Holstad	Mar 4-9	Level 2 Truck Inspection	Woodburn, OR
Schoenfeld M. Smith Floyd Ethington	Mar 20-22	DOJ Conference	Bend, OR
Wallbaum	Mar 18-22	Krav Maga Force Training	Milwaukie, OR
Koehnke Krupicka Wasserberger Warren Green	Mar 27	MIP Party Dispersal	Canby PD
All On-Duty Officers	Mar 27	DA Legal Update	Canby PD

April 2013

Ethington Floyd	April 23-26	2013 Child Abuse Summit	Portland, OR
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Holstad Green Koehnke	April 26-27	2013 DUII Training Conference	Bend, OR
Farmer Warren	April 28-30	OPCA K9 Conference	Eugene, OR
Kitzmiller Schoenfeld Scharmota M. Smith Stanislaw Green	April 22-24	OTOA Conference	Bend, OR

Meetings & Events Attended – Chief Smith / Lt. Tro

- Monthly Chief's Meeting - Lethality Assessment Program
- Ray Hughey – Canby Herald
- Chief Rod Lucich – Molalla PD
- Josh Baretich – Fir Point Farms
- Canby Rotary – Chief Smith Speaker
- Canby Christian Church Tour – PD
- City Council Work session – Technology at the PD
- Lt. Watt – Wilsonville PD
- Citizen's Academy MILO Training Review – CCSO Training Center
- Clackamas County Children's Center – Case Review
- Canby High School – Mock Interview Participation
- Party Dispersal Training – Canby PD
- Clackamas County DA & City Attorney Briefing – Canby PD
- Metro Gang Task Force – Tigard PD
- Bev Doolittle, Greg Ellis, Brian Hodson Mtg.
- Career Interview Panel – Ackerman
- Chasing Dreams Assembly – Baker Prairie School
- Asst. Chief Jim Ferraris – Salem PD
- Senator Alan Olsen
- OACP Conference – Bend, Oregon
- Clackamas County Mid-Manager's meeting
- John Steach, Superintendent – Canby School District
- GREAT (Gang Resistance Education And Training) Student graduations (Eccles & Knight)
- Police Facility Tour
- Commander Fischer – WCSO
- Capt. Schwartz – Oregon City PD
- Country Side Living residents Tour of the PD
- Terrific Kids Luncheon – Knight Elementary School
- Canby Adult Center lunch service – Monthly
- C800 Meeting / Fire & Law Services Mtg. (CCOM – Clackamas County Dispatch)
- Clackamas County Communications (CCOM 911) User Meetings – Monthly
- Leadership Insights Training – Canby PD
- Wilderness International – Canby Community Park
- Commander Mike Leloff - PPB

Memo

To: Lieutenant Jorge Tro
From: Detective Sergeant Frank Schoenfeld
Date: April 3, 2013
Re: Monthly Report for March 2013

Training Attended:

3/11/13 – Instructed TET Entry Training/SIMS in Canby.
3/13/13 – Attended Firearms Training at CR&GC.
3/20-22/13 – Attended DOJ Conference with Detectives.
3/27/13 – Legal Update Training at the Canby Police Department.

Meetings/Class instruction:

3/14/13 – MCT Meeting in Milwaukie.
3/14/13 – Attended City Wellness Meeting at Canby Police Department.
3/18/13 – Attended Canby Police Union Negotiations Meeting.

Details/Assignments:

3/8/13 – Served lunch at Knight Elementary School.
3/16/13 - Gave presentation on Canby Police Investigative Unit to Citizens Academy.

*****See individual monthly reports attached for training and meetings attended by detectives, Evidence Technician, and SRO.*****

During the month of March 2013, detectives were called out for MCT to assist with surveillance on a location in Salem where an Attempted Homicide suspect was allegedly hiding. The suspect had shot at the victim in West Linn earlier that day and fled to the location in Salem. Canby Police Detectives set up surveillance on the

location until the search warrant was completed. After the search warrant was executed by OSP SWAT, Canby Police detectives helped process the scene.

This month Detective Smith authored a federal search warrants that were executed on two different locations in Woodburn. This particular case began in November of 2012 and was an off-shoot of the HOBZ investigation (same informant) into a 18th Street "Tiny Locos" gang member. This case has been completed and sent to the AUSA as well as the Marion County DA. The determinations have not been made yet weather the AUSA or the Marion County DA's Office will prosecute.

During the first week of March, Patrol Officer James Murphy made a traffic stop on a known meth user (William Traverso) who ran from the traffic stop. Officer Murphy requested assistance with the case. Detective Mike Smith conducted a recorded interview with the suspect and then authored a search warrant for his vehicle. As a result, drug paraphernalia was discovered inside the vehicle and the suspect was arrested and lodged for PCS an Eluding.

This month Canby Police detectives assisted the Salem DEA Drug Task Force with surveillance and drug purchase where they used a Canby Police Confidential Reliable Informant. When the drug purchase was finished, Canby Police executed a federal search warrant authored by Detective Smith at a location in NE Salem. No arrests were made but a handgun was later recovered as a result of the investigation.

During the month of March, Patrol Officer Koehnke arrested a male subject who Canby Police detectives believed looked like the suspect involved in several commercial burglaries in the city as a result of captured video footage. Detective Brett Ethington and Detective Mike Smith ultimately interviewed the subject who confessed to not only burglarizing the pawn shop, but he admitted to stealing the firearms which he traded for Methamphetamine at a known dealers house, in Woodburn, OR. This location was the same location that Canby Police Investigations Unit had served a search warrant at in October of 2012 where the handguns were recovered.

During the month of March, our new Persons Crimes Detective, Detective Ethington, was baptized by fire. He was assigned several new sex crime cases, many of which were generated by DHS referrals. Detective Ethington investigated a Rape III/Sodomy III, two Elder Abuse cases, a Sodomy II/Sex Abuse I that involved 2 very young teenage victims, and a Sex Abuse I. Detective Ethington has been involved in two case reviews presented at the Clackamas County Children's Center where the focus was on two different Canby child abuse investigations. Detective Ethington has closed five cases, two of which have gone to the DA and two of which are still under investigation. One of these cases has required the assistance of the Louisville KY Police Department.

This month we received our new CellibriteTouch. We have had a great deal of success with this device as we become more familiar with it. Detective Steve Floyd has been able to crack some of the password protected phones that have been

seized over the last month. This was something we have never been able to do. Examining these password protected devices required the cooperation of suspects which has been difficult at times. We most recently seized a new iphone 5 as well as a new Samsung Galaxy III for examination. Knowing how notorious these phones can be with regular Cellibrite devices, we have been worried as to how our new Cellibrite Touch would handle these new phones in particular. We were pleasantly surprised to find that both phones downloaded extremely fast and that we were able to defeat the password on the Galaxy. We are now anxious to try the new Cellibrite Touch on cell phones that have given us problems in the past.

During the month of March we completely switched the entire Property and Evidence Room over to the new ERIN software. This has created some immediate problems that have been dealt with, but Evidence Tech. Don Hemstreet has not yet figured out how to develop a monthly report with the totals he needs.

*****See SRO monthly report and stats attached*****

Monthly Report for March 2013
Detective Mike Smith

<u>Case #</u>	<u>Type</u>	<u>Current Disposition</u>
13-0515	Search Warrant	Closed
13-0538	AOA MCT Callout	Closed
12-2445	Burgs (x5)/Theft of Firearms	Closed
13-0393	Search Warrant	Closed
12-8017	Search Warrant	Closed

Training

3/8/13	Served Lunch at Knight Elementary
3/16/13	Gave presentation at Canby Police Citizens Academy
3/11/13	TET Training
3/18/13	Negotiations Committee Meeting
3/19-3/22	Attending training (DOJ Conference)
3/27/13	Legal Update Training

Summary

13-393— During the first week of March I was contacted by Officer James Murphy who had conducted a traffic stop on a vehicle where the driver (Traverso) then took off running from him. Officer Murphy asked for my assistance in the case.

I assisted by completing a video recorded interview of the suspect and by writing a search warrant for the suspect's vehicle. I also helped Officer Murphy by executing the search warrant and searching the vehicle.

13-515— This was a new case where an informant gave me information about a male in Salem who was a HOBZ gang member and selling methamphetamine. The CI told me they witnessed him with a few ounces of meth, 3 handguns (convicted felon) and \$10-15,000. I was in contact with the DEA in Salem who, after I shared information with them, asked if they could use my informant to purchase meth from a supplier they had identified which we did. DEA asked me to hold off on my location and serving a search warrant so they could make a case on the supplier.

Then, before we could serve a signed Federal Search warrant, the suspect was arrested by Salem PD on a warrant and the house was cleared out.

13-538— I assisted West Linn Police Department with an attempted Homicide that occurred in their city. The day was spent sitting on surveillance, seeing the suspect leave, getting the suspect stopped, and ultimately, Det. Floyd and I executed a search warrant at the location for WLPD and assisted them in searching the residence.

12-2445— This was an active and open burglary case where two Beretta Firearms were stolen from a pawn shop in town. During a subsequent case, Officer Koehnke arrested a male whom I thought looked like the suspect from the burglary case.

Det. Ethington and I ultimately went and interviewed the suspect and he admitted to not only burglarizing the pawn shop, but he admitted to stealing the firearms and taking them to Woodburn and trading them for meth to a suspect from an separate case. The suspect also admitted to conducting 4 other burglaries in town at local businesses which we were able to close.

12-8017— After conducting numerous controlled buys from a known 18th Street Tiny Locos gang member, a search warrant was signed and executed at two residences. During the search, officers located marijuana, packaging, scales, a handgun, and a .22 caliber rifle with an obliterated serial number. Once suspect was arrested, case was submitted and is being reviewed by the AUSA's office and MCDA's office.

I also had the opportunity to attend some great training this month and broaden my knowledge base add to my repertoire.

Also, it should be noted that I have spent many man hours attempting to clean up the HOBZ investigation and rounding up the indicted suspects. I have been in constant contact with the AUSA's office and have attended proffers and other informant meetings.

Respectfully,

Detective Mike Smith

Monthly Report for March 2013
Detective Brett Ethington

<u>Case #</u>	<u>Type</u>	<u>Current Disposition</u>
13-369	Rape III/Sodomy III	Forwarded to DA's Office
13-431	Elder Abuse	Unfounded/Suspended
13-432	Sodomy II x2/ Sex Abuse I x2	Ongoing/Forwarded to DA's Office
13-437	Sex Abuse I	Forwarded to Louisville Police Department for Follow-up
13-542	Elder Abuse	Ongoing

Training

3-5-13	Creating a High Performing Organization (Portland, OR)
3-7-13	DHS meeting at the Children's Center
3-14-13	Major Crimes Team meeting at the Milwaukie Police Department
3-19 to 3-22	Department of Justice Training (Bend, OR)
3-27-13	Family Violence Coordinating Council meeting at Willamette Falls Community Center
3-28-13	MDT meeting at Willamette Falls Community Center

Summary

13-369 This case involves a nineteen year old male having sexual intercourse with his 15 year old girlfriend. I contacted the suspect and interviewed him at the Canby High School. He admitted to having sex with the victim on two occasions. He was cooperative during the interview and wasn't taken into custody. The case was forwarded to the Clackamas County DA's Office.

13-431 We received this case from DHS who reported that an elderly woman was being taken advantage of by her middle aged grandson, who was allegedly taking money from her checking account. I contacted the elderly woman at her residence with DHS and reviewed some of her bank records. I obtained her statement as well as her grandson. During the investigation we found there was no evidence to indicate a crime had occurred. The case was unfounded.

13-432 I was notified by Officer Mead of a report of Sodomy II involving two females juveniles and a 23 years old male. I contacted the victims and obtained their statements and found they had met the suspect online and had met several times with him in persons. The 13 and 14 year old girls performed oral sex on the man for payment which had been agreed upon prior to their meeting.

I and Detective Smith contacted the suspect at his residence which is located in Happy Valley. He was very reluctant to come to the police department to be interviewed. He agreed to be interviewed at his residence. He admitted to sexually abusing one of the girls but became silent when asked about the oral sex. He wished to complete the interview at the police department and agreed to let us transport him there. Upon arrival, we started interviewing the suspect and almost immediately he requested an attorney. I took the suspect into custody and charged him with: Sodomy II, Sexual Abuse I and Online Corruption of a Minor.

13-437 An inmate in jail at Louisville, Kentucky reported she had been sexually abused by her step-father somewhere in Canby, about 9 nine years ago. She also reported her mother has custody of her infant daughter and she is concerned for her daughters welfare. Due to the logistics of the case, I contacted a detective with the Louisville Police Department and requested his assistance. I emailed him a copy of the case and requested he follow up with the alleged suspect and victim as well as check the welfare of the baby and her living conditions. He agreed.

13-542 I received another report of Elder Abuse from DHS. This report involved a granddaughter stealing money from her grandmother. I contacted JR Olyear who reported he had spoken with the victim and her family. Mr. Olyear told me the family was arranging to take care of the matter internally and not to involve law enforcement. This case will be closed shortly, after report is completed.

I have been involved with assisting Detective Smith with several drug investigations. During these investigations, I've been involved in doing surveillance, follows, drug buys as well as drug busts. I also participated in serving a federal search warrant in Woodburn on the March 26th as a result of Detective Smith's investigations.

During the short time that I've been a detective, I've been exposed to many different cases. This has been fascinating and exciting working with the detectives and other departments.

Respectfully,

Detective Mike Smith

Computer Forensics Report

March 2013

By: Detective Steven Floyd

Computer Forensics Examiner

Cases STARTED	Activity	Goal	Crime Type
12-8017	Cell Phone Forensics	Drug Info	PCS/DCS
13-0000	Video Conversion	Threats to Parole	Parole Violation
13-0302	Video Enhancement	Suspect's Photo	Theft
13-0432 A/B	Cell Phone Forensics	Suspect Info	Rape I
13-0436	Cell Phone Forensics	Suspect Text	Violation Restraining Order
13-0538	Salem Search Warrant	Assist West Linn PD	Attempted Murder
13-0598	Video Enhancement	Suspect's Photo	Burglary I
13-0623	Cell Phone Forensics	Drug Info	PCS/DCS

Cases CLOSED	Activity	Conclusion	Crime Type
13-0380	Completed Investigation	Forward to Clark Co	Child Sex Abuse I
13-8001	Cell Phone Forensics	Contacts/Drug Info	PCS/DCS
12-8012	Computer Forensics	Evidence	PCS/DCS/Money Laundering
12-8017	Cell Phone Forensics	Drug Info	PCS/DCS
13-0000	Video Conversion	Threats to Parole	Parole Violation
13-0302	Video Enhancement	Suspect's Photo	Theft
13-0432 A/B	Cell Phone Forensics	Suspect Info	Rape I
13-0436	Cell Phone Forensics	Suspect Text	Violation Restraining Order
13-0538	Salem Search Warrant	Assist West Linn PD	Attempted Murder
13-0598	Video Enhancement	Suspect's Photo	Burglary I
13-0623	Cell Phone Forensics	Drug Info	PCS/DCS

Cases PENDING	Activity	Reason for Holding	Misc Info
12-2913	Subpoena Return	Investigating	Encourage Child Sex Abuse
12-8012	Computer Forensics	Processing	PCS/DCS/Money Laundering

Training

Emergence Operation Course	10 Hours	
Major Crime Team	2 Hours	
Department of Justice Training	16 Hours	
Search Warrant Legal Update	2 Hours	(In House)
Cellebrite/Physical Analyzer	6 Hours	(In House)

Citizen Training

Baker Prairie Middle School	8 Hours, 6 Classes, 50 Student each class
Citizen's Academy	3 Hours

Frank Schoenfeld

From: SRO CHS <larrisog@canby.k12.or.us>
Sent: Wednesday, April 03, 2013 1:41 PM
To: Frank Schoenfeld
Subject: Re: Monthly Reports

Monthly SRO Report

1 MIP Tobacco
3 MIP Alcohol and I Furnishing Alcohol to Minors I Theft II Report
1 Theft III Report and Custody
I Assault and Harassment Custody

Spoke at Canby Police Volunteer Academy on 3-16-13 Gave 2 Presentations at Canby High School on Drug Laws and Affects Attended monthly CYST meeting at CHS 3-12-13

Training
3-13-13 at Canby Gun Club (Instructor)
3-27-13 at CPD MIP Training

Worked patrol during CHS Spring Break (3-25- thru 3-29) Working as Head Boys Golf Coach at Canby High School.

Thanks Larrison

On Apr 3, 2013, at 1:15 PM, Frank Schoenfeld wrote:

> That time again gents! I need your monthly reports for March ASAP.
>
> Thanks,
> Frank
>
> Detective Sergeant Frank Schoenfeld
> Canby Police Department
> 1175 N.W. 3rd Avenue
> Canby, OR. 97013
> Desk: (503) 266-0726
> FAX: (503) 266-9316
> schoenfeldf@canbypolice.com<<mailto:schoenfeldf@canbypolice.com>>
> [Description: Description: CPD color]
>
> <winmail.dat>

March 2013 Monthly K9 Report

Prepared by Sergeant Tim Warren
Wednesday April 5, 2013

K-9 Activity - K9's tactically supported officer safety assisting officers with building searches and Felony Warrant services. K9's also assisted patrol, detectives, and outside agencies searching and locating narcotics.

MONTHLY SUMMARY:

Officer Warren / Freddy— Five Narcotic K9 deployments in March. K9 was used on three vehicle searches resulting from CPD traffic stops. K9 located various amounts of Marijuana ranging from 8 ounces to a joint. K9 Freddy assisted SIU in two search warrants locating narcotics in both. Last K9 Freddy did an area search on a suspect the fled location his meth pipe. (These searches add up to 6 however 1 vehicle search is a combination on a warrant)

Officer Farmer / Deorak—Five K9 deployments in March. All five in Canby. Two deployments on commercial burglaries. Residence searched regarding a Burglary. One outside agency (OCPD) assist Building search. No suspects located by K9. Two Warrant custodies for officer safety, and One search on an alarm.

Concerns / goals None

Monthly Traffic Report

March 2013

Prepared by Sergeant Tim Green
Wednesday April 3, 2013

Traffic Report

244 Citations were written for the month of March, 179 of these were written by patrol and 65 were written by Traffic Officers.

There were 4 DUII arrests for the month, 4 by patrol 0 by Traffic officers.

There were 5 traffic crimes investigated by the police department, 4 of these were taken by patrol and 1 by Traffic Officers.

The department received 12 traffic complaints; 12 were investigated by patrol and 0 by the traffic Officer.

We had a total of 6 reported crashes for the month, 3 were investigated by patrol and 3 by Traffic Officers. 2 crashes occupants reported injury.

Patrol citation numbers were up slightly for the month Traffic Patrol was down.

Officer Holstad attended and pasted the ODOT Truck Inspector Course and is a certified Truck Inspector.

Equipment and Uniforms

Uniforms are being replaced as needed, new patches have been ordered for uniforms due to low supply.

Bike Patrol

Bikes were not deployed in the month of March.

Canby Police Department

Monthly Traffic Report

04/03/13

Officer Jeremy Holstad

Month of March 2013

CITATIONS

TRAFFIC OFFICERS: 65

PATROL OFFICERS: 179

TOTAL CITATIONS FOR MARCH: 244

DUII ARRESTS

TRAFFIC OFFICERS: 0

PATROL OFFICERS: 4

TOTAL DUII ARRESTS FOR MARCH: 4

TRAFFIC CRIMES

TRAFFIC OFFICERS: 1

PATROL OFFICERS: 4

TRAFFIC CRIMES FOR MARCH: 5

TRAFFIC COMPLAINTS

TRAFFIC OFFICER: 0

PATROL OFFICERS: 12

TOTAL TRAFFIC COMPLAINTS FOR MARCH: 12

TRAFFIC CRASHES

TRAFFIC OFFICERS: 3

PATROL OFFICERS: 3

TRAFFIC CRASHES (INJURY): 2

TOTAL CRASHES FOR MARCH: 6

TRUCK INSPECTIONS

TRAFFIC OFFICER: 0

Memo

To: Lieutenant Jorge Tro
From: Detective Sergeant Frank Schoenfeld
Date: May 1st, 2013
Re: Monthly Report for April 2013

Training Attended:

4/17/13 – Attended Smith & Wesson M&P Demo put on by Milwaukie PD at CRGC.

4/22/23-4/24/13 – Attended Oregon Tactical Officers Conference in Bend, OR.

Meetings/Class instruction:

4/2/13 – MCT Supervisors Meeting at WLPD.

4/4/13 – Negotiations Meeting at CPD.

3/11/13 – MCT Meeting at Milwaukie PD.

4/18/13 – Titan Fusion Meeting at Canby PD.

Details/Assignments:

4/19/13 – Provided a class presentation to third grade class at Lee Elementary on investigations.

*****See individual monthly reports attached for training and meetings attended by detectives, Evidence Technician, and SRO.*****

During the month of April 2013, patrol responded to a burglary at the Fred Meyer strip mall where the suspect had entered several business and burglarized each. CPD detectives obtained surveillance video footage from a local gas station where the suspect used a stolen credit card after the burglaries. CPD detectives were able to identify the suspect and stolen vehicle he was driving from the footage along with an ID that was left in a stolen vehicle recovered in Sandy, OR. It was determined that this

suspect has been involved in a string of similar burglaries from Reno Nevada, Redmond Oregon, Sandy Oregon, Gresham Oregon, Oregon City Oregon, Canby Oregon, Gladstone Oregon, and Vancouver Washington. CPD detectives put together a Titan Fusion Bulletin and distributed the suspect's identity to several surrounding agencies in the Northwest. Today, May 1st 2013, the suspect was stopped in a stolen U-Haul in Vancouver WA. And after a shot foot pursuit, he was taken into custody. CPD detectives are responding to Vancouver to interview.

In April CPD detectives were called out on a Major Crimes Team Call-Out in Oregon City regarding a female child that was shot by her step-father accidentally as he was cleaning his handguns. CPD detectives were involved in a large canvas that made contact with the neighborhood around the location involved. This case has gained a great deal of media attention.

During the month of April CPD detectives were contacted by the Clackamas County DA's Office to help Molalla PD with an Assault I, Kidnapping I, and Robbery I case. CPD detectives assisted by affixing a Molalla informant with a listening device and purchasing methamphetamine with a potential suspect in the above crimes. At this point, a search warrant is being authored by Molalla PD and the DA's Office which Canby TET will be executing in the future.

During the month of April, Detectives Floyd and Ethington attended the Child Abuse Summit. At the summit a lot of the focus was on electronic evidence collection which fit very nicely with the purchase of our new Cellebrite Touch. Detective Smith and I attended the Oregon Tactical Officers Association Conference in Bend, OR. This conference provided a block of training this year regarding Threat Assessment and Active Shooter. Some new techniques were learned that we will teach in our upcoming multi-agency Active Shooter training in June 2013.

*****See SRO monthly report and stats attached*****

Monthly Report for April 2013
Detective Brett Ethington

<u>Case #</u>	<u>Type</u>	<u>Current Disposition</u>
13-92	Sodomy I	Ongoing/Forwarded to DA's Office
13-432	Sodomy II x2/ Sex Abuse I x2	Ongoing/Forwarded to DA's Office
13-680	Sodomy I/ Sex Abuse I	Completed/Forwarded to Marion County

Training

4-4-13	DHS meeting at the Children's Center
4-11-13	Major Crimes Team meeting at the Milwaukie Police Department
4-23to26th	Clackamas County Child Abuse and Family Violence Summit

Summary

13-92 I was contacted by Det Sgt Schoenfeld concerning a report of sexual abuse which had occurred back in December 2012 and had been reported in January. Patrol responded to the report and interviewed both victim and the suspect. During the interview several questions weren't answered concerning the commission of the crime. As a result the Juvenile DDA was concerned about the original report and requested I re-interview the victim. On 4-29-13 at about 1400 I interviewed the victim in the case. New information came out during the interview which requires me to contact more people and obtain their statements. I'm hopefully going to close this case within the next week.

13-432 I was notified by Officer Mead of a report of Sodomy II involving two females juveniles and a 23 years old male. I contacted the victims and obtained their statements and found they had met the suspect online and had met several times with him in persons. The 13 and 14 year old girls performed oral sex on the man for payment which had been agreed upon prior to their meeting.

I and Detective Smith contacted the suspect at his residence which is located in Happy Valley. He was very reluctant to come to the police department to be interviewed. He agreed to be interviewed at his residence. He admitted to sexually abusing one of the girls but became silent when asked about the oral sex. He wished to complete the interview at the police department and agreed to let us transport him there. Upon arrival, we started interviewing the suspect and almost immediately he requested an attorney. I took the suspect into custody and charged him with: Sodomy II, Sexual Abuse I and Online Corruption of a Minor.

I applied for and received a search warrant for Mr. Cavender's phone. Detectives Smith and Floyd helped me with the forensic analysis of the phone. The phone yielded new information concerning the case. There were sexually explicit messages and photos on the phone. The case is close to being completed and sent to the DA's office in its entirety.

13-680 On 4-4-13 we received a DHS 307 report for a 24 hour check on a family living at 119 SE Township Rd. The report was made that the adult male living at the residence had sexually abused a younger cousin, nine years earlier, when the suspect was 15 and the victim was 8. The suspect now has a family with three young children. DHS was concerned about the welfare of the suspect' children. I and the DHS worker began interviewing the suspect outside residence. I was able to acquire a full admission from the suspect concerning his involvement in the sex abuse.

On 4-8-13 I contacted the victim of the sexual abuse. He was currently incarcerated at the Clackamas County Detention Center. He detailed the abuse he had endured from his cousin. Both suspect and victim informed me the abuse had occurred in the Marion County, a few miles out of Canby. I contacted the Marion County Sheriff's Office and informed them of the case. The case was completed and referred to the Marion County DA's Office. I'm scheduled to appear for Grand Jury on 5-8-13. The case was filed as: Sodomy I and Sexual Abuse I.

13-774 On 4-14-13 I was notified of an accidental shooting in Oregon City, resulting in the death of young girl. I responded to Oregon City with other members of the MCT and assisted the investigation by canvassing the neighborhood. The next morning I helped the MCT by assisting with the searching the residence.

Respectfully,

Brett E Ethington

Monthly Report for March 2013
Detective Mike Smith

<u>Case #</u>	<u>Type</u>	<u>Current Disposition</u>
13-775	Burglary	Active
SMGTF 12-034	DCS Meth	Referred to AUSA

Training

4/22-4/26 I attended training for OTOA in Bend Oregon. I also watched Frank nail a 1100 yard shot with his .338 Edge. It was okay.

4/19 I assisted Sgt. Schoenfeld in a training class given to a third grade class at Lee Elementary. We spoke with them about how to conduct an investigation and what things we do during an investigation.

4/17 I attended Range at Canby Rod and Gun Club.

Summary

13-775--This case was started by patrol responding to a burglary at a strip mall in Canby. There was also a stolen vehicle recovered. The case has now stretched to Sandy, Gresham, Oregon City, Gladstone, Redmond, and Reno NV. The suspect has been identified and there was a DOJ bulletin sent out to agencies regarding his activities. The suspect is wanted out of Reno, NV for similar crimes. In the past weeks, we have learned he may be responsible for other similar crimes throughout Clackamas County.

The case has also been linked to Tualatin Oregon where the suspect was confirmed to be the one who burglarized a business for \$40,000 worth of stuff.

Again, it should be noted that I have spent many man hours attempting to clean up the HOBZ investigation and rounding up the indicted suspects. I have been in constant contact with the AUSA's office and have attended meetings.

Respectfully,

Detective Mike Smith

Frank Schoenfeld

From: SRO CHS <larrisog@canby.k12.or.us>
Sent: Tuesday, April 30, 2013 10:54 AM
To: Frank Schoenfeld
Subject: Re: Bi-Monthly Reports

Monthly SRO Report

5 Theft III Custody's
2 Theft II Reports
1 Criminal Mischief I Report and Custody/Follow-up from Patrol
5 Suicide Attempts and Threat Assessments

2 hours classroom presentations on law enforcement

Meetings

CYST at CHS on 4-9-13

Canby Assessment Training Meeting on 4-29-13 at Canby District Office Canby Firearms Make-up Shoot on 4-17-13 at CRGC Coaching Boys Varsity Golf Team and have three seniors getting full ride scholarships to play in college! One to BYU one at Linfield and one at Pacific. Canby Boys Golf are ranked #3 in the state of Oregon.

Working with three different families on setting up boot camps in central oregon to get there son/daughter help for depression and drug abuse.

Thanks Larrison

On Apr 30, 2013, at 10:22 AM, Frank Schoenfeld wrote:

> Fine Investigative Unit,
>
> Looks like I am going to need these babies ASAP.
>
> Thanks,
> Frank
>
> From: Melody Thompson
> Sent: Wednesday, April 24, 2013 8:58 PM
> To: Frank Schoenfeld
> Subject: RE: Bi-Monthly Reports
>
> Okay!
>
> _____
> From: Frank Schoenfeld
> Sent: Wednesday, April 24, 2013 11:09 AM
> To: Melody Thompson
> Subject: Re: Bi-Monthly Reports
> Mel
>
> I gave March to Tro at the beginning of April.

Computer Forensics Report

April 2013

By: Detective Steven Floyd
Computer Forensics Examiner

Cases STARTED	Activity	Goal	Crime Type
13-774	MCT Call Out	Interviews/Search Warrant	Homicide
13-775	Video Enhancement	Develop Suspect Info	Burglary Suspect
13-796	Interview Suspect	Recover Stolen Property	Burglary/Theft I

Cases CLOSED	Activity	Conclusion	Crime Type
12-2913	Referred to Woodburn PD	Suspect in their city	Encourage Child Sex Abuse
13-774	MCT Call Out	Interviews/Search Warrant	Homicide
13-775	Video Enhancement	Created Images for Info	Burglary Suspect
13-796	Interview Suspect	Recovered Stolen Property	Burglary/Theft I

Cases PENDING	Activity	Reason for Holding	Misc Info
12-8012	Computer Forensics	Processing	DCS/Money Laundering

Training

Major Crime Team	2 Hours
Fire Arms Qualification	4 Hours
Clackamas County Child Abuse Summit	25 Hours

Other Time Commitments

Setting up and Learning about Cellebrite system	15 Hours
Trial Preparation	20 Hours

Property and Evidence Activities For April 2013

Items on location: 5544

Items seized for the month: 243

Currency in P&E: \$22,579

Cash in city account \$10,118

4/2 Crime Prevention at Chamber luncheon

4/18 Crime Prevention presentation for Chamber businesses

4/18 Shred-it Day for Chamber

Canby Police Department

Monthly Traffic Report

05/03/13

Officer Jeremy Holstad

Month of April 2013

CITATIONS

TRAFFIC OFFICERS: 55

PATROL OFFICERS: 117

TOTAL CITATIONS FOR MARCH: 172

DUII ARRESTS

TRAFFIC OFFICERS: 0

PATROL OFFICERS: 1

TOTAL DUII ARRESTS FOR MARCH: 1

TRAFFIC CRIMES

TRAFFIC OFFICERS: 0

PATROL OFFICERS: 6

TRAFFIC CRIMES FOR MARCH: 6

TRAFFIC COMPLAINTS

TRAFFIC OFFICER: 2

PATROL OFFICERS: 12

TOTAL TRAFFIC COMPLAINTS FOR MARCH: 13

TRAFFIC CRASHES

TRAFFIC OFFICERS: 2

PATROL OFFICERS: 6

TRAFFIC CRASHES (INJURY): 1

TRAFFIC CRASHES (NON-INJURY): 7

TOTAL CRASHES FOR APRIL: 8

TRUCK INSPECTIONS

TRAFFIC OFFICER: 0



March and April, 2013
Monthly Reports

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

Facilities Maintenance

March & April 2013

Prepared by Dan Mickelsen

Well a couple more months have come and gone. The final polish was put on the Facilities budget, and a lot of time was spent getting ready for a couple new paint jobs on City owned facilities. I will be constructing a new rest room facility down at the City Shop complex starting in July, so getting all the prices together for budget purposes and permitting took up quite a bit of my time. The erosion business is really back in the swing of things as I have already approved more Erosion applications this year than all of 2012 put together.

Police Dept.; 12 w/o requests. I filled out needed documentation to terminate the 1200-c permit that was taken out for construction of the new P.D. This deals with Erosion and Storm Water runoff during the construction phase. Cleaned gutters and the roof top of leaves and debris, replaced a bunch of ceiling tiles, helped do the full building cooling check on the HVAC system, killed most of the power at the old P.D, and gleaned some usable items out of the building as well. I will continue to remove items of use from the building as time warrants. 38 hrs total.

Adult Center; 2 w/o requests. They started having problems with the front door not staying locked which as it turned out the door was smarter than I was so I called a service tech to replace the switch and that fixed the problem. While there I replaced the friction washers under the door to make it slide more freely. Also I did a bunch of utility locates as did the other providers to prepare for a new walk in cooler/ freezer. The Adult center staff would really like one but can't figure out where it should go. 9 hrs total.

City Hall; 8 w/o requests. I took care of some plumbing issues that wouldn't go away, replaced ballasts, changed out lamps for the flag pole, repaired a desk, moved a bunch of great stuff for tech services, and hauled Attorney files from the basement down to the Police Dept. basement, to name a few jobs done. 12.5 hrs total.

Finance/Transit; 2 w/o requests. I hung up a dry erase board in the Finance Dept. and reset the clocks at the transit station. 3 hrs total.

Library; 11 w/o requests. Early in April it was reported that the ADA button, that operates the front door was not working, well I changed the battery and problem fixed. Then it quit again. This time I could not get it fixed so I called for help. A guy came out and wrapped the antenna wire around a pencil, stuck it through a hole and charged me nearly \$300 dollars. That won't happen again! It went haywire one more time so I added on to the antenna wire, fixed again. Nope. I called back the service tech and now he said it needed a new sending unit, cost \$250. I found one on-line for \$53 bucks. It still seems to be working again but that button seems possessed. Time does tell. I also welded up the library staffs favorite book cart that was in pretty bad shape, replaced some ballasts, hauled stuff over to the planning warehouse for storage, and repaired a desk to list a few jobs done. 24.5 hrs total.

Planning / Building; 2 w/o requests. I attended the bi-monthly Storm Water meeting and repaired a plumbing fixture. 4.5 hrs total.

Shop Complex; 12 w/o requests. I worked on putting together a lumber package and finish materials along with plumbing and electrical for the new rest room facility. So that it could be budgeted for. I replaced the cheap photo cells on the exterior light as I was tired of them going bad, replaced some ballasts and hung more fire extinguishers, finished new counter tops and backsplash for the rest rooms and sprayed with herbicide, to list a few jobs completed. 57.5 hrs total

Public Works; As I said earlier building must be picking up. I did 14 Erosion Applications and inspections, reviewed the North woods phase II plans and attended the pre-app meeting on May 1st. I also attended the lead man meeting as well. 27.75 hrs total.

Fleet Services

Bi-Monthly Report : March / April 2013

Prepared by Joe Witt, Lead Mechanic

March 2013

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	3	\$513.75	\$0.00	\$0.00	\$513.75
Adult Center		\$0.00	\$0.00	\$245.73	\$245.73
Collections	2	\$675.00	\$0.00	\$327.44	\$1,002.44
Facilities	2	\$161.25	\$0.00	\$72.82	\$234.07
Fleet Service	2	\$183.75	\$24.15	\$0.00	\$207.90
Parks	10	\$1,905.00	\$104.11	\$581.86	\$2,590.97
Police	28	\$9,943.05	\$4,771.99	\$3,319.60	\$18,034.64
Streets	4	\$2,718.75	\$199.24	\$706.42	\$3,624.41
Transit (CAT)	28	\$10,175.50	\$2,469.47	\$3,620.54	\$16,265.51
Wastewater Treatment	2	\$675.00	\$0.00	\$114.62	\$789.62
Total Work Orders Processed for the Month	81	Totals*			\$43,509.04

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

Note: Fuel Cost for March 2013 Includes Only Fuel Cost to March 15, 2013

April 2013

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
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Administration	2	\$322.50	\$75.89	\$80.82	\$479.21
Adult Center	0	\$0.00	\$0.00	\$601.52	\$601.52
Collections	2	\$461.25	\$96.08	\$634.99	\$1,192.32
Facilities	4	\$630.00	\$1,386.34	\$135.72	\$2,152.06
Fleet Service	1	\$0.00	\$0.00	\$155.11	\$155.11
Parks	12	\$2,688.75	\$618.89	\$1,844.52	\$5,152.16
Police	29	\$9,738.75	\$3,819.59	\$10,034.70	\$23,593.04
Streets	6	\$1,740.00	\$561.70	\$2,602.19	\$4,903.89
Transit (CAT)	31	\$10,079.25	\$5,238.50	\$11,030.19	\$26,347.94
Wastewater Treatment	3	\$746.25	\$157.56	\$257.97	\$1,161.78
Total Work Orders Processed for the Month	90	Totals*			\$65,739.03

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

Fleet Service Highlights

Fleet Service working with other City Departments kept the City's vehicles and equipment on the road performing their duties. Note: Fuel Cost Total for April 2013 also Includes Last Part of Fuel Costs for March 2013 (3-16 / 3-31)

Parks Maintenance

By Jeff Snyder, Parks Maintenance Lead Worker
March – April 2013

Park Renovations

At Wait Park on the Holly St. side, a vandalized Wait Park signs was removed. A new sign was designed and installed by Ben Johnston and built by BBC Steel Corporation. The all steel sign will have an antique look it ages.

At Community Park, new restroom doors and closers have been installed to help upgrade the old restroom facility.

Another CAT bike rack was found and installed at the Canby Area Transit station.

We are still working with the Veterans Memorial Committee on their landscape and design improvements.

Park Maintenance

All the playgrounds received their spring safety inspections; all the major concerns were addressed. All the restrooms and drinking fountains have been un-winterized for the season. Hazard trees have been removed and trees have been trimmed over the last couple of months. The wood chips from the tree projects were utilized on the nature trails. All the turf areas have been edged and fertilized; the mowing season is also in full swing. The installation of bark dust was completed in all the shrub beds that the department is responsible for. The spraying of weeds has also started and essential irrigation systems were tested, repaired and turned on. The pressure washing of park assets has been started too wash away a winters worth of grime. Wind storm debris also occupied staff time over the last couple of months.

The Parks Department spent 8 hours addressing graffiti and vandalism over the last two months.

Regular maintenance was performed at the 30 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, City Hall, Community Park (River), CPIP sign, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Klohe Fountain, Library, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Northwood Estates Park, Police Department landscaping, Simnitt Property, Skate Park, Shop Ground, Swim Center, Legacy Park, Territorial Estates Future CLC Park, Transit Building, Transit Bus Stop, Triangle Park, Vietnam Era Veterans Memorial, Wait Park & Willow Creek Wetlands.

Meetings attended

I met with a contractor regarding a pre-bid walk-through for the Northwood Park playground project; multiple phone conversations have also been taken for project clarification. I attended a Park and Recreation meeting. I also met with Matilda and Aurora Salvage for the barn demolition close-out. Matilda and I also attended meetings regarding the future Dog Park. I attended a Lead workers meeting and a pre- application meeting for the Northwoods phase II park/boulevard project. We all attended the crew safety meeting

For your Information

The Parks Department is responsible for 200 acres of property.

The sealed bid opening for the Northwood Park playground project will be held Wednesday May 8th @ 2PM @ the Planning Department.

Department: PUBLIC WORKS
For Months of: March and April 2013
Date: April 1, 2013
Prepared by: Jerry Nelzen

1. Streets:

During the month of March the Public Works crew fixed banners, straightened new bikes racks, swept debris up from auto accident and cleared away landscaping for vision clearance.

The crew received and located 98 locates for March.

Streets	Total Hours
Street Sweeping	42
Street Sweeping Maintenance	7
Street Maintenance	219
Sidewalk	13
Street Sign Maintenance	15
Street Sign Installation	13
Street Light Repair	1.5
Tree Trimming	7.5
Tree Planting	52.5
Tree Removal	34

2. Sewer and Storm System:

The crew cleaned lift stations in Canby. Hydro cleaned sewer mains for inspections and repairs at 1495 N Maple Street, 17th Avenue, lot 40, 1065 N Hawthorne Ct, NW 12th Avenue. We are replacing catch basins around town with G-2 catch basins to update our storm system and alleviate problem areas with standing waters.

Sewer	Total Hours
Sewer Cleaning	56.5
Sewer Maintenance/Repair	25
Sewer TV'ing	49.5
Sewer Laterals	37
Sewer Inspections	.5
Lift Station Maintenance	43
Locating Utilities	30
Vactor Usage	7
Drying Beds	3
Storm	
Catch Basin Maintenance	287.5
Storm Line Maintenance/Cleaning	9
Storm Line Inspections	1
Vactor Usage	15

3. Street Sign/Trees/Lights:

The crew has replaced street signs and faded stops sign around town and started a street tree planting project to show citizens what the trees look like from the City accepted street tree list. The newly planted trees are along Sequoia Parkway and SE 4th Avenue and in the coming month's name placards will be placed in front of all the trees. The crew fixed or repaired 10 street lights for March.

4. Miscellaneous:

Miscellaneous	Total Hours
Meetings	23
Equipment Cleaning	9.5
Warehouse Maintenance	2
Other	23.5
GPS for Storm System	2
Banners	7
Police Station Sewer System	55

April 2013

1. Streets:

The Public Works crew removed rocks out of the grassy area on railroad right of way for mowing capabilities. The crew cleared and leveled land beside the access road to the dumpster. Cleared away debris, put in a sprinkler system, added sod and had stamped concrete added along N Elm Street (west side) and NW 1st Avenue. Fixed numerous potholes around town. Removed debris along our right-of-way between N Juniper and N Locust Streets. Cleaned up spilled glass in front of Potter's Industries off of N Baker Drive. Swept City's parking lot by the Canby Cinema for the start of the Saturday Farmer's Market.

The crew received and located 63 locates for April.

Streets	Total Hours
Street Sweeping	80.75
Street Maintenance	524.75
Sidewalks	10
Street Sign Manufacturing	1
Street Sign Maintenance	11
Street Sign Installation	5
Street Light Repair	1
Banners	5
Tree Trimming	1
Tree Planting	78
Tree Removal	20
Vactor Usage	7

2. Sewer and Storm System:

The crews fixed a loose sewer manhole lid on SW 13th Avenue and installed 5 new G-2 catch basins, (4) at N Douglas and NW 4th Avenue and (1) at NE 10th Avenue and N Maple Lane.

	Total Hours
Sewer Cleaning	37
Sewer Maintenance/Repair	20
Sewer TV'ing	8
Sewer Laterals	17
Lift Station Maintenance	44.5
Locating Utilities	38
Sewer Inspections	2
Vactor Usage	6
Drying Beds	1.5
Storm	
Catch Basin Maintenance	172.5
Drywell Maintenance	2
Vactor Usage	10
Drying Beds	3

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

The crew during the month of April fixed 4 street lights. Installed new “No Parking” signs along S Redwood Street by Trost Elementary and removed tree limbs in our right-of-way to assist First Student Bus Company. Removed trees along part of Hazeldell Way and Sequoia Parkway to install trees from our City’s Street Tree list.

4. **Miscellaneous:**

Miscellaneous	Total Hours
Meetings	22
Warehouse Maintenance	4
Equipment Cleaning	16
Work Orders	1
Police Station Sewer Line	2
GPS	2
Street Sweeping Debris (yards)	81
Other	18



City of Canby Bi-Monthly Report

Department: Wastewater Treatment Plant

For Months of:

March & April 2013

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, Lead Operator
Through: Greg Ellis, City Administrator
Date: April 30, 2013

Facility Operations & Maintenance

The water quality for the months of March and April remained excellent with no violations or interruption of services for either month. Plant Operators continue daily operations of the plant as we come to the end of our winter compliance monitoring and start into our more stringent summer compliance monitoring.

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

- Changed out raw sewage pump and delivered to motor shop for evaluation of high amperage draw.
- Ordered and received 30 ton of hydrated lime.
- Construction of new effluent screen guard.
- Moved the Caustic Soda tote and completed testing for process PH control.
- Re-calibrated new auto valve for north #2 aeration basin.
- Ordered and received 3 boxes of liners for the dumpsters.
- Ordered equipment parts for peristaltic pump.
- Ordered and replaced failed U.V. light from power bump.
- Pulled and recorded temperature monitoring equipment (Vemco).
- Changed out North Recirc. Pump because of direct short.
- Replaced the South R.A.S pump liner.
- Installed more communication wire for south A.B auto valve.
- Replaced boot on lime silo cone.
- Created FSE recognition section for E Newsletter
- Presented Power Point on Canby FOG Prevention Program for Composting Seminar put on by The Office of Sustainability (Clackamas County).
- Met with Christie Gallagher about FOG Inspection of Canby Public Schools.

- City of Portland Lab services agreement signed. Will save the department minimum \$2,000.00 year lab cost.
- Testing Allmax software for new lab data program and DMR permit reporting.
- Daily plant check, lab, and process control.
- Routine daily maintenance, repairs, and cleaning of plant.

FOG (fats, oils and grease) Program

- **March**
 - Pump Outs: 30
 - Inspections: 13
- **April**
 - Pump Outs: 22
 - Inspections: 7

Campaign to Reduce F.O.G

The project was created to help educate apartment complexes about what they could do to protect the City Sewer System, the Wastewater Treatment Plant, and ultimately the Willamette River. The campaign started with designing 2 flyers (1 for FOG Prevention and 1 for Toilet Non Flushables) then converting both to Spanish. This was followed by meeting with apartment complex managers, explaining the program, gathering information, putting together door hangers with the flyers then distributing the door hangers in person to each tenant. The efforts were well received by the apartment managers and tenants. Many tenants expressed their appreciation of the city for creating this educational outreach program. Total distribution was **25 Apartment Complexes for 824 units**.

Biosolids Program:

- Belt ran 16 days in March
- 14 boxes to land fill / 165.07 wet tons in March
- Belt ran 17 days in April
- 16 boxes to land fill / 188.00 wet tons in April

Meetings and Training Attended

These meetings, conference's or training were completed by either one or more of the wastewater treatment plant personnel (Dave Conner, Don Steiner, Bob Wengert, Bruce Shelquist or Dave Frahm)

- Shop Safety meeting
- Attended Clackamas Short School for C.E.U Required Credits.
- ORACWA Pretreatment Committee.
- F.O.G Committee Meeting.
- In House Operations Training.

Daily Lab Activity

Monthly / Weekly NPDES Permit Tests

- TSS
- BOD
- CBOD
- Ammonia
- E-coli
- Alkalinity
- pH
- Total Flow
- UV Intensity

Monthly / Weekly Lab

- TSS
- Nitrite / Nitrate
- UV Transmittance
- Biosolids Testing
- April completed and submitted DMR-QA 33 testing

Management Team Meeting Minutes
April 29, 2013
2:00 PM
City Hall Conference Room

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

Kim Scheafer

- Attended a training with the Mayor and Greg Ellis on Councilor/Manger staff relations last week

Amanda Zeiber

- Probably moving City offices the beginning of June
- Did a walk through at the Graham Building today. Will be meeting with Department Directors that are moving to go over needs at new location.

Greg Ellis

- Negotiating with CUB on property
- Would like Management at first City Budget Meeting
- Two new franchise ordinances are going to Council on May 15. One is for TW Telecom and the other is for Clackamas County Broadband.

Renate Mengelberg

- Working with Canby Rental who is applying for a grant
- Met with Product Manufacturing. They are happy being in Canby.
- Community Response Team is meeting on Wednesday

Bryan Brown

- Have been busy reviewing building permits
- More house permits have been received in the last four months than in the last four years
- Two warehouse applications were received
- Had the Pre-Application for Northwoods last week for their 30 lots

Eric Laitinen

- Summer swim lessons start on June 24

Penny Hummel

- Working on summer reading program
- Attending National Library Legislative Day in Washington, DC next week

Julie Wehling

- Went to Gillig plant and finished up the details on new buses last week
- Working on floor plan for new transit space
- Negotiating with MV Transportation

Joe Lindsay

- Attending Fred Meyer fuel station LUBA hearing on Thursday
- Bringing street cutting ordinance to Council on June 5

Bret Smith

- Trial for Canby Physic will be next week for operating without a BL. Once they get new signatures on BL form and inspections are done he will sign off on the BL.

Minutes taken by Kim Scheafer

Management Team Meeting Minutes
May 7, 2013
10:00 AM
City Hall Conference Room

In attendance: Greg Ellis, Amanda Zeiber, Renate Mengelberg, Bryan Brown, Kim Scheafer, and Haley Fish.

Kim Scheafer

- Reviewed Agenda for May 15 CC Meeting

Amanda Zeiber

- Toured Graham Building with staff last week
- Insurance rates are in. Still working on negotiating them down more.

Greg Ellis

- Talked about downtown landscaping requirements

Bryan Brown

- A Public Hearing for the Library Variance will be held at next week's Planning Commission meeting
- The Planning Commission will be discussing the annexation ordinance at their next meeting

Renate Mengelberg

- Working on a 3-D Design Application Grant for Canby Rental
- Meeting with a speculative developer for the Pioneer Industrial Park
- Ordering new aerials of the City
- Will be working with a consultant regarding technical issues with GeoMoose

Haley Fish

- Will be starting to work on supplemental budget next week

Minutes taken by Kim Scheafer

CITY COUNCIL / URA MEETING FOLLOW-UP ITEMS				
ORIG. CC / URA MTG. DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE FOR CC OR URA MTG.
	Northwoods Park Playground Construction Contract	Ready for Bid in March	Matilda Deas	May 2013
July 11, 2012	Retail Business Recruitment Update	Begun	Jamie Stickel	TBD
	Dog Park Construction Contract	Engineering underway	Matilda Deas	June 2013
	New Tree Ordinance	Underway	Matilda Deas/Sol Jacobsen	May 2013
July 11, 2012	Main Street Annual Report	Not started	Jamie Stickel	June 12, 2013
	Stormwater Master Plan Adoption	Consultant is working on plan	Darvin Tramel	June 2013
	Buildable Land Needs Study	Analysis underway	Matilda Deas	August 2013
	NE Canby Master Plan	1st meeting in March	Matilda Deas	December 2013
	N Redwood Master Plan	Not started (Need Funding)	Matilda Deas	June 2014

OTHER STAFF ITEMS				
DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE
	Maintain Police Accreditation - Police	On-Going	Melody Thompson & Lt. Jorge Tro	Next Assessment 2014
	Selling Property Partitioned Next to Maple Street Park (former location of Marshall House)	Waiting for better econmic times to sell property		
	Participate as member of NW Regional Computer Forensic Laboratory - Police	Underway	Bret J. Smith	TBD
	Develop Dept Website - Police	Underway	Melody Thompson & Lt. Jorge Tro	June 2013
	Formalize Volunteer Program - Police	Underway	Melody Thompson & Lt. Jorge Tro	April 2014