

AGENDA

CANBY CITY COUNCIL MEETING

June 18, 2008, 7:30 P.M.

Council Chambers

155 NW 2nd Avenue

Mayor Melody Thompson

Council President Walt Daniels

Councilor Teresa Blackwell

Councilor Paul Carlson

Councilor Randy Carson

Councilor Tony Helbling

Councilor Wayne Oliver

WORK SESSION

6:00 P.M.

City Hall Conference Room

182 N Holly

This Work Session will be attended by the Mayor and City Council to review results from the City of Canby Survey Research Report.

CITY COUNCIL MEETING

1. CALL TO ORDER

A. Pledge of Allegiance and Moment of Silence

B. Canby Annual Livability Day Proclamation

Pg. 1

C. Measure 3-284 Proclamation

Pg. 2

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 June 4, 2008 City Council Work Session and Regular Meeting

B. Approval of Amendment to City Attorney Contract

Pg. 4

C. Street Closure Request for Rounders

Pg. 5

D. Reappointment to Bike & Pedestrian Committee

Pg. 9

7. PUBLIC HEARING

A. 2008-2009 Fiscal Year Budget

8. RESOLUTIONS & ORDINANCES

- A. Res. 982, Verifying City has Met Requirements to Receive Revenues from Cigarette Gas and Liquor Taxes Pg. 10
- B. Res. 983, Adopting Budget, Making Appropriations & Categorization for the 2008-2009 Fiscal Year Pg. 13
- C. Res. 992, Authorizing Canby Urban Renewal Agency to Amend Section 600.C(3) of the Canby Urban Renewal Plan and to Add Properties to be Acquired by the Urban Renewal Agency Pg. 18
- D. Res. 993, Establishing Salary and Non Salary Benefits for Non Represented Employees for the City of Canby Pg. 21
- E. Res. 994, Authorizing Transfer of Appropriations from Existing Categories to Other Existing Categories Within the Capital Reserve Fund and Parks Development Funds Pg. 26
- F. Res. 995, Authorizing City Administrator to Execute a Partition Plat on Behalf of the City of Canby for Filing with Clackamas County Pg. 28
- G. Ord. 1275, Authorizing Contract with Beth Saul for Management of Special Projects Pg. 31
- H. Ord. 1277, Authorizing Contract with Lincoln Equipment, Inc. for a Stark Horizontal High Rate Sand Filter for the Canby Swim Center (*2nd Reading*) Pg. 39
- I. Ord. 1278, Declaring City's Election to Receive State Revenue for the 2008-2009 Fiscal Year Pg. 41
- J. Ord. 1279, Revising and Replacing Canby Municipal Code Chapter 15.12 Entitled "Flood Hazard Protection"; Repealing Former Chapter 15.12 in its Entirety (*2nd Reading*) Pg. 43
- K. Ord. 1280, Authorizing Purchase of Utility Billing Software Including Conversion and Set Up Services (*2nd Reading*) Pg. 45
- L. Ord. 1281, Authorizing Contract for Purchase of Real Property for Future Park Land (*2nd Reading*) Pg. 48
- M. Ord. 1282, Revising Canby Municipal Code Chapter 12.12.035 Entitled "Sidewalk Displays" Pg. 50
- N. Ord. 1283, Authorizing Purchase of Road Right-of-Way for the Widening of SE Pine Street at its Intersection with Highway 99E Pg. 53

9. NEW BUSINESS

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

11. CITIZEN INPUT

12. ACTION REVIEW

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

14. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.4021 ext. 233. A copy of this Agenda can be found on the City's web page at www.ci.canby.or.us. City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.

**CITY OF CANBY
SURVEY RESEARCH REPORT
EXECUTIVE SUMMARY
MAY 21, 2008**

The following survey research report provides some valuable information regarding the public's perception of the City of Canby and its proposed \$19 million bond measure. This report should assist the city in its planning and decision making process in regards to the proposal.

Below, The Nelson Report has highlighted the key results of the survey research report.

Throughout this executive summary, The Nelson Report identifies "key" demographics for many of the questions. Key demographics are those subgroups that respond at a higher percentage rate than the total sample for any given response. The key demographic groups for any given opinion are not necessarily the only subgroups in the survey who share that opinion. They are, however, the ones that hold that opinion most strongly.

A total of 373 respondents were interviewed between May 13 and May 20, 2008. The margin of error for this survey is +/-5.0% at the 95% level of confidence.

MOST SERIOUS PROBLEMS FACING CITY OF CANBY TODAY

Respondents list issues related to “crime” as the most serious problem facing the City of Canby today, followed by issues surrounding the “economy/taxes.”

Below, the top answers are displayed in more detail. The full responses can be found in the full open-ended report. Since this question and other open-ended questions call for multiple responses, the results are displayed in terms of the percentage of respondents who mentioned a particular issue (totaling over 100%) and the percentage of total responses (totals 100%). The top responses are listed below in descending numerical order.

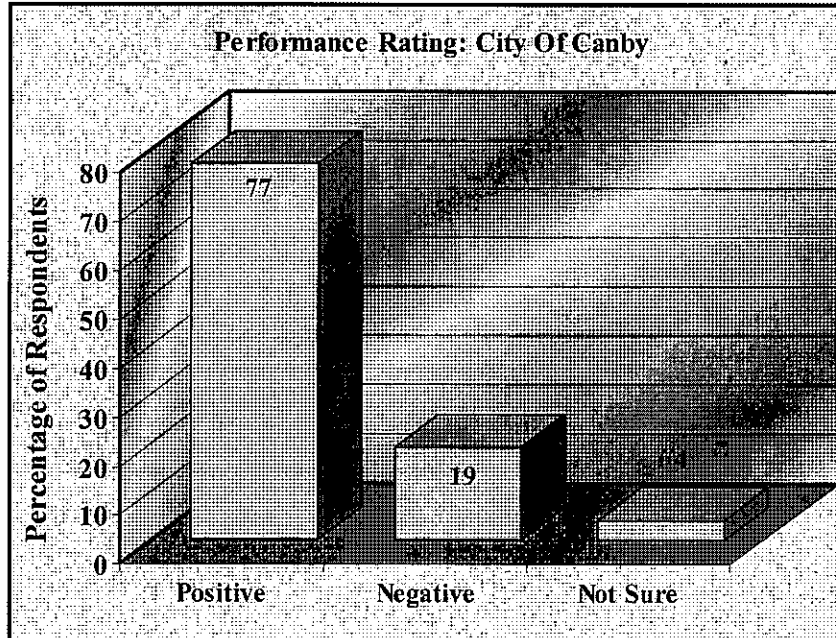
Issues	Percent Of Respondents	Percent Of Responses
GANGS/DRUGS	59	35
TOO MANY IMMIGRANTS/ILLEGAL IMMIGRANTS	9	5
CRIME	8	5
GRAFFITI	4	2
SUBTOTAL	80	47
LACK OF STABLE FUNDING	2	1
ECONOMY	2	1
ECONOMIC DEVELOPMENT	2	1
HIGH TAXES	2	1

Issues	Percent Of Respondents	Percent Of Responses
HIGH GAS PRICES	2	1
HOMELESSNESS	1	1
SUBTOTAL	11	6

PERFORMANCE RATING: CITY OF CANBY

A very high percentage of respondents, 77%, gave the City of Canby a positive performance rating (excellent-19%, pretty good-58%), while 19% rated the city negatively (only fair-16%, poor-3%). Four percent were not sure how to rate the city.

This is a very high performance rating and ranks in the top five percent of all public entity performance ratings conducted by the Nelson Report.



Key demographics who gave the City of Canby a positive rating were females (78%), 55-64 years old (80%), 18-34 years old (78%), non-voters (82%), and voters in 3 out of 4 elections (81%).

Foremost reasons for an excellent rating were: (19% of all respondents)

Good performance	58%
Good customer service	10%

Main reasons for a pretty good rating were: (58% of all respondents)

Good performance	29%
No concerns	16%
Room for improvement	14%
Town is clean	6%

Key demographics who gave the city a negative rating were males (22%), 45-54 years old (24%), 35-44 years old (21%), voters in 1 out of 4 elections (26%), and 4 out of 4 elections (21%).

Primary reasons for an only fair rating were: (16% of all respondents)

Need street improvements	18%
Planning department needs improvement	15%
Poor money management	15%

Top reasons for a poor rating were: (3% of all respondents)

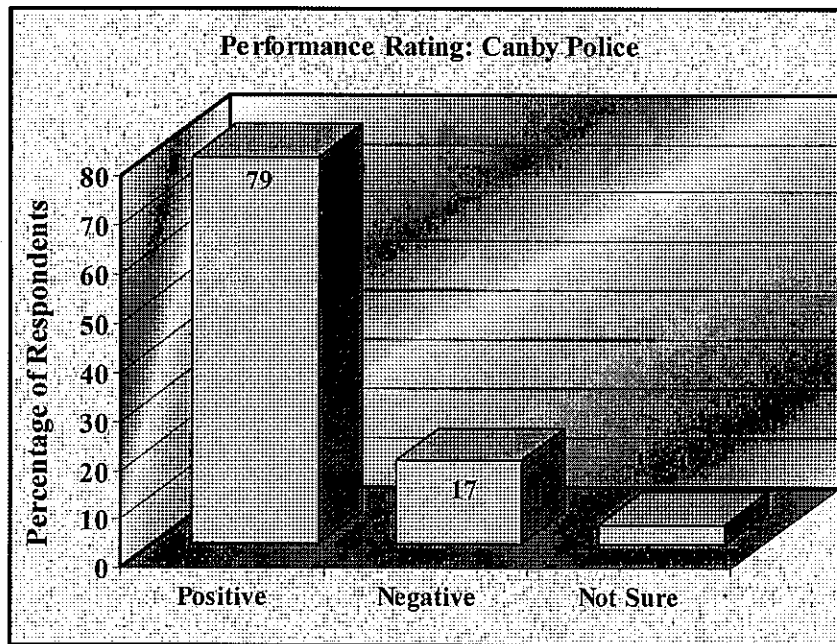
Problems with the mayor	15%
Dislike excess taxes on utilities	15%
Dissatisfied with lack of progress	15%

In a special cross tab, 86% of respondents who later **avored** the proposed \$19 million bond measure (38% of all respondents) gave the city a **positive** performance rating.

In another interesting cross tab, 64% of respondents who later **opposed** the \$19 million bond measure (26% of all respondents) also gave the city a **positive** performance rating.

PERFORMANCE RATING: CANBY POLICE

A very high percentage of respondents, 79%, gave Canby Police a positive performance rating (excellent-29%, pretty good-50%), while 17% rated Canby Police negatively (only fair-13%, poor-4%). Four percent were not sure how to rate the police.



Key demographics who gave Canby Police a positive performance rating were females (84%), 55-64 years old (87%), 65+ years old (82%), voters in 2 out of 4 and 3 out of 4 elections (82%), and 4 out of 4 elections (81%).

Principal reasons for an excellent rating were: (29% of all respondents)

Excellent performance	32%
Quick response times	19%
Always visible	14%

Top reasons for a pretty good rating were: (50% of all respondents)

Good performance	24%
No problems	15%
Room for improvement	12%
Need money for gang enforcement	12%

Key demographics who gave Canby Police a negative rating were males (22%), 18-34 years old (44%), 45-54 years old (26%), 35-44 years old (21%), voters in 1 out of 4 elections (33%), and non-voters (31%).

Foremost reasons for an only fair rating were: (13% of all respondents)

Too strict	13%
Room for improvement	10%
Need to worry about gangs/graffiti	10%
Some officers have attitude problems	10%
Need to be tougher on crime instead of traffic tickets	10%

Top reasons for a poor rating were: (4% of all respondents)

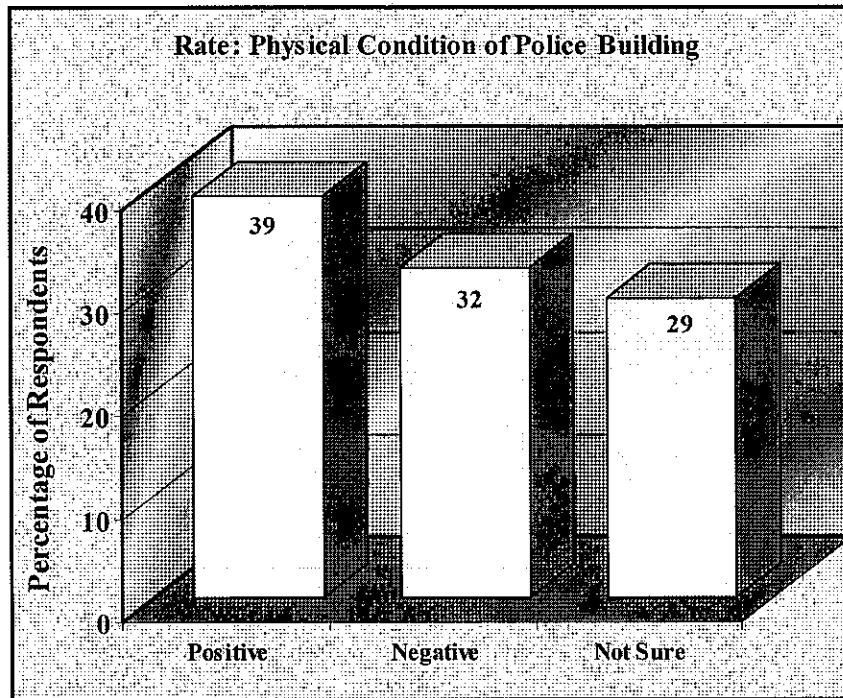
Need to do more about crime	47%
Need to be tougher on gangs	20%

In a special cross tab, 89% of respondents who later **avored** the proposed \$19 million bond measure (39% of all respondents) gave Canby Police a **positive** performance rating.

In another interesting cross tab, 65% of respondents who later **opposed** the \$19 million bond measure (27% of all respondents) also gave Canby Police a **positive** performance rating.

RATE: PHYSICAL CONDITION OF CANBY POLICE BUILDING

A plurality of respondents, 39%, rated the physical condition of the Canby police building positively (excellent-6%, pretty good-33%), while 32% gave the building a negative rating (only fair-23%, poor-9%). A relatively high 29% were not sure.



Key demographics who gave the physical condition of the Canby police building a positive rating were females (43%), 45-54 years old (55%), 18-34 years old (52%), 35-44 years old (50%), voters in 3 out of 4 elections (50%), and 2 out of 4 elections (40%).

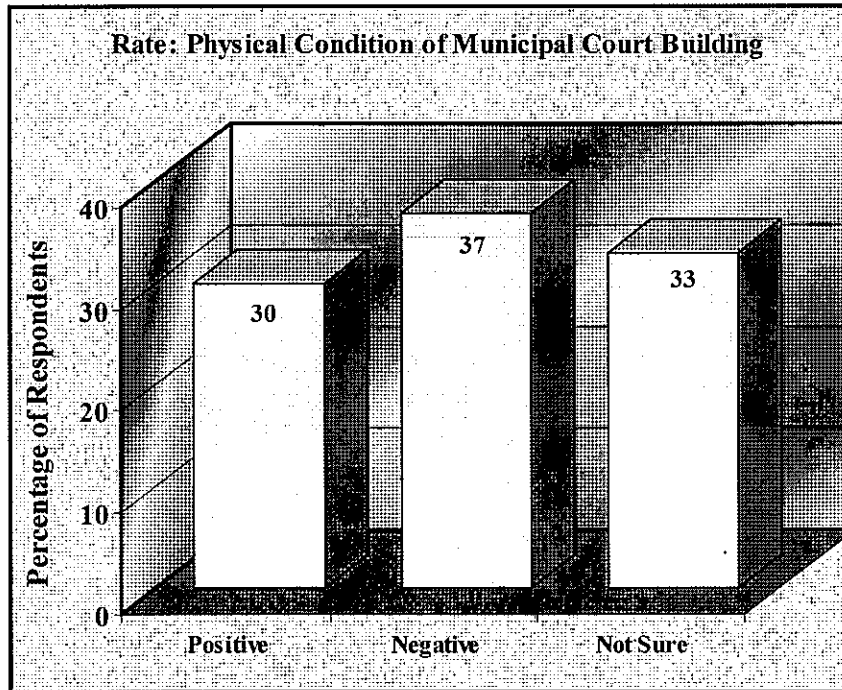
Key demographics who gave the police building a negative rating were males (41%), 55-64 years old (40%) 65+ years old (35%), voters in 1 out of 4 elections (45%), and 2 out of 4 elections (33%).

In a special cross tab, 48% of respondents who later **avored** the proposed \$19 million bond measure (21% of all respondents), gave the physical condition of the police building a **negative** rating.

In another cross tab, 52% of respondents who later **opposed** the proposed \$19 million bond measure (21% of all respondents) gave the physical condition of the police building a **positive** rating.

RATE: PHYSICAL CONDITION OF CANBY MUNICIPAL COURT BUILDING

A plurality of respondents, 37%, rated the physical condition of the Canby municipal court building negatively (only fair-27%, poor-10%), while 30% gave the building a positive rating (excellent-3%, pretty good-27%). A high 33% were not sure.



Key demographics who gave the municipal court building a negative rating were males (46%), 45-54 and 55-64 years old (44%) 35-44 years old (38%), voters in 1 out of 4 elections (42%), and 4 out of 4 elections (40%).

Key demographics who gave the physical condition of the Canby municipal court building a positive rating were females (31%), 18-34 years old (57%), 45-54 years old (34%), and voters in 3 out of 4 elections (41%).

In a key cross tab, 49% of respondents who later **avored** the \$19 million bond measure (22% of all respondents) gave the physical condition of the municipal court building a **negative** rating.

In another cross tab, 40% of respondents who later **opposed** the proposed \$19 million bond measure (16% of all respondents) gave the physical condition of the municipal court building a **positive** rating.

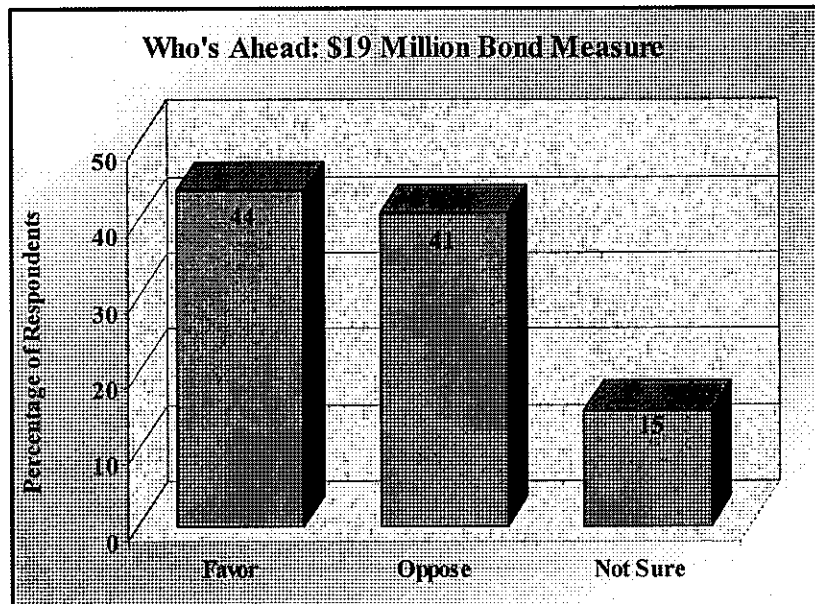
WHO'S AHEAD: \$19 MILLION BOND MEASURE

Next, respondents were given the following information and question:

"The City of Canby is currently considering a \$19 million bond measure that would be used to construct a new facility that will house the Canby Police Department, the municipal court and an emergency operations center. This proposal would increase the property tax rate by an average of 99-cents per thousand."

"If an election were held today, would you FAVOR or OPPOSE a \$19 million bond measure that would construct a new police and municipal court facility at an average cost of 99-cents per thousand dollars of assessed value?"

Well under half of respondents, 44%, favored a \$19 million bond measure, while 41% opposed the proposal. Fifteen percent were not sure as displayed in the following chart.



Key groups who favored the \$19 million bond measure were males (45%), 55-64 years old (50%), 65+ years old (48%), 35-44 years old (45%), non-voters (63%), voters in 2 out of 4 elections (48%), and 3 out of 4 elections (45%).

Principal reasons respondents favored the \$19 million bond measure were: (44% of all respondents)

It's needed	45%
Facility needs improvements	29%
Canby is growing	18%
Good investment	6%

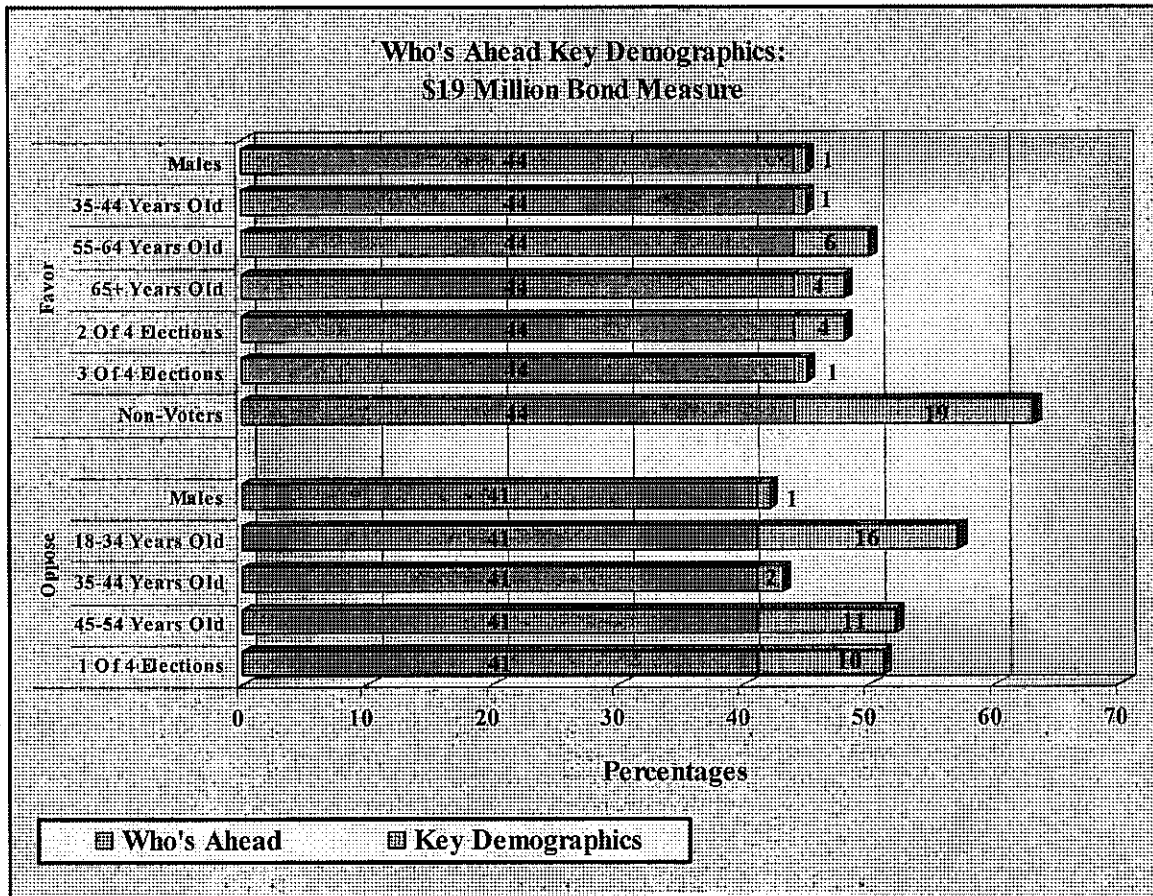
Key demographics who opposed the \$19 million bond measure were males (42%), 18-34 years old (57%), 45-54 years old (52%), 35-44 years old (43%), and voters in 1 out of 4 elections (51%).

Main reasons for opposing the \$19 million bond measure were: (41% of all respondents)

Not sure if it's needed	24%
Too much money	24%
Taxes are too high	18%
Poor timing in poor economy	10%

There are better ways to use the money 10%

The following chart displays the proposed bond measure who's ahead results with the corresponding key demographics.



PUSH RESULTS: \$19 MILLION BOND MEASURE

Next, respondents were asked a series of questions designed to gauge the positive or negative impact of certain pieces of information. This methodology was used to ascertain which arguments produced the greatest net movement from the original "who's ahead" question.

The reader should keep in mind the “if you knew. . .” format. Certain arguments may push people “if they knew,” but the nature of the argument may make it impossible to convince someone that it is factual. In addition, the resources required to do the convincing may be too great when compared to other arguments. This series was cross-checked later in the survey by the agree/disagree series. The results are ranked below in descending positive order. The net gain/loss reflects the push or movement off the original “who's ahead” question.

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results:				
\$19 Million Bond Measure	44	41	15	
If you knew the loss of the existing police building would significantly impact the police department's ability to respond in the event of an emergency, would you FAVOR or OPPOSE the \$19 million bond measure?	66	26	8	+22
If you knew there is no way to cost effectively remodel or expand the existing police building in order to accommodate the needed space for police operations, would you FAVOR or OPPOSE the \$19 million bond measure?	66	27	7	+22
If you knew the current police and municipal court buildings are too small to meet the needs of police and court operations, would you FAVOR or OPPOSE the \$19 million bond measure?	66	27	7	+22
If you knew bond payments would be structured so that new residents who move into the community would assist in the payment of the bond measure through new construction, would you FAVOR or OPPOSE the bond measure?	65	27	8	+21

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results: \$19 Million Bond Measure	44	41	15	
The Municipal court is currently located next to City Hall. If you knew this facility is nearly 45 years old and has water leaks, poor insulation, heating and ventilation problems as well as major structural issues, would you FAVOR or OPPOSE the bond measure that would construct a new facility?	65	27	8	+21
If you knew the new police and municipal court building would be built to last 75 years, would you FAVOR or OPPOSE the proposal?	64	27	9	+20
If you knew an engineering study has identified serious structural weaknesses in the existing city police building that could result in structural failure in the event of a moderate earthquake, would you FAVOR or OPPOSE the proposed bond measure that would construct a new police, municipal court and emergency operations facility?	64	28	8	+20
The current police facility is over 70 years old. If you knew this building was originally constructed to be an automotive repair shop and does not meet current standards for police and emergency operations, would you FAVOR or OPPOSE the \$19 million bond measure that would construct a new police facility?	62	30	8	+18

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results:				
\$19 Million Bond Measure	44	41	15	
If you knew the existing police facility has heating and ventilation problems as well as disability access issues, would you FAVOR or OPPOSE the bond measure that would construct a new facility?	62	30	8	+18
If you knew passage of the proposed bond measure would meet the city's facility needs for the next 22 years, would you FAVOR or OPPOSE the proposal that would construct a new police facility?	60	31	9	+16
If you knew providing on-site officer training would save the City of Canby thousands of dollars per year in travel and off-site training expenses, would you FAVOR or OPPOSE the proposal?	56	33	11	+12
If you knew a new police facility would provide secure parking for police vehicles and a more secure facility for police officers in general, would you FAVOR or OPPOSE a \$19 million bond measure?	56	34	10	+12
If you knew a police firing range could provide a revenue source for the City of Canby, would you FAVOR or OPPOSE the \$19 million bond measure?	55	33	12	+11
If you knew the proposed bond measure would construct a new police facility on city owned property in the Pioneer Industrial Park area, would you FAVOR or OPPOSE the proposal?	51	32	17	+7

Question	Favor	Oppose	Not Sure	Net Gain/Loss
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Who's Ahead Results:

\$19 Million Bond Measure	44	41	15	
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If you knew the proposed bond measure would increase property taxes by 99-cents per thousand or approximately \$198 per year for the owner of a home with an assessed value of \$200,000, would you FAVOR or OPPOSE the bond measure?

49	39	12	+5
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If you knew passage of the bond measure would include a police training facility and firing range which would enable the police department to provide on-site officer training, would you FAVOR or OPPOSE the bond measure?

48	42	10	+4
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Key observations to this series were as follows: All the demographics in this series are key demographics. Those respondents highlighted in **bold** are those demographics that move consistently with each argument.

- The argument that produced one of the largest increases (+22%) in support for the \$19 million proposal was knowledge that the loss of the existing police building would significantly impact the police department's ability to respond in the event of an emergency. Key demographics who increased in support were **females** (+25%), **45-54 years old** (+34%), **18-34 years old** (+30%), **55-64 years old** (+24%), **voters in 3 out of 4 elections** (+27%), and **4 out of 4 elections** (+26%).
- Information that there is no way to cost effectively remodel or expand the existing police building in order to accommodate the needed space for police operations moved another +22% of respondents to favor the bond measure. Key groups moved with this information were **females** (+26%), **18-34 years old** (+35%), **45-54 years old** (+26%), **35-44 years old** (+23%), and **voters in 3 out of 4 and 4 out of 4 elections** (+24%).
- Knowledge that the current police and municipal court buildings are too small to meet the needs of police and court operations substantially pushed respondents to support the proposal (+22%). Key demographics increasing to favor were **females** (+24%), **45-54 years old** (+26%), **55-64 years old** (+24%), **voters in 3 out of 4 elections** (+28%), and **4 out of 4 elections** (+24%).

- The fact that bond payments would be structured so that new residents who move into the community would assist in the payment of the bond measure through new construction again significantly pushed respondents to favor the proposal (+21%). Key demographics responding to this information were **females** (+26%), **18-34** and 65+ years old (+26%), **voters in 4 out of 4 elections** (+25%), and 2 out of 4 elections (+22%).
- Information that the municipal court building is nearly 45 years old and has water leaks, poor insulation, heating and ventilation problems as well as major structural issues moved respondents to favor the \$19 million bond measure by +21%. Key groups increasing in support were **females** (+22%), **45-54 years old** (+28%), **18-34 years old** (+26%), 35-44 and **55-64 years old** (+23%), and **voters in 3 out of 4 elections** (+27%).
- Information that the new police and municipal court building would be built to last 75 years moved +20% of respondents to favor the bond measure. Key demographics moved to favor were **females** (+26%), **18-34 years old** (+30%), **45-54 years old** (+25%), **55-64 years old** (+21%), **voters in 3 out of 4 elections** (+23%), **4 out of 4 elections** (+22%), and 1 out of 4 elections (+21%).
- The argument that an engineering study has identified serious structural weaknesses in the existing city police building that could result in structural failure in the event of a moderate earthquake pushed respondents to favor the proposed bond measure by +20%. Key groups moved to favor were **females** (+25%), **18-34 years old** (+30%), **45-54 years old** (+29%), **55-64 years old** (+22%), **voters in 3 out of 4 elections** (+29%), and **4 out of 4 elections** (+21%).

AGREE/DISAGREE

In this series, respondents were presented with a number of potentially prejudicial statements regarding the City of Canby and its proposed \$19 million bond measure. This format was designed to serve as a cross-check on various closed-ended questions as well as to pick up variations on prejudices not readily apparent in those types of questions. This is an important series of questions, especially when cross-checked with the “if you knew” push questions.

The results are displayed in two different tables. In the first table, the key push arguments have been isolated and set against their corresponding agree/disagree questions. The second table simply displays all of the agree/disagree statements in descending order of agreement.

**PUSH I: EXISTING POLICE FACILITY DOESN'T MEET
STANDARDS FOR POLICE/EMERGENCY OPERATIONS**

The current police facility is over 70 years old. If you knew this building was originally constructed to be an automotive repair shop and does not meet current standards for police and emergency operations, would you FAVOR or OPPOSE the \$19 million bond measure that would construct a new police facility?

Favor 62

Oppose
30

Not Sure
8

If you knew the existing police facility has heating and ventilation problems as well as disability access issues, would you FAVOR or OPPOSE the bond measure that would construct a new facility?

Favor 62

Oppose
30

Not Sure
8

AGREE/DISAGREE

The current facility is over 70 years old and does not meet current requirements for police and emergency operations. I favor a bond measure that would construct a new police and municipal court facility.

Agree 65

Disagree
27

Not Sure
8

PUSH II: POLICE BUILDING HAS SERIOUS STRUCTURAL ISSUES

If you knew the loss of the existing police building would significantly impact the police department's ability to respond in the event of an emergency, would you FAVOR or OPPOSE the \$19 million bond measure?

Favor 66

Oppose
26

Not Sure
8

If you knew an engineering study has identified serious structural weaknesses in the existing city police building that could result in structural failure in the event of a moderate earthquake, would you FAVOR or OPPOSE the proposed bond measure that would construct a new police, municipal court and emergency operations facility?

Favor 64

Oppose 28

Not Sure 8

AGREE/DISAGREE

The current police building has serious structural issues that could significantly impact the police department's ability to respond in the event of an emergency. I support constructing a new police facility.

Agree 61

Disagree 27

Not Sure 12

PUSH III: POLICE/COURT BUILDINGS ARE SMALL/CAN'T BE REMODELED

If you knew the current police and municipal court buildings are too small to meet the needs of police and court operations, would you FAVOR or OPPOSE the \$19 million bond measure?

Favor 66

Oppose 27

Not Sure 7

If you knew there is no way to cost effectively remodel or expand the existing police building in order to accommodate the needed space for police operations, would you FAVOR or OPPOSE the \$19 million bond measure?

Favor 66

Oppose 27

Not Sure 7

AGREE/DISAGREE

The police and municipal court buildings are too small and can't be remodeled to accommodate the needed space for police and court operations. I favor the \$19 million bond measure that would replace these buildings.

Agree 58	Disagree 33	Not Sure 9
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PUSH IV: ON-SITE OFFICER TRAINING WOULD SAVE CITY THOUSANDS

If you knew providing on-site officer training would save the City of Canby thousands of dollars per year in travel and off-site training expenses, would you FAVOR or OPPOSE the proposal?

Favor 56	Oppose 33	Not Sure 11
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AGREE/DISAGREE

If the city can save thousands of dollars per year in off-site police officer training costs, I'd favor the proposed \$19 million bond measure that would include space for a police training facility.

Agree 52	Disagree 40	Not Sure 8
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PUSH V: COST OF BOND MEASURE TO TAX PAYERS

If you knew the proposed bond measure would increase property taxes by 99-cents per thousand or approximately \$198 per year for the owner of a home with an assessed value of \$200,000, would you FAVOR or OPPOSE the bond measure?

Favor 49	Oppose 39	Not Sure 12
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AGREE/DISAGREE

My taxes are already too high. I can't afford a 99-cent increase on my property taxes.
I'm voting no.

Agree
44

Disagree
47

Not Sure
9

AGREE/DISAGREE STATEMENTS IN DESCENDING ORDER OF AGREEMENT

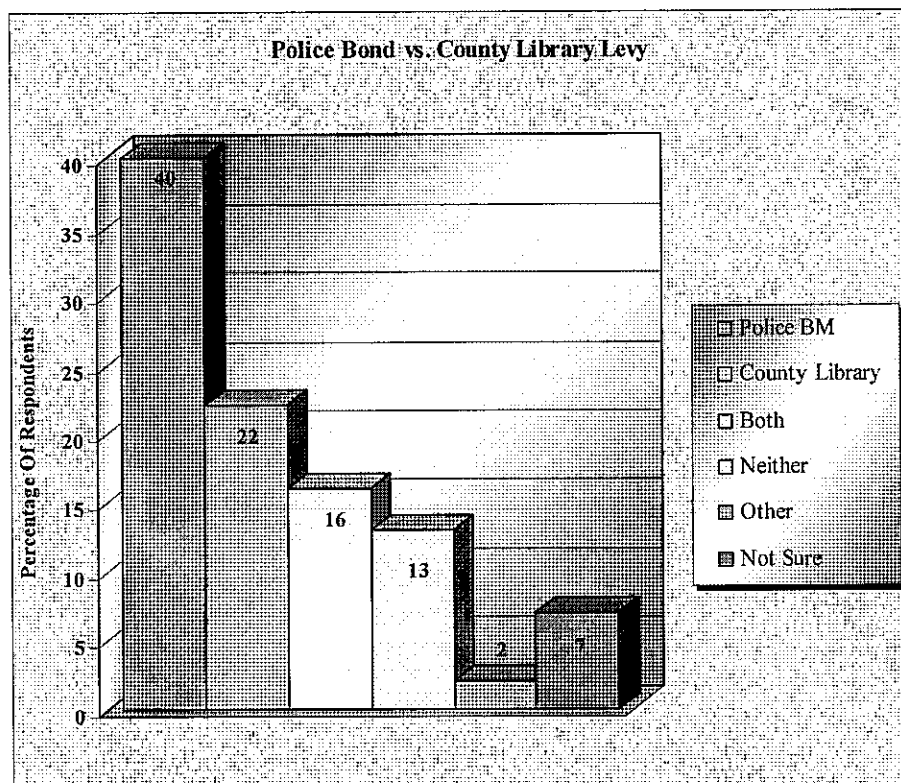
Statement	Agree	Disagree	Not Sure
The current facility is over 70 years old and does not meet current requirements for police and emergency operations. I favor a bond measure that would construct a new police and municipal court facility.	65	27	8
The current police building has serious structural issues that could significantly impact the police department's ability to respond in the event of an emergency. I support constructing a new police facility.	61	27	12
The police and municipal court buildings are too small and can't be remodeled to accommodate the needed space for police and court operations. I favor the \$19 million bond measure that would replace these buildings.	58	33	9
If the city can save thousands of dollars per year in off-site police officer training costs, I'd favor the proposed \$19 million bond measure that would include space for a police training facility.	52	40	8
My taxes are already too high. I can't afford a 99-cent increase on my property taxes. I'm voting no.	44	47	9

COUNTY LIBRARY LEVY VS. POLICE BOND MEASURE

Next, respondents were asked the following question:

“The Clackamas County Library is also considering asking taxpayers to approve a \$12 million library levy for creating a library service district to provide stable revenue for libraries in Clackamas County. If you had to choose would you support a \$12 MILLION LIBRARY LEVY for a library service district at a cost of approximately 40-cents per thousand dollars of assessed valuation or a \$19 MILLION POLICE BOND MEASURE at a cost of 99-cents per thousand?”

A plurality of respondents, 40%, preferred the \$19 million police bond measure, while 22% preferred the library levy to create a library service district. Sixteen percent said they would favor both proposals, 13% did not favor either proposal, and two percent gave other responses. Seven percent were not sure. It is interesting to note, that 56% of all respondents said they supported the police bond measure or both the police bond measure and library levy.



Key demographics who preferred the \$19 million police bond measure were females (42%), 55-64 years old (51%), 18-34 years old (48%), non-voters (56%), and voters in 3 out of 4 elections (47%).

Key demographics who preferred the county library levy were 18-34 years old (35%), 45-54 years old (31%), 35-44 years old (25%), voters in 1 out of 4 elections (33%), and 4 out of 4 elections (23%).

Key groups who said they would support both proposals were females (18%), 35-44 years old (23%), 65+ years old (20%), and voters in 3 out of 4 elections and non-voters (19%).

Key demographics who did not like either proposal were males (15%), 65+ years old (17%), voters in 2 out of 4 elections (16%), and voters in 1 out of 4 and 4 out of 4 elections (14%).

The top “other” responses are listed in the table below. The reader should note the following percentages were taken from a much, much smaller sub-sample (2% of all respondents).

		Of Total Universe
Police and library should be handled separately	40%	less than 1%
Propose smaller bond	40%	less than 1%

In a special cross tab, 57% of respondents who previously **avored** the proposed \$19 million police bond measure (25% of all respondents) preferred the **police bond measure**.

In another cross tab 30%, of respondents who previously **avored** the proposed \$19 million police bond measure (13% of all respondents) said they would support **both** the police bond measure and library levy.

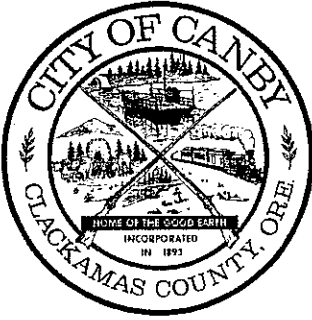
CONCLUSIONS

1. Issues related to "crime" are listed as the most serious problem facing the City of Canby today, followed by issues surrounding the "economy/taxes."
2. A very high percentage of respondents give the City of Canby a positive performance rating. This is a very high performance rating and ranks in the top five percent of all public entity performance ratings conducted by the Nelson Report.
3. Main reasons for giving city a positive performance rating are "good performance," and "no concerns."
4. Primary reasons giving the city a negative performance rating are "need street improvements," "planning department needs improvement," and "poor money management."
5. A very high percentage of respondents give Canby police a positive performance rating.
6. Principal reasons for giving Canby police a positive performance rating are "good performance," and "no problems."
7. Top reasons for giving the Canby police a negative performance rating are "too strict," "room for improvement," "need to worry about gangs/graffiti," "some officers have attitude problems," and "need to be tougher on crime instead of traffic tickets."
8. A plurality of respondents rate the physical condition of the Canby police building positively, while slightly fewer numbers give the building a negative rating.
9. A plurality of respondents rate the physical condition of the Canby municipal court building negatively, while slightly fewer numbers give the building a positive rating.
10. Well under half of respondents favor a \$19 million bond measure, while slightly fewer numbers oppose the bond measure.
11. Principal reasons for favoring the bond measure are "it's needed," "facility needs improvements," and "Canby is growing."
12. Main reasons for opposing the bond measure are "not sure if it's needed," "too much money," and "taxes are too high."

13. The argument that produces the largest increase in support for the \$19 million proposal is knowledge that the loss of the existing police building would significantly impact the police department's ability to respond in the event of an emergency. A new police facility would address current issues and meet future police needs is a **primary** issue for respondents.
14. Information that there is no way to cost effectively remodel or expand the existing police building in order to accommodate the needed space for police operations moves respondents to favor the bond measure. Again, a new police facility would address current issues and meet future police needs is a **primary** issue for respondents.
15. Knowledge that the current police and municipal court buildings are too small to meet the needs of police and court operations substantially pushes respondents to support the proposal. Current police and municipal court facilities are too small and a new building would address current issues and meet future needs are **primary** issues for respondents.
16. The fact that bond payments would be structured so that new residents who move into the community would assist in the payment of the bond measure through new construction again significantly pushes respondents to favor the proposal. This is a **primary** issue.
17. Information that the municipal court building is nearly 45 years old and has water leaks, poor insulation, heating and ventilation problems as well as major structural issues moves respondents to favor the \$19 million bond measure. Once again, a new police/municipal court facility would address current issues and meet future needs are **primary** issues for respondents.
18. Information that the new police and municipal court building would be built to last 75 years moves a substantial number of respondents to favor the bond measure. Bond measure will address police and municipal court needs for an extended period of time is a **primary** issue.
19. The argument that an engineering study has identified serious structural weaknesses in the existing city police building that could result in structural failure in the event of a moderate earthquake pushes respondents to favor the proposed bond measure. Again, a new police facility would address current issues and meet future police needs is a **primary** issue for respondents.
20. A plurality of respondents say they prefer a \$19 million police bond measure, while less than one-quarter of respondents prefer a Clackamas County Library levy. It is interesting to note, that well over half of respondents indicate they would support a police bond measure or both the police bond measure and library levy.

21. While respondents are initially only slightly supportive of a \$19 million police bond measure, support for the proposal significantly increases when presented with information that the current police facility is too small and a new building would address current issues and meet future police and municipal court needs for an extended period of time. In addition, information that new residents in the future would assist in the payment of the bond measure also generates strong levels of support. On the negative side, respondents appear to be concerned about the cost of the bond measure as reflected in open-ended responses and the push and agree/disagree series.

The key will be to educate the city's constituents of the "need" for the projects with messages woven into a clear and concise strategy.



Office of the Mayor

Proclamation

“Annual Livability Day”

WHEREAS, The Canby Livability Coalition is dedicated to maintaining the quality of life in the community of Canby by empowering citizens through educational opportunities and by providing resources to preserve livability for future generations; and

WHEREAS, Citizens, organizations, and neighborhood associations are encouraged to select community service clean-up projects and activities that beautify the City of Canby before summer festivities.

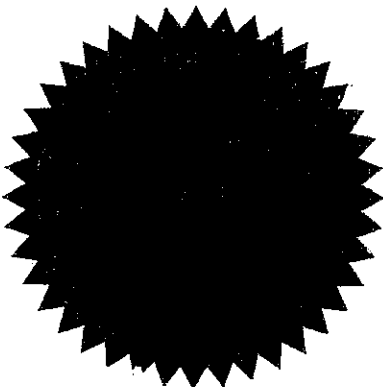
NOW, THEREFORE, I, Melody Thompson, by the virtue of the authority vested in me as the Mayor of the City of Canby, hereby proclaim June 29, 2008 as:

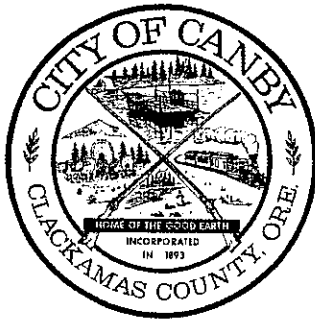
Annual Livability Day

in Canby and encourage all citizens to join in this observance and volunteer at one of the 15 clean up sites.

Given unto my hand this 18th day of June, 2008.

Melody Thompson
Mayor





Office of the Mayor

Proclamation

WHEREAS, the City of Canby, County of Clackamas, Oregon, placed a measure on the Primary Election ballot on May 20, 2008, to consider the following measure:

MEASURE NO. 3-284

SHALL THE CITY OF CANBY ADOPT A REVISED HOME RULE CHARTER?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 20, 2008.

YES – 1,958

NO – 1,987

Over Votes - 1

Under Votes - 435

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 9, 2008.

Dated this 18th day of June, 2008.

Melody Thompson, Mayor

NUMBERED KEY CANVASS

Primary Election
Clackamas County, Oregon
May 20, 2008

RUN DATE:06/06/08 03:12 PM

REPORT-EL52 PAGE 0161

3-284 CITY OF CANBY: MEASURE ADOPTING REVISED HOME
RULE CHARTER FOR CANBY

VOTES PERCENT

VOTES PERCENT

Vote For 1

01 = Yes

02 = No

1,958 49.63
1,987 50.37

03 = OVER VOTES
04 = UNDER VOTES

1
435

	01	02	03	04
0122 122	511	495	1	118
0123 123	146	159	0	28
0124 124	569	547	0	88
0125 125	380	380	0	112
0126 126	352	406	0	89

RECEIVED

JUN 10 2008

CITY OF CANBY

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*
JUN 09 2008

3

AMENDMENT TO EMPLOYMENT AGREEMENT
City Attorney

This Amendment, dated June 18, 2008, to the Employment Agreement dated July 16, 2003 between the City of Canby, Oregon, a Municipal Corporation, and John H. Kelley, employee, is intended to memorialize negotiations between the parties regarding a 6% merit increase in base salary and additional vacation for said employee, John H. Kelley.

Section 5A, entitled "Salary", of the current employment agreement is amended by changing the amount of the base salary to \$89, 420.00 per annum, effective July 1, 2008, representing a merit increase of six percent (6%).

Section 6B, entitled "Benefits", of the current employment agreement is also amended by adding 5 additional vacation hours per month for a total of 20 vacation hours per month.

All other terms and conditions of the current employment agreement remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Amendment to Employment Agreement the day and year first written above.

CITY OF CANBY:

Melody Thompson,
Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder pro tem

John H. Kelley,
Employee

PA \$50.00
6/9/08 uc

CITY OF CANBY STREET CLOSURE REQUEST FORM

PO Box 930, 182 N Holly, Canby, OR 97013

503.266.4021 ext. 101 Fax 503.266.7961

\$50.00

Street Closure Request Forms need to be completed and taken to the Police Department and Fire Department for approval. The back of the form needs to be completed by residents that are affected by the closure. Once completed, forms are returned to City Hall, along with the fee; they will be scheduled to go before the City Council for approval. Non-Profit events can have fee waived and be given approval from the City Administrator.

Type of event: Barbque, Band, pop Date of Event: June 28th 2008
Name of Street(s) to be closed: Railroad lot and From 22nd NW 1st. across to the lot.
Time: From 4pm am/pm To: 10pm am/pm Non-Profit Event: ☐ Yes ☒ No
Event is Sponsored by: Rounders
Contact Person: Kelli Fleischmann Address: 6926 S. Zimmerman Rd.
Telephone (Home): 503) 651-1139 Telephone (Work) (503) 705-0588

Kelli Fleischmann
Signature of Responsible Party

6-9-08
Date

[Signature]
Canby Police Department Approval Signature

6-10-08
Date

Canby Fire Department Approval Signature

Date

City Administrator/Mayor's Signature

Date

Reservation Checklist: (To be completed by staff)

- Date application and payment received: 6/9/08
Payment Waived: ☐ Yes ☒ No
(In order to have the fee waived the following conditions must be in place:
A. The organization is non-profit 501(c)(3) and the event is open to the public without an admission charge of any kind.
B. The event is officially sponsored in part or in whole by the City of Canby.)
- Scheduled to go before City Council on: 6/18/08
- Once approved by Council or City Administrator, signed copies sent to:
Public Works Supervisor: _____ (Date Sent)
Code Enforcement Officer: _____ (Date Sent)
Police (Attn: Toni) Department: _____ (Date Sent)
Planning Department: _____ (Date Sent)
Fire Department: _____ (Date Faxed)
Transit (Attn: Cynthia) Department: _____ (Date Sent)
- Confirmation letter sent to applicant: _____ (Date Sent)

CITY OF CANBY STREET CLOSURE REQUEST FORM

PO Box 930, 182 N Holly, Canby, OR 97013
503.266.4021 ext. 101 Fax 503.266.7961
\$50.00

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Type of event: Barbeque, Band, pop Date of Event: June 28th 2008
Name of Street(s) to be closed: Railroad lot and from 22nd NW 1st to 1st
Time: From 4pm am/pm To: 10pm am/pm Non-Profit Event: ☐ Yes ☒ No
Event is Sponsored by: Rounders
Contact Person: Kelli Fleischmann Address: 6926 S. Zimmerman Rd.
Telephone (Home): 503 651-1139 Telephone (Work): 503 705-0588

Kelli Fleischmann 6-9-08
Signature of Responsible Party Date

Canby Police Department Approval Signature [Signature] 6-9-08
Date
Canby Fire Department Approval Signature _____ Date

City Administrator/Mayor's Signature _____ Date

Reservation Checklist: (To be completed by staff)

- Date application and payment received: _____
Payment Waived: ☐ Yes ☐ No
(In order to have the fee waived the following conditions must be in place:
A. The organization is non-profit 501(c)(3) and the event is open to the public without an admission charge of any kind.
B. The event is officially sponsored in part or in whole by the City of Canby.)
- Scheduled to go before City Council on: _____
- Once approved by Council or City Administrator, signed copies sent to:
Public Works Supervisor: _____ (Date Sent)
Code Enforcement Officer: _____ (Date Sent)
Police (Attn: Toni) Department: _____ (Date Sent)
Planning Department: _____ (Date Sent)
Fire Department: _____ (Date Faxed)
Transit (Attn: Cynthia) Department: _____ (Date Sent)
- Confirmation letter sent to applicant: _____ (Date Sent)

6

City of Canby

Street Closure Vicinity Map

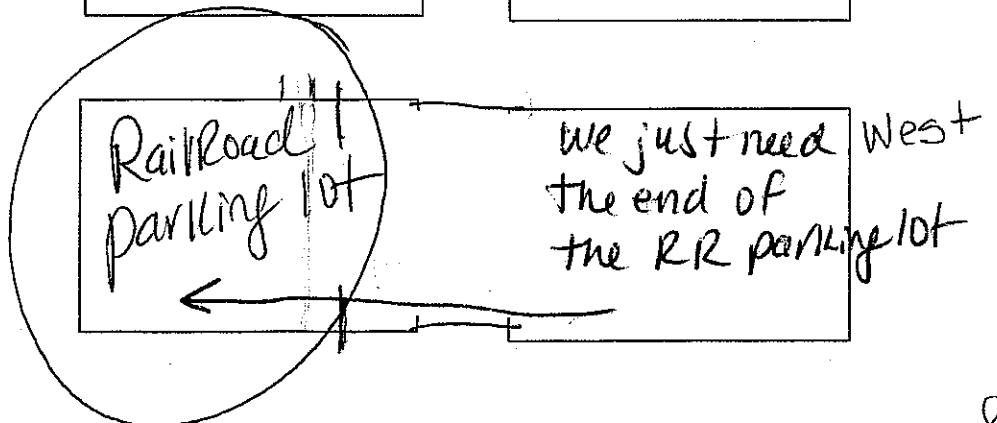
1. Please mark your event site on the grid below and write in the street names in the vicinity.
2. Draw lines across the areas you will close the street(s).
An example is provided on the next page.

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Term to Exp 6.30.2011

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

Instructions: By using either your tab key or arrow keys, navigate to each field and type in your information. When complete, save the document to your computer and either mail, fax or email to the addresses listed below.

Date: 6/6/08

Name: Liz Belz-Templeman

Occupation: Educator

Home Address:

Employer: Canby & North Marion School Districts Position: substitute teacher/district tutor

Daytime Phone:

Evening Phone: same as day phone

E-Mail Address:

For which position are you applying? Bike & Ped. Advisory Committee

What are your community interests (committees, organizations, special activities)? see attached resume

Experience and educational background: see attached resume

Reason for your interest in this position: I would like to continue my involvement in this committee and the community.

List any other City or County positions on which you serve or have served: n/a

Information on any special membership requirements: n/a

Referred by (if applicable): n/a

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

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

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

Phone: 503-266-4021 Fax: 503-266-7961 Email: scheaferk@ci.canby.or.us

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.

12-4-07

RECEIVED

JUN 06 2008

CITY OF CANBY

M E M O R A N D U M

DATE: June 10, 2008
TO: Honorable Mayor Thompson and City Council
FROM: Sue Engels, Interim Finance and Court Services Director
CC: Mark Adcock, City Administrator
RE: A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES.

Issue: Annual verification that the City has met the requirements to receive revenues from intergovernmental taxes

Background: ORS 221.760 Prerequisites for cities in counties over 100,000 population to receive revenues from cigarette, gas and liquor taxes. (1) The officer responsible for disbursing funds to cities shall disburse such funds in the case of a city located within a county having more than 100,000 inhabitants, according to the most recent federal decennial census, only if the officer reasonably is satisfied that the city meets the requirements or if the city provides four or more of the following municipal services; (a) Police protection, (b) Fire protection, (c) Street construction, maintenance and lighting, (d) Sanitary sewers, (e) Storm sewers, (f) Planning, zoning and subdivision control, or (g) One or more utility services.

Recommendation: That council adopts RESOLUTION NO. 982 validating that the city has met the requirements to receive revenues from cigarette, gas, and liquor taxes.

Fiscal Impact: The city estimates amounts to receive \$26,000 for cigarette taxes, \$160,000 for liquor taxes, and \$675,000 for gas taxes.

Attached: Resolution No. 982

RESOLUTION NO. 982

A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES.

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820, and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

1. Police protection
2. Fire protection
3. Street construction, maintenance, and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services and:

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760,

NOW, THEREFORE, BE IT RESOLVED, that the City of Canby, Clackamas County, Oregon hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

1. Police protection
2. Street construction, maintenance and lighting
3. Sanitary sewers
4. Planning, zoning and subdivision control
5. Storm sewers

This Resolution shall take effect on June 18, 2008.

ADOPTED by the Canby City Council at a regular meeting thereof on Wednesday, June 18, 2008.

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder – Pro Tem

M E M O R A N D U M

DATE: June 10, 2008
TO: Honorable Mayor Thompson and City Council
FROM: Sue Engels, Interim Finance and Court Services Director
CC: Mark Adcock, City Administrator
RE: A RESOLUTION ADOPTING THE BUDGET, MAKING
APPROPRIATIONS, AND CATEGORIZATION FOR THE 2008-
2009 FISCAL YEAR.

Issue: ORS 294.435 requires the City to hold a public hearing and adopt the budget by June 30, 2008 and ORS 294.555 requires the City to submit the Tax Certification Documents to the County Assessor by July 15, 2008.

Background: The City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990. The City passed a local option levy of \$0.42 per \$1000.00 of assessed property value on November 07, 2006 to fund Swim Center Operations. The City levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1000. These taxes are hereby levied upon all taxable property within the district as of 1:00 a.m. July 1, 2008. The allocation and categorization subject to the limits of section 11, Article XI of the Oregon Constitution.

Recommendation: We recommend City Council adopt Resolution No. 983 as recommended by the budget committee.

Attached: Resolution No. 983

RESOLUTION NO. 983

A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2008-2009 FISCAL YEAR

WHEREAS, the City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990;
and

WHEREAS, a public hearing for the 2008-2009 City Budget was duly and regularly
advertised and held on June 18, 2008; and be it resolved that the City Council of the City of
Canby hereby adopts the budget approved by the Budget Committee;

WHEREAS, the City of Canby passed a local option levy of .42¢ per \$1,000.00 of
assessed property value on November 7, 2006, with an estimated \$384,780 raised in 2007-2008;
this levy is to fund Swim Center Operations.

RESOLVED that the City Council of Canby hereby levies the taxes provided for in the
adopted budget at the permanent rate of 3.4886 per \$1,000 and a local option levy of .42¢ per
\$1000.00 of assessed property value and that these taxes are hereby levied upon all taxable
property within the district as of 1:00 a.m. July 1, 2008. The following allocation and
categorization subject to the limits of section 11, Article XI of the Oregon Constitution make up
the above aggregate levy;

	Subject to the General Government Limitation	Excluded from the Limitation
Permanent Rate Levy	3.4886	
Local Option Levy	0.4200	
Total Levy	3.9086	

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2008 and for
the purposes shown below are hereby appropriated as follows:

GENERAL FUND

ADMINISTRATION	1,307,558
COURT	367,585
PLANNING	409,493
LIBRARY	483,285
PARKS	475,765
BUILDING	655,368
POLICE	4,174,090
CEMETERY	126,596
FINANCE	466,905

TOTAL EXPENDITURES AND REQUIREMENTS	8,466,645
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OTHER FUNDS

STREET FUND

PERSONAL SERVICES	406,376
MATERIALS & SERVICES	301,300
TRANSFERS	1,047,326
CAPITAL OUTLAY	84,950
TOTAL EXPENDITURES AND REQUIREMENTS	1,839,952

SEWER COMBINED FUND

PERSONAL SERVICES	885,755
MATERIALS & SERVICES	426,000
DEBT SERVICE	637,958
TRANSFERS	322,943
CAPITAL OUTLAY	3,237,191
TOTAL EXPENDITURES AND REQUIREMENTS	5,509,847

911 EMERGENCY

MATERIALS & SERVICES	211,900
TRANSFERS	1,000
TOTAL EXPENDITURES AND REQUIREMENTS	212,900

PARKS DEVELOPMENT FUND

PERSONAL SERVICES	67,502
MATERIALS & SERVICES	15,500
CAPITAL OUTLAY	1,749,131
TRANSFERS	78,000
TOTAL EXPENDITURES AND REQUIREMENTS	1,910,133

LIBRARY ENDOWMENT FUND

MATERIALS & SERVICES	500
CAPITAL OUTLAY	125,985
TRANSFERS	515
TOTAL EXPENDITURES AND REQUIREMENTS	127,000

LOGGING ROAD INDUSTRIAL

CAPITAL OUTLAY	233,858
TRANSFERS	5,150
DEBT SERVICE	70,992
TOTAL EXPENDITURES AND REQUIREMENTS	310,000

STREET RESERVE

CAPITAL OUTLAY	3,257,802
TRANSFERS	44,915
TOTAL EXPENDITURES AND REQUIREMENTS	3,302,717

CEMETERY PERPETUAL CARE

CAPITAL OUTLAY	769,736
TRANSFERS	2,000
TOTAL EXPENDITURES AND REQUIREMENTS	771,736

CAPITAL RESERVE

PERSONAL SERVICES	7,550
CAPITAL OUTLAY	133,648
TRANSFERS	45,133
TOTAL EXPENDITURES AND REQUIREMENTS	186,331

FORFEITURE FUND

MATERIALS & SERVICES	18,600
TRANSFERS	1,400
TOTAL EXPENDITURES AND REQUIREMENTS	20,000

FLEET SERVICES COMBINED FUND

PERSONAL SERVICES	280,765
MATERIALS & SERVICES	333,986
TRANSFERS	54,850
CAPITAL OUTLAY	80,342
TOTAL EXPENDITURES AND REQUIREMENTS	749,943

TECHNICAL SERVICES COMBINED FUND

PERSONAL SERVICES	41,000
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MATERIALS & SERVICES	101,850
CAPITAL OUTLAY	301,840
TOTAL EXPENDITURES AND REQUIREMENTS	444,690

LID FUND #0100

TRANSFERS	13,965
TOTAL EXPENDITURES AND REQUIREMENTS	13,965

TRANSIT FUND

PERSONAL SERVICES	74,100
MATERIALS & SERVICES	1,134,885
TRANSFERS	281,800
CAPITAL OUTLAY	153,891
DEBT SERVICE	99,588
TOTAL EXPENDITURES AND REQUIREMENTS	1,744,264

SWIM CENTER LEVY FUND

PERSONAL SERVICES	364,515
MATERIALS & SERVICES	112,384
CONTINGENCY	50,800
TRANSFERS	55,000
CAPITAL OUTLAY	38,000
TOTAL EXPENDITURES AND REQUIREMENTS	620,699

TOTAL OPERATING BUDGET	26,230,822
-------------------------------	-------------------

This Resolution shall take effect on June 18, 2008.

ADOPTED by the Canby City Council at a regular meeting thereof on Wednesday, June 18, 2008.

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder pro tem

RESOLUTION NO. 992

A RESOLUTION AUTHORIZING THE CANBY URBAN RENEWAL AGENCY BOARD TO AMEND SECTION 600.C(3) OF THE CANBY URBAN RENEWAL PLAN AND TO ADD PROPERTIES TO BE ACQUIRED BY THE URBAN RENEWAL AGENCY.

WHEREAS, the Canby City Council established an Urban Renewal Agency to function within the City pursuant to Ordinance 1032 passed October 6, 1999; and

WHEREAS, pursuant to the CMC 2.68.030 the City Council shall exercise all powers, duties rights granted to the Urban Renewal Agency, unless specifically granted by the City Council to the Agency to perform; and

WHEREAS, the Urban Renewal Agency wishes to acquire certain properties in order to assist a new commercial development within the urban renewal area; and

WHEREAS, the Canby Urban Renewal Agency Plan Section 800 B-1 requires that the Council approves acquisition of property for purposes specified in sections 600 C 1A, 1B, and 1C of this plan.

WHEREAS, City Council finds that it is in the City's best interest to complete the proposed commercial development project:

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

1. The City of Canby hereby ratifies the property acquisition shown in Exhibit "A" to this resolution to the Canby Urban Renewal Plan.

This Resolution shall take effect on June 18, 2008.

ADOPTED this 18th day of June, 2008, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder, Pro-Tem

Exhibit "A"

Section 600 C(3) of the Urban Renewal Plan is amended as follows. Deletions are shown as ~~strikethroughs~~, and additions are shown in *italics*

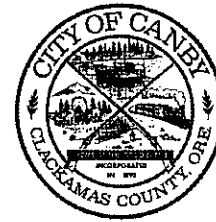
3. Properties to be acquired

~~At the time this Plan is prepared, no properties are identified for acquisition~~

The following properties have been identified for acquisition by the Canby Urban Renewal Agency

Map Number	Tax Lot Number	Street Address
3S-1E-34	1707	No Address
3S-1E-33DB	2500	301 NE 3 rd Avenue
3S-1E33DB	3600	316 NE 2 nd Avenue
3S-1E33DB	3601	326 NE 2 nd Avenue
3S-1E-33DB	3700	325 NE 2 nd Avenue

MEMORANDUM



To: Mayor Thompson and Canby City Council
From: Amanda Klock, Human Resource Director
Date: June 18, 2008
Through: Mark Adcock, City Administrator
Re: Resolution No. 993

Issue

Establish a competitive salary schedule and benefit package for non represented employees.

Background

The City of Canby has previously passed resolutions establishing salary and non salary benefits for non represented management personnel. Non represented employees include managers, supervisors, and confidential employees not covered by a collective bargaining agreement. Salary and benefits need to be incorporated for non represented employees in order to recruit and retain qualified employees.

Consistent with the represented groups, the salary schedule reflects a 3.7% cost of living adjustment based on the 2006 CPI-U for Portland-Salem. The schedule also reflects the reclassification of the Public Works Manager to a Director position following the departure of the Community Development Director and subsequent department restructure in January 2008. A Deputy City Recorder position has been added and the Public Works Supervisor position has been reclassified (consistent with the previously mentioned restructure). There are no changes to the prior year benefit package.

Salaries and benefit costs for current and proposed non represented positions are included in the 2008-2009 approved budget.

Recommendation

Approve Resolution 993, adopting the salary schedule and benefit package for non-represented employees of the City of Canby.

Attached

Resolution No. 993
Attachment A – Non Represented Salary Schedule
Attachment B – Non Represented Benefit Summary

RESOLUTION NO. 993

**A RESOLUTION ESTABLISHING SALARY AND NON SALARY BENEFITS FOR
NON REPRESENTED EMPLOYEES FOR THE CITY OF CANBY, OREGON**

WHEREAS, the City of Canby passed previous resolutions establishing salary and non-salary benefits for management employees; and,

WHEREAS, all previous resolutions regarding management salary and non-salary benefits shall be repealed; and,

WHEREAS, the City Council finds that salary and non-salary benefits need to be incorporated;

IT IS HEREBY RESOLVED that the City of Canby approves the following salary and non-salary benefits for the non represented employees to take effect July 1, 2008:

1. That Attachment "A" is attached to this Resolution as Non-Represented Salary Schedule Attachment "A", and is hereby adopted effective July 1, 2008, which incorporates a 3.7% cost of living increase based on 2006 CPI-U Portland-Salem.
2. That Attachment "B" is attached to this Resolution as a Summary of (non-salary) Benefits for Non-Represented Employees.
3. That the management level employees as a group shall not be precluded by any language in this Resolution from bringing future requests for salary increases to the City Council.
4. The City Administrator is directed to take the necessary action to place incumbent employees within the appropriate range and step upon hire and may, in his discretion, move a management level employee more than one-step if necessary to keep that employee's salary above any subordinate employee he/she may supervise.

This resolution shall take effect July 1, 2008.

ADOPTED this 18th day of June, 2008 by the Canby City Council.

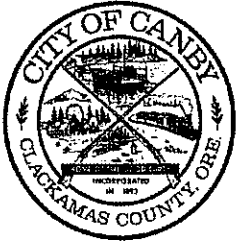
Melody Thompson
Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder, Pro-Tem

ATTACHMENT A**Non-Represented Salary Schedule (Management, Supervisory & Confidential)****Effective July 1, 2008****Includes a 3.7% COLA**

Classification	Range	5% steps					3% steps		
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1		2,707	2,842	2,984	3,134	3,290	3,389	3,491	3,595
2		3,086	3,240	3,402	3,572	3,751	3,864	3,979	4,099
3	Deputy City Recorder	3,518	3,694	3,879	4,073	4,276	4,404	4,537	4,673
4	Confidential Admin Specialist Aquatics Program Manager Senior Accountant	3,975	4,174	4,383	4,602	4,832	4,977	5,126	5,280
5	Executive Asst/City Recorder	4,373	4,592	4,821	5,062	5,315	5,475	5,639	5,808
6	Economic Development Mgr PW Supervisor	4,766	5,005	5,255	5,518	5,794	5,967	6,146	6,331
7		4,909	5,155	5,413	5,683	5,967	6,146	6,331	6,521
8	WWTP Supervisor	5,155	5,413	5,683	5,967	6,266	6,454	6,647	6,847
9		5,567	5,846	6,138	6,445	6,767	6,970	7,179	7,395
10	Human Resource Director Police Lieutenant PW Operations Director	5,957	6,255	6,568	6,896	7,241	7,458	7,682	7,912
11	Finance Director	6,314	6,630	6,962	7,310	7,675	7,906	8,143	8,387
12	Community Development Dir Police Chief	6,693	7,028	7,379	7,748	8,136	8,380	8,631	8,890



ATTACHMENT B

SUMMARY OF BENEFITS FOR NON REPRESENTED EMPLOYEES

(Benefits are pro-rated for part time employees working 20-39 hours a week)

Effective July 1, 2008

Retirement:

The City of Canby participates in the Public Employers Retirement System (PERS) and Oregon Public Service Retirement Plan (OPSRP). The City pays the employees share of 6% of employee's salary into the plan.

Vacation:

Paid vacation is based on length of service (the accrual rate per pay period is the annual rate divided by the total number of pay periods).

After six months	40 hours annually
After one year	120 hours annually
After five years	200 hours annually
After fourteen years	240 hours annually

Administrative Leave:

In recognition of additional hours worked and in lieu of overtime, exempt Director level employees are credited with fifty-five (55) hours of administrative leave annually. All other exempt employees are credited with forty (40) hours of administrative leave annually. Admin leave is use-it-or-lose-it and does not accrue or roll over year to year. Leave is pro-rated at hire (based on date of hire).

Holidays:

Employees are compensated for 11 holidays per year.

New Years Day – January 1	Thanksgiving – 4 th Thurs in November
President's Day – 3 rd Monday in February	Day after Thanksgiving – 4 th Fri in November
Memorial Day – Last Monday in May	Day before Christmas – December 24
Independence Day – July 4	Christmas – December 25
Labor Day – 1 st Monday in September	One Personal Holiday (8 hours)
Veteran's Day – November 11	

Sick Leave:

Employees earn ninety six (96) hours of sick leave annually (the accrual rate per pay period is the annual rate divided by the total number of pay periods). Upon retirement under the City's retirement plan, an employee shall be compensated for fifty percent (50%) of his/her accumulated but unused sick leave. The number of hours of sick leave for which compensation is provided shall not exceed five hundred (500).

Health & Welfare:

The City will pay 90% of the premium costs of the group plan [Option 1] in place for each tier of coverage. The group health plan includes medical/drug, vision and dental/orthodontia coverage. Employees electing alternative plan options made available by the City may apply these contribution amounts towards such coverage and are responsible for any remaining premium costs. Any premium

ATTACHMENT B

costs not covered by the City shall be paid by the enrolled employee through automatic payroll deduction. *Refer to rate sheet for employee contribution amounts.*

Disability Benefits:

Workers Compensation – All employees are covered by Worker's Compensation. This type of insurance covers employees in case of on-the-job injuries or job-related illnesses.

Life Insurance – The City provides life insurance in the amount of one and one-half (1 ½) times an employee's annual salary (maximum \$150,000).

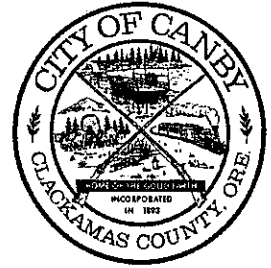
AD&D – The City provides Accidental Death & Dismemberment insurance in the amount of one and one-half (1 ½) times an employee's annual salary (maximum \$150,000).

LTD – The City provides a program of long term disability insurance.

AFLAC:

Optional benefits are available. The City does not contribute.

MEMORANDUM



TO: *Honorable Mayor Thompson and City Council*
FROM: *Sue Engels, Interim Finance Director*
DATE: *June 9, 2008*
THROUGH: *Mark C. Adcock, City Administrator*

Issue: A principal and interest payment made on an interfund loan causes the Transfers appropriation in the Capital Reserve Fund to be overspent. Unanticipated expenditures in Parks Development Fund cause the Materials and Services appropriation to be overspent.

Synopsis: An interfund loan from the Parks Development Fund to the Capital Reserve Fund of \$150,000 gave rise to a principal and interest payment due in the current fiscal year of \$17,067. This payment was not anticipated at the time the current year budget was adopted. Unanticipated expenditures for Materials and Services in the Parks Development Fund will cause that appropriations category to be overspent. A transfer of appropriations from Capital Outlay to Transfers within the Capital Reserve Fund, and from Capital Outlay to Materials and Services within the Parks Development Fund are needed in order to balance the budget.

Recommendation: Approve Resolution No.994

Attached: Resolution No. 994

RESOLUTION NO. 994

A RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS FROM EXISTING CATEGORIES TO OTHER EXISTING CATEGORIES WITHIN THE CAPITAL RESERVE AND PARKS DEVELOPMENT FUNDS

WHEREAS, the City's expenditures in the Transfers category of the Capital Reserve Fund have exceeded appropriations because of a principal and interest payment made on an interfund loan from the Parks Development Fund ; and

WHEREAS, the City's expenditures in the Capital Outlay category of the Capital Reserve Fund have been less than appropriations for that category; and

WHEREAS, the City's expenditures in the Materials and Services category of the Parks Development Fund have exceeded appropriations because of unforeseen expenses; and

WHEREAS, the City's expenditures in the Capital Outlay category of the Parks Development Fund have been less than appropriations for that category; and

WHEREAS, the City wishes to keep expenditures within authorized appropriations for all funds,

NOW THEREFORE, BE IT RESOLVED THAT:

Section 1. The City Administrator shall transfer or caused to be transferred the following appropriations.

FROM

CAPITAL RESERVE FUND

Capital Outlay 17,067

TOTAL 17,067

TO

CAPITAL RESERVE FUND

Transfers 17,067

TOTAL 17,067

PARKS DEVELOPMENT FUND

Capital Outlay 1,000

TOTAL 1,000

PARKS DEVELOPMENT FUND

Materials and Services 1,000

TOTAL 1,000

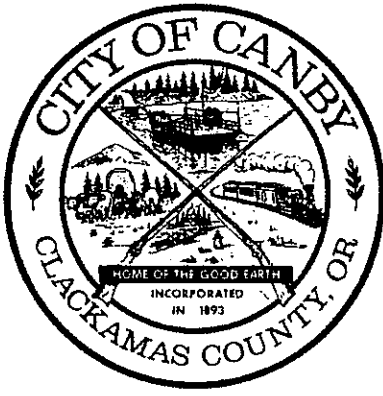
This resolution shall take effect on June 18, 2008.

ADOPTED by the Canby City Council at a regular meeting thereof on June 18, 2008.

Melody Thompson
Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro-Tem



City of Canby

Office of the City Attorney

June 9, 2008

Memo to: Mayor/City Council

From: John H. Kelley, City Attorney

Re: Resolution No. 995 – Authorizing the City Administrator to sign Marshall Property partition plat for Clackamas County

Attached is Resolution No. 995. It authorizes the City Administrator to execute the partition plat on behalf of the City which will then be recorded in Clackamas County.

The Recorder's office needs an official authorization by Resolution granting Mark the authority to sign.

A motion to approve the Resolution would be appropriate.

RESOLUTION NO. 995

A RESOLUTION AUTHORIZING THE CANBY CITY ADMINISTRATOR TO EXECUTE A PARTITION PLAT ON BEHALF OF THE CITY OF CANBY FOR FILING WITH CLACKMAS COUNTY

WHEREAS, the Canby City Council decided that certain real property located at 1504 N. Maple Street in Canby, Oregon was no longer needed for public use by Resolution 975 on May 21, 2008 and that said property should be partitioned into three lots and offered for sale to the public through a public bid process; and

WHEREAS, the Canby Planning Commission, following a public hearing on April 28, 2008, granted the partition as part of an application from the City; and

WHEREAS, Clackamas County requires approval from the City Council authorizing the City Administrator to execute the partition plat to be filed with Clackamas County;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the City Administrator is authorized to execute a partition plat on behalf of the City. A copy of the partition plat is attached hereto as Exhibit "A" and by this reference incorporated herein.

This Resolution shall take effect on June 18, 2008.

ADOPTED this 18th day of April, 2008, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder, Pro-Tem

PARTITION PLAT

A PORTION OF LOT 55, CANBY GARDENS
LOCATED IN THE NORTHEAST ONE-QUARTER
OF THE NORTHEAST ONE-QUARTER
SECTION 33, T.35S., R.1E., W.M., CITY OF CANBY,
CLACKAMAS COUNTY, OREGON

CITY OF CANY PLANNING DEPARTMENT FILE NUMBER M/P 08-02
SURVEYED MAY 15, 2008
JOB: CBY-01

SURVEYORS CERTIFICATE

[illegible]

CONTAINING 0.62 ACRES.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE CITY OF CANNY, A MUNICIPAL CORPORATION, IS THE OWNER OF THE LAND REPRESENTED BY THE ATTACHED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS WITH EASEMENTS AS SHOWN ON THE ANNEXED MAP AND HEREBY DEDICATE ALL ROADS AND STREETS TO THE PUBLIC FOREVER FOR ROAD PURPOSES. THERE ARE OTHER RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT. THIS PLAT COMPLETES WITH CHAPTER 92 OF THE OREGON REVENUE STATUTES. THE DECLARANT MAKES NO CLAIM TO LANDS BEYOND THE LINES AS SURVEYED.

MARK A. ADCOCK, CITY ADMINISTRATOR
CITY OF CANBY, A MUNICIPAL CORPORATION

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY MARK A. ADCOCK, CITY ADMINISTRATOR FOR THE CITY OF CANNY, A MUNICIPAL CORPORATION.

NOTARY SIGNATURE

NOTARY PUBLIC OF OREGON

COMMISSION NO. _____
MY COMMISSION EXPIRES _____/____/200_____

APPROVALS

FILE NO. WJF 08-02
APPROVED THIS DAY OF 2002

EY

APPROVED THIS DAY OF _____, 200__

CLACKAMAS COUNTY SURVEYOR AND
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
CERTIFICATE PER COUNTY CODE CHAPTER 11.02

MEDIA CERTIFICATE

I, PATRICK M. GAYLORD, CERTIFY THAT THIS SURVEY
WAS PREPARED WITH HP 51645A INK ON GCE
85-5342 INK JET FILM

PATRICK M. GAYORD. PLS 2767

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS
RECEIVED FOR RECORD ON THE _____ DAY
OF _____, 200__ AT ____ O'CLOCK ____ M.
CHERRY HALL CLACKAMAS COUNTY CLERK

BY _____ DEPUTY _____
PLAT NO. _____
DOCUMENT NO. _____

SHEET 2 OF 2

CONDITIONS AND RESTRICTIONS

1. THIS PLAN IS SUBJECT TO THE CITY OF CARY PLANNING DEPARTMENT FILE NO. MAP 06-02
2. PARCELS 1 AND 2 ARE SUBJECT TO A 10' WIDE RIGHT-OF-WAY DEDICATION ALONG ITS WESTERN PROPERTY LINE, AS SHOWN.
3. PARCELS 1 AND 2 ARE SUBJECT TO A 10' WIDE RIGHT-OF-WAY DEDICATION ALONG ITS WESTERN PROPERTY LINE, AS SHOWN.
4. PARCELS 2 AND 3 ARE SUBJECT TO A 10' PERPENDICULAR ACCESS EASEMENT, AS SHOWN.
5. PARCELS 1 AND 2 ARE SUBJECT TO A JOINT OWNERSHIP AND MAINTENANCE AGREEMENT OVER THE RECIPROCAL ACCESS EASEMENT RECORDED AS DOCUMENT NO. ____ CLACKAMAS COUNTY DEED RECORDS.
6. PARCELS 1 AND 2 ARE SUBJECT TO A 10 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTH PROPERTY LINE, AS SHOWN.
7. PARCELS 1 AND 2 ARE SUBJECT TO A 8 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTH PROPERTY LINE, AS SHOWN.
8. PARCELS 3 IS SUBJECT TO THE PROVISIONS OF N.W.A.S.E. STREET PLACEMENT OF A MINIMUM OF ONE STREET LIGHT ON THE FRONTAGE OF N. WADE STREET.

ORDINANCE 1275

THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR
Lee Engel

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A PERSONAL SERVICES CONTRACT WITH BETH SAUL FOR MANAGEMENT OF SPECIAL PROJECTS; AND DECLARING AN EMERGENCY

WHEREAS, the City of Canby wishes to contract out certain special management projects; and

WHEREAS, the City wishes to employ Beth Saul as an independent contractor under a personal services contract for the purpose of professional management of special projects involving the library, park planning, fleet department processes, swim center and various administrative projects; and

WHEREAS, Beth Saul, an experienced public manager with over thirty years of experience has proposed a scope of work for these services which is acceptable to the City; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules set forth in Ordinance No. 1170 and Resolution No. 897, Exhibit A, section 6 B (7), the City may enter into personal service contracts not exceeding \$75,000 by direct appointment without competition; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this proposal, reviewed the staff report and finds that the contract is in the best interest of the City to enter into; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The Mayor and City Administrator are hereby authorized and directed to make, execute, and declare in the name of the City of Canby and on its behalf, an appropriate contract with Beth Saul for the above named projects and additional assistance as needed. The copy of said contract is attached hereto and marked as Exhibit "A" and by this reference fully incorporated herein.

Section 2. **Emergency Declared.**

It being necessary for the health, safety and general welfare of the citizens of Canby that these services be completed as soon as possible, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2008 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 P.M. in the Council Chambers at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder Pro-Tem

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on July 2, 2008 by the following vote:

YEAS _____ NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro Tem

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between the CITY OF CANBY (City) and BETH SAUL, (Contractor).

- A. City requires services which Contractor is capable of providing, under terms and conditions hereinafter described.
- B. Contractor is able and prepared to provide such services as City requires, under those terms and conditions set forth.

The Parties Agree a Follows:

- 1. Scope of Services. Contractor's services under this Agreement are set forth in Exhibit "A", attached hereto.
- 2. Contractor Identification. Contractor shall furnish to City its employer identification number as designated by the Internal Revenue Service, or Contractor's Social Security Number, as City deems applicable.
Contractor understands it is required to obtain a City of Canby business license for conducting business in the City.
- 3. Compensation:
 - A. City agrees to pay Contractor according to the proposed rate schedule submitted with the Contractor's proposal. See Exhibit "B" attached hereto. Contractor agrees that \$54,000.00 is the not to exceed price of this contract, without prior written approval from the City.
 - B. City agrees to pay Contractor within 30 days after receipt of Contractor's itemized statement. Amounts disputed by the City may be withheld pending settlement.
 - C. City certifies that sufficient funds are available and authorized for expenditure to finance costs of the Agreement.

4. Contractor is Independent Contractor.
 - A. Contractor's services shall be provided under the general supervision of the City Administrator. Contractor shall be an independent contractor for all purposes and shall be entitled to no compensation other than the compensation provided for under Paragraph #3 of this Agreement.
 - B. Contractor certifies that it is either a carrier-insured employer or a self-insured employer as provided in Chapter 656 of the Oregon Revised Statutes.
 - C. Contractor hereby represents that no employee of the City, or any partnership or corporation in which a City Employee has an interest, will or has received any remuneration of any description from Contractor, either directly or indirectly, in connection with the letting or performance of this contract, except as specifically declared in writing.
5. Subcontractors and Assignment. Contractor shall neither subcontract any of the work, nor assign any rights acquired hereunder, without obtaining prior written approval from City. City, by this Agreement, incurs no liability to third persons for payment of any compensation provided herein to Contractor. Any subcontract between Contractor and subcontractor shall require the subcontractor to comply with all applicable OSHA regulations and requirements.
6. Work is Property of City. All work performed by Contractor under this Agreement shall be the property of the City. City agrees that the Contractor may use its work in other assignments if all City of Canby data and references are removed.
7. Term.
 - A. This Agreement may be terminated by:
 1. Mutual written consent of the parties.

2. Either party, upon thirty (30) days written notice to the other, delivered by certified mail or in person.
 3. City, effective upon deliver of written notice to Contractor by certified mail, or in person, under any of the following:
 - a. If Contractor fails to provide services called for by this Agreement within the time specified or any extension thereof.
 - b. If services are no longer required.
8. Professional Standards. Contractor shall be responsible to the level of competency presently maintained by others practicing the same type of work in City's community, for the professional and technical soundness, accuracy and adequacy of all work and materials furnished under this authorization.
9. Insurance. City agrees to list Contractor as named insured on City's general liability insurance; no other insurance is required of Contractor.
10. Legal Expense. In the event legal action is brought by City or Contractor against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for attorneys fees, costs, and expenses as may be set by the court both at trial and all appeals therefrom.
11. Modifications. Any modification of the provisions of this Agreement shall be in writing and signed by the parties.
12. Notices. Any notice, bills, invoices, reports, or other documents required by this Agreement shall be sent by the parties by United States mail, postage paid, or personally delivered to the address below. All notices shall be in writing and shall be effective when delivered. If

mailed, notices shall be deemed effective forty-eight (48) hours after mailing unless sooner received.

CITY: Mark Adcock, City Administrator
City of Canby
PO Box 930
182 N. Holly Street
Canby, OR 97013

CONTRACTOR: Beth Saul, Contractor
PO Box 808
Beavercreek, OR 97004

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers.

CONTRACTOR: CITY OF CANBY:

By: _____ By: _____

Date: _____ Date: _____


Approved as to form:


EXHIBIT "A"

Beth Saul, Management Consulting

Proposed Scope of Work for City of Canby 2008-2009 Fiscal Year

Fleet Services: \$5,000

Continue to implement the Fleet software project, including developing new office processes and procedures and written policies to govern the operations of the department. This to be done in concert with Dwayne Barnes, Public Works Director, to assist him with the integration of Fleet Services into the Public Works division. (10%)

Library: \$24,000

Provide professional and managerial oversight of library operations both remotely and on site. Professional activities will include ordering library materials, providing reference services when necessary, collection management, and coordination with the Library Information Network of Clackamas County throughout the election and aftermath. Managerial activities will include weekly interaction with the library staff and availability both during and after business hours by phone or email to handle whatever issues may arise in the operation of the library. (40%)

Park Planning: \$15,000

Continue to work with Project Planner Matilda Deas on the future funding and governance project for Canby area parks and recreation to meet the City Council goal in this area. Conduct public meetings, research options, coordinate with CAPRD, Clackamas County, Canby School District, Canby Kids, YMCA and other stakeholders to bring about viable solutions for consideration by the citizenry. In addition, continue to work on City of Canby park planning projects by assisting the Project Planner with development of the Willamette Wayside, updating of the Park Master Plan and Acquisition Plan, and any other long range planning activities involving parks and open space. (30%)

Swim Center: \$5,000

Provide managerial oversight of the Swim Center both on site and by phone and email as needed throughout the year. Assist the staff with budgeting and staffing issues as needed and coordinate the future planning for the Swim Center with the above park funding and governance activities. (10%)

Miscellaneous managerial/administrative support as assigned by City Administrator: \$5,000

This could include assistance with a city newsletter, writing projects such as white papers, research projects, assistance with public processes or meetings, etc. (10%)

EXHIBIT "B"

Beth Saul, Management Consulting Payment Schedule FY 2008-2009

The total charge for services outlined in the Scope of Work shall be \$54,000 that shall be paid monthly in the amount of \$4,500.00. An invoice and brief report of activities conducted each month will be provided. Additional projects, or extra service hours beyond those estimated in the scope of work, may be negotiated on a project by project basis.

Access to office supplies and office equipment is assumed for the contractor, and any costs that require outside services (such as printing large quantities) will be pre-approved before being incurred and reimbursed.

Checks should be made out to:

Beth Saul

PO Box 808

Beavercreek, Oregon 97004

503.201.2840

ORDINANCE NO. 1277

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH LINCOLN EQUIPMENT, INC OF CONCORD, CALIFORNIA FOR A STARK HORIZONTAL HIGH RATE SAND FILTER FOR THE CANBY SWIM CENTER; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to purchase a Stark Horizontal High Rate Sand Filter, and

WHEREAS, the cost of the filter will be paid by the City of Canby Swim Center Levy fund with funds budgeted and approved for this purpose in the 2007-2008 fiscal year budget; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, three written bids were obtained for the sand filter:

1. Lincoln Equipment, Inc., Concord, CA	\$31,544.15
2. Aquatic Specialty Services, Seattle, WA	\$36,935.74
3. Pool & Spa House, Portland, OR	\$32,481.57

WHEREAS, Lincoln Equipment, Inc. of Concord, California submitted the lowest quote of \$31,544.15 for the filter; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this quote, reviewed the staff report and believes it to be in the best interest of the City to contract with Lincoln Equipment, Inc., to purchase a sand filter; and

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 Lincoln Equipment, Inc. to purchase a sand filter for the Canby Swim Center for a total of \$31,544.15.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Canby Swim Center a sand filter without further delay, and to better serve the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on June 4, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on June 18, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue in Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of June, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder - Pro Tem

M E M O R A N D U M

DATE: June 10, 2008
TO: Honorable Mayor Thompson and City Council
FROM: Sue Engels, Interim Finance and Court Services Director
CC: Mark Adcock, City Administrator
RE: ORDINANCE DECLARING THE CITY'S ELECTION TO
RECEIVE REVENUE FOR FISCAL YEAR 2008-2009.

Issue: A resolution declaring the City's election to receive state revenues for fiscal year 2008-2009, and verification that the City has met the requirements to receive revenues from intergovernmental taxes.

Background: State Revenue Sharing Law, ORS 221.770, requires cities to annually pass an ordinance or resolution requesting state revenue sharing money. The law mandates public hearings be held by the city, both before the budget committee to discuss possible uses of the funds and before the city council on the proposed uses of the funds in relation to the entire budget. Certifications of these hearings are required and have to be done and filed with the Office of Business Administration prior to July 31.

Recommendation: That council adopts Ordinance No. 1278 declaring the city's election to receive state revenue for fiscal year 2008-2009.

Fiscal Impact: The amount estimated by the city to receive is approximately \$100,000.

Attached: Ordinance No. 1278

ORDINANCE NO. 1278

AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2008-2009.

WHEREAS, a public hearing for the use of state revenue sharing funds was held before the Budget Committee on June 3, 2008, and before City Council on June 18, 2008; now therefore,

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1 Pursuant to ORS 221.770, the City of Canby hereby elects to receive state revenues for fiscal year 2008-2009.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on July 2, 2008, by the following vote:

YEAS _____ NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder – Pro Tem

ORDINANCE NO. 1279

AN ORDINANCE REVISING AND REPLACING CANBY MUNICIPAL CODE CHAPTER 15.12 ENTITLED "FLOOD HAZARD PROTECTION"; REPEALING FORMER CHAPTER 15.12 IN ITS ENTIRETY; AND DECLARING AN EMERGENCY.

WHEREAS, the Federal Emergency Management Agency (FEMA) recently completed a re-evaluation of flood hazards and has completed a new Flood Insurance Study (FIS) that will become effective June 17, 2008; and

WHEREAS, communities are required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to show evidence of floodplain management regulations that meet NFIP standards, including adoption of the new FIS and FIRM; and

WHEREAS, the City of Canby's Planning Department has revised and replaced the current flood hazard protection chapter of the current Chapter 15.12 of the Canby Municipal Code with the provisions necessary to comply with the FIRP requirements. A copy of the new regulations are set forth as Exhibit "A" to this ordinance; and

WHEREAS; the current chapter 15.12 is therefore no longer valid and must be repealed; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The City Council hereby repeals and replaces Canby Municipal Code Chapter 15.12 with the new regulations as set forth in Exhibit "A", attached to this ordinance and by reference incorporated herein.

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

2ND READING

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 4, 2008; ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, June 18, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder Pro-Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of June, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro-Tem

ORDINANCE NO. 1280

AN ORDINANCE AUTHORIZING PURCHASE OF UTILITY BILLING SOFTWARE INCLUDING CONVERSION AND SET UP SERVICES AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby passed Ordinance No.1262, effective July 1, 2008, establishing a street maintenance fee (SMF) and now wishes to begin the process of implementing that fee; and

WHEREAS, a software program is necessary for the finance department to modify and establish accounts to collect the SMF assessment; and

WHEREAS, Caselle currently provides copyrighted accounting software to the City of Canby and has a copyrighted program available that will implement the SMF protocol; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules set forth in Ordinance No. 1170 and Resolution No. 897, Exhibit A, Section 5 G (9), the City may enter into a contract to purchase copyrighted materials, including software, which is exempted from formal competitive selection under ORS 279B.085; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this proposal, reviewed the staff recommendation and finds that the contract to purchase copyrighted software from Caselle is in the best interest of the City to enter into; now therefore,

THE CITY OF CANBY HEREBY ORDAINS AS FOLLOWS:

Section 1 Purchased Authorized. The City of Canby is hereby authorized to purchase from Caselle software and services as follows:

See Exhibit "A"

Section 2 Purchase Price. The total purchase price to be the sum of Nineteen Thousand Seven Hundred Fifty and No/100 dollars (\$19,750.00).

Section 3 Funds To Pay Purchase. The total sum of \$19,750.00 shall be paid from the City's current fiscal budget, account number 231-232-457-7459 titled "Computer Equipment-Finance".

Section 4 Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible to set up the City's utility billing capability, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon final reading and enactment by the Canby City Council.

2ND READING

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 4, 2008; ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, June 18, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder Pro-Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of June, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro-Tem

EXHIBIT "A"

Caselle® Software & Services Proposal City of Canby February 27, 2008

Proposal Summary

Total Software License	\$4,000
Total Training	2,250
Total Setup	500
Total Conversion	13,000
Total Investment	\$19,750

Your Software Maintenance & Support will increase by \$75 per month.

Caselle® Software & Services Proposal City of Canby February 27, 2008

Proposal Detail

Item	License	Training Cost/Day	Training Days	Setup	Conversion	Monthly Support	Total
Utility Management	\$4,000	\$2,250	3 Days	\$500	\$13,000	-	\$19,750
Item (Description)	Included						Included
Grand Total	\$4,000	\$2,250	3 Days	\$500	\$13,000	-	\$19,750

Note: Training will take place at Caselle.

ORDINANCE NO. 1281

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF REAL PROPERTY FOR FUTURE PARK LAND; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Purchase Authorized. The Canby City Administrator is hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, a contract with Janice R. Simnitt, Jerome A. Simnitt, Jr. and Roberta A. Simnitt the following described real property for a future park land:

The North one-half of Lot 25, PRUNELAND, in the County of Clackamas and State of Oregon

Section 2. Purchase Price. The total purchase price to be the sum of Four Hundred Fourteen Thousand Two Hundred and no/100 dollars (\$414,200.00). The total price is to be paid in full at closing. A copy of the Option Agreement and Agreement of Purchase and Sale entered into between the parties is attached hereto and marked as Exhibit "A" thereto. The City Administrator is authorized to complete the transaction according to the terms of Exhibit "A".

Section 3. Budgeted Funds to Pay Purchase Price. The purchase price is to be paid from the City's current fiscal budget line item number 215-215-455-7640, entitled "Parks Development Fund".

Section 4. City Attorney to Approve Title Report and Deed. The City Attorney shall first approve the preliminary title report and form of deed for the City's purchase of said property. Purchase price insuring the City's vendee interest in said property is to be furnished at the expense of the seller and free and clear of all liens or encumbrances except for the usual printed exceptions.

Section 5. City Administrator to Execute Deed. The City Administrator is hereby authorized and directed to execute and deliver in the name of and on behalf of the City of Canby, as purchaser, the required deed and any other documents as may be required for closing the transaction.

Section 6. Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible with the purchase of this property and closing of the transaction for the use and benefit of the City, and for the general welfare of the residents, an

emergency is hereby declared to exist and this ordinance shall take effect immediately after final reading and enactment by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on June 4th, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on June 18th, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue in Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of June, 2008, by the following vote:

YEAS _____

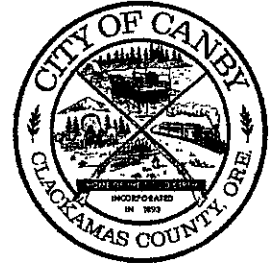
NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder - Pro Tem

MEMORANDUM



TO: *Honorable Mayor Thompson and City Council*
FROM: *Kim Scheafer, CMC*
Executive Assistant/City Recorder Pro Tem
DATE: *June 9, 2008*
THROUGH: *Mark C. Adcock, City Administrator*

Issue: Insurance Requirement for Sidewalk Displays

Synopsis: On June 9, 2008 the City Attorney, myself and Scott Gustafson, the City's Insurance Agent, met to discuss the insurance requirements listed under Canby Municipal Code Chapter 12.12.035 (B). It was the recommendation of the City's Insurance Agent to change the wording so that it is raised insurance requirements to \$500,000 combined single limit.

Recommendation: Staff recommends the approval of Ordinance 1282.

Attached: Ordinance 1282

ORDINANCE NO. 1282

AN ORDINANCE REVISING CANBY MUNICIPAL CODE CHAPTER 12.12.035 ENTITLED "SIDEWALK DISPLAYS".

WHEREAS, Due to increases in insurance costs, it has become necessary to increase insurance limits for businesses engaging in sidewalks displays; and

WHEREAS, Chapter 12.12.035(B) of the Canby Municipal Code currently provides for insurance coverage for businesses wishing to utilize tables and chairs as part of a sidewalk display. It provides for insurance coverage in the amount no less than \$100,000 per individual or \$500,000 in aggregate; and

WHEREAS, Canby City Council believes the insurance requirements should be raised to \$500,000 combined single limit.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The City Council hereby amends Canby Municipal Code Chapter 12.12.035(B) to read as follows:

B. Businesses wishing to utilize tables and chairs as provided in division A. above shall be required to apply to City Hall for a permit authorizing the use. No fee is required for the permit, but applicant must provide liability insurance coverage with the city named as additional insured. This coverage shall be Comprehensive Personal or General Liability with a coverage amount of not less than \$500,000 Combined Single Limit covering Bodily Injury and Property Damage. Permits must be renewed annually.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder Pro-Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd of July, 2008, by the following vote:

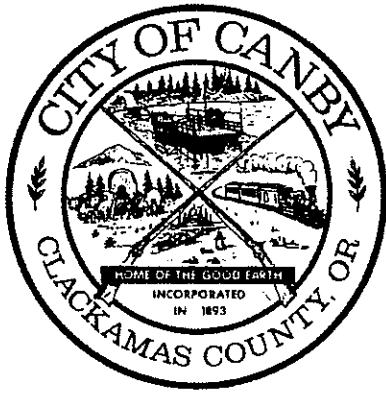
YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro-Tem



City of Canby

Office of the City Attorney

June 9, 2008

Memo to: Mayor/City Council

From: John H. Kelley, City Attorney 

Re: Ordinance No. 1283 – Authorizing the purchase of right-of-way for widening of SE Pine Street.

Ordinance # 1283 authorizes the City Administrator to purchase property from Kinsman, LLC, an Oregon limited liability company for the widening of SE Pine Street where it intersects with Highway 99E.

This is part of the relocation of Rite Aid to this area. The new store will replace the existing Space Age gas station at the corner of Pine and Highway 99E.

The purchase price will be credited against the SDC's that Rite Aid owes the City as part of its development fees, so the City is not actually paying cash to Kinsman, LLC.

A motion to approve Ordinance 1283 would be in order.

If you have any questions, please contact either me, or Matilda Deas in Planning.

THIS HAS BEEN REVIEWED
BY THE FINANCE DIRECTOR
[Signature]

ORDINANCE NO. 1283

AN ORDINANCE AUTHORIZING PURCHASE OF ROAD RIGHT-OF-WAY FOR THE WIDENING OF SE PINE STREET AT ITS INTERSECTION WITH HIGHWAY 99E AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Purchase Authorized. The City of Canby is hereby authorized to purchase from Kinsman LLC, an Oregon limited liability company, the following described property to be used for road right-of-way:

See Exhibit "A"

Section 2. Purchase Price. The total purchase price to be the sum of Twenty Three Thousand Five Hundred Sixty Four and 86/100 dollars (\$23,564.86).

Section 3. Funds to Pay Purchase Price. The total sum of \$23,564.86 shall be set off as credit towards System Development Charges owed to the City of Canby.

Section 4. City Attorney to approve Title Report and Deed. The City Attorney shall first approve the preliminary title report and form of deed for the City's purchase of said right-of-way. All costs associated with the closing of this sale to be paid by the City.

Section 5. City Administrator to Execute Deed for Road Purposes. The City Administrator is authorized and directed to execute and receive in the name of the City of Canby, as purchaser, the required deed and any other documents as may be required for closing the transaction.

Section 6. Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible with the widening of SE Pine Street for the use and benefit of the citizens of the City of Canby, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon final reading and enactment by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, CMC
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of July, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson
Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder - Pro Tem

Exhibit "A"

AFTER RECORDING, RETURN TO:

The City of Canby
182 N. Holly Street - P.O. Box 930
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
Post Office Box 930
Canby, OR 97013

DEED FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS, that Kinsman, LLC, an Oregon limited liability company, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property for purposes of road and utility improvements and road right-of-way, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

Roadway dedication shall be as described on the attached Exhibit 'A', and as shown on the attached sketch labeled Exhibit 'B', hereto and by this reference incorporated herein.

The true and actual consideration for this perpetual conveyance consists of a \$23,564.86 credit against Transportation Systems Development Charges due by grantor to grantee.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this ____ day of June, 2008; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Kinsman, LLC, an Oregon limited liability company

By: _____
Manager

STATE OF OREGON)
) ss.
County of CLACKAMAS)

This instrument was acknowledged before me this ____ day of June, 2008, by _____ who, being duly sworn, stated that s/he was the Manager of Kinsman, LLC, and acknowledged the foregoing to be its voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

Exhibit "A"

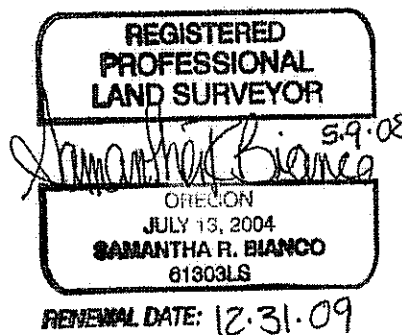
LEGAL DESCRIPTION
CANBY RITE AID (HUD7784)
ROW DEDICATION
May 9, 2008
Page 1 OF 2

A portion of Parcel 1 Partition Plat No. 1994-106, Clackamas County Plat Records, located in the southeast 1/4 of Section 33, Township 3 South, Range 1 East of the Willamette Meridian, City of Canby, Clackamas County, Oregon, being described as follows:

Commencing at the southeast corner of said Parcel 1; thence along the easterly line of said Parcel 1 N 4°20'53" W a distance of 85.22 feet to the **Point of Beginning**; thence continuing along said easterly line N 4°20'53" W a distance of 14.38 feet to a point of curvature; thence along a curve to the left, having a radius of 190.00 feet, a delta angle of 38°30'57", and whose long chord bears N 23°36'21" W a distance of 125.33 feet to a point of compound curvature; thence along a curve to the left, having a radius of 50.00 feet, a delta angle of 60°58'03", and whose long chord bears N 73°20'50" W a distance of 50.73 feet to a point of non-tangency; thence S 63°17'00" W a distance of 18.57 feet to a point of cusp, being on the northerly line of said Parcel; thence leaving said northerly line along a curve to the right, having a radius of 50.00 feet, a delta angle of 78°35'29", and whose long chord bears S 77°25'16" E a distance of 63.33 feet to a point of tangency; thence S 38°07'31" E a distance of 23.75 feet to a point of curvature; thence along a curve to the right, having a radius of 190.00 feet, a delta angle of 33°46'38", and whose long chord bears S 21°14'12" E a distance of 110.39 feet to said **Point of Beginning**.

Contains 946 square feet, more or less.

The Basis of Bearings for this description is per said Partition Plat No. 1994-106.
The attached Exhibit "B" entitled "ROW DEDICATION" is made a part hereof.



PACIFIC HWY 99 E

S63°17'00"W 18.57'

R=50.00'
L=53.20'
Δ=60°58'03"
CH=N73°20'50"E 50.73'

(R) S13°49'53"E

R=50.00'
L=68.58'
Δ=78°35'29"
CH=S77°25'16"E
63.33'

S38°07'51"E 23.75'

R=190.00'
L=127.72'
Δ=38°30'57"
CH=N23°36'21"W 125.33'

R=190.00'
L=112.01'
Δ=33°46'38"
CH=S21°14'12"E 110.39'

N4°20'53"W 14.38'

N4°20'53"W 85.22'

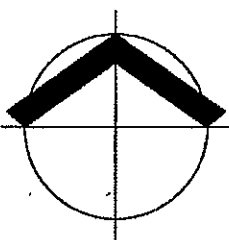
S PINE STREET

POINT OF BEGINNING

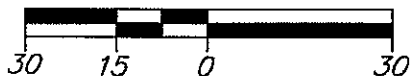
POINT OF COMMENCEMENT
THE SOUTHEAST CORNER OF PARCEL
1 PARTITION PLAT 1994-106

PARCEL 1

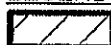
PARTITION PLAT 1994-106



SCALE: 1"=30'



LEGEND:

 RIGHT-OF-WAY DEDICATION
946 SQUARE FEET (MORE OR LESS)

NOTE: SEE ATTACHED
LEGAL DESCRIPTION,
MADE A PART HEREOF.

W R G
DESIGN INC.

5415 SW Westgate Dr., Ste 100
Portland, OR 97221
Tel. 503.419.2500 Fax. 503.419.2600
PLANNERS ■ ENGINEERS ■
LANDSCAPE ARCHITECTS ■ SURVEYORS

EXHIBIT "B"
ROW DEDICATION

SE 1/4 S33, T3S, R1E, WILLAMETTE MERIDIAN
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

PROJECT NO. HUD7784
DATE: 05/09/08
BY: TLB
SCALE: 1"=30'
PAGE NO. 2 OF 2