

AMENDED AGENDA

CANBY CITY COUNCIL MEETING

January 3, 2007, 7:30 P.M.

Council Chambers

155 NW 2nd Avenue

Mayor Melody Thompson

Council President Teresa Blackwell

Councilor Randy Carson

Councilor Walt Daniels

Councilor Roger Harris

Councilor Tony Helbling

Councilor Wayne Oliver

CITY COUNCIL MEETING

1. CALL TO ORDER

A. Pledge of Allegiance and Moment of Silence

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. 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 Accounts Payable \$164,395.60

B. Approval of Minutes of the December 6, 2006 City Council Work Session and Regular Meeting

C. Affirm Mayor's Approval to Pay Accounts Payable on December 15, 2006

D. Agreement with Canby Swim Club Exhibit "A" for FY 2006-2007 Pg. 1

6. PUBLIC HEARINGS

A. Amending the Methodologies for a Sanitary Sewer System Development Charge Pg. 4

B. Special Permit Application 06-03 Kovalski Pg. 20

7. RESOLUTIONS & ORDINANCES

A. Res. 942 Amending the Methodologies for a Sanitary Sewer System Development Charge Pg. 6

B. Ord. 1227, Authorizing Purchase of Road Right-of-Way For the Extension of SW Berg Parkway and Declaring an Emergency (2nd Reading) Pg. 29

- C. Ord. 1228, Ratifying Contract with KinTechnology, Inc. for the Provision of
Emergency Support to the City for its Computer Technical Services Pg. 32
- 8. NEW BUSINESS**
 - A. Discussion Regarding City Shops Covered Area Complex Pg. 41
 - B. Library Board Recommendation Regarding Vesta Mark Trust Pg. 43
- 9. CITY ADMINISTRATOR’S BUSINESS & STAFF REPORTS**
- 10. CITIZEN INPUT**
- 11. ACTION REVIEW**
- 12. SWEARING IN CEREMONY**
 - A. Swearing In of Mayor and City Councilors
- 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.

AMENDED ATTACHMENT "A"
CITY OF CANBY INTERAGENCY AGREEMENT
CANBY SWIM CLUB, INC.

For the budget year 2006-2007 the base cost for operating the Canby Swim Center is \$48.00 per hour. This is the cost to "open the doors." Further, a cost of service study has determined that the cost of servicing the Swim Club is \$15,285 for the year. In Section I, items A through C are options for in-kind service that can be performed to offset the cash portion of this agreement. The Swim Club must notify the City in writing by October 1, 2006 which option(s), if any, they will utilize. The balance will be due in three equal payments December 15, 2006; February 15, 2007; and May 15, 2007.

- I. A. Pool maintenance: Each year the pool closes for extensive maintenance. The Club could provide four people, each subject to the facility manager's approval, for one forty-hour period to assist with this maintenance. This would deduct \$1,440 from the above total.

Corporate sponsorships: Both the Swim Club and the Swim Center could benefit from cultivating sponsorship opportunities in the community, but the Swim Center staff resources have prevented us from providing the legwork necessary for the support of such a venture. The Club could work with Swim Center staff and the Library and Park Director to develop and implement a plan with resulting revenue divided in some manner agreeable to each party.

Distribution of schedules: The club could distribute swim schedules to area clinics for their waiting rooms. This would deduct \$9.00 per hour that will be calculated at each payment due date.

- II. The Canby Swim Club will pay \$300.00, as well as providing their own paper for use of the pool copy machine.
- III The Canby Swim Club may have a fifth swim meet that will affect the Canby Swim Center Schedule.
- IV. The current rate to purchase extra time using the facility is \$48.00 per hour.
- V. The current wages and benefits for lifeguards is \$11.00 per hour.
- VI. The Canby Swim Club may have 10 meets on Saturdays or Sundays that are completed and cleaned up by 12:45pm.

VII. STORAGE SPACE:

The CITY will provide free storage space for the SERVICE AGENCY, as has been done for several years. This storage will be approximately 200 square feet and will be located in a storage shed outside the Swim Center building.

The storage area will be kept neat and orderly by the SERVICE AGENCY. Nothing flammable or of an unsafe nature will be stored. No structural changes can be made to the storage facility without permission of the CITY.

Any keys that are given to the SERVICE AGENCY for access to this building will be the responsibility of the President of the SERVICE AGENCY and will not be given out to anyone other than persons who are authorized to access the storage facility. The Swim Center staff will be provided with a list of authorized persons.

Should the CITY require the storage area for CITY purposes, the SERVICE AGENCY will be notified at least 90 days in advance of the change. The CITY will endeavor to work with the SERVICE AGENCY to find alternative storage space.

VIII. SHARED EQUIPMENT:

The CITY and SERVICE AGENCY share equipment whenever it makes sense to do so. Shared equipment is purchased and maintained on a 50-50 basis. The parties will meet annually during **September** to discuss the shared equipment and plan for maintenance and replacement so that both parties can budget the needed funds. A list of shared equipment will be maintained by both the CITY and the SERVICE AGENCY and updated annually.

SERVICE AGENCY:

Lisa Velle, name

Treasurer, title

DATE: 12/11/06

CITY OF

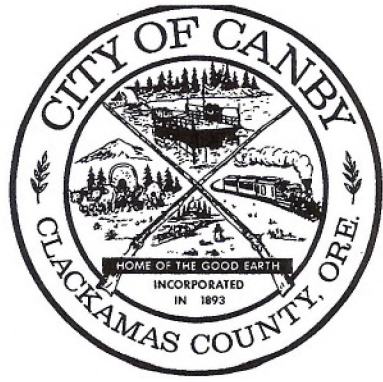
CANBY:

Mayor

City Administrator

DATE:

MEMORANDUM



TO: *Honorable Mayor Thompson and City Council*
FROM: *John R. Williams, Community Development & Planning Director*
THROUGH: *Mark C. Adcock, City Administrator*
DATE: *December 20, 2006*

Issue: Update the Methodology and System Development Charges for Sanitary Sewer.

Synopsis: In order to provide the community with outstanding wastewater services with equitable and reliable System Development Charges (SDCs), it is advisable to review the SDCs methodology and update the Capital Improvement Plan (CIP) every five to ten years. Prior to this SDC study, the wastewater staff last reviewed the methodology and Capital Improvement Plan (CIP) in Resolution 622, June 1996 by Ray Bartlett of Economic and Financial Analysis. Subsequent to Resolution 622, there have only been inflationary adjustments based the Engineering News Record Construction Index (ENR Index).

Recommendation: Staff recommends that the City Council **approve Resolution 942, a resolution amending Canby's Sanitary Sewer system development charges based on the SDC study completed by Ray Bartlett of Economic & Financial Analysis.**

Rationale: Due to changes in the Oregon Administrative Rules and newer regulations surrounding the way that we can utilize, gather info and develop SDCs, it becomes essential that we occasionally review not only the development charges themselves, but also look at the methodology used to determine these fees. In order to make sure that we are keeping up with statutory law, the wastewater treatment staff believes it to be important that we routinely review the methodology and SDCs fee structure to stay consistent with current regulations.

Currently we adjust the development fees based on the ENR Index to keep up with inflation, as per Resolution 748 approved in 2001. However, it remains important to make sure that these yearly increases are equitable and stay inline with market trends, new regulatory demands and changes to our Capital Improvement Plan (CIP). Thus, staff has prepared resolution 942 which will incorporate new Sewer SDC's based on the most current CIP, with updated SDC methodology which better correlates with current regulatory requirements.

The updated methodology is based on switching from a depreciated asset based system to a replacement cost methodology which is more in line and consistent with how other cities develop SDCs. A replacement cost methodology is easier to track, more equitable and proportional for past and present users based on escalating dollars in today's money.

Options: Based on prior resolutions, Council felt it important to review and update SDC's on an annual bases in order to avoid fee increases that double or triple to keep up with growth. It is also advisable that Council and our City be able to show that our methodology stays current with regulatory requirements and our fee structure is equitable and consistent with other municipalities in our area. I believe Council should adopt the new methodology and fee structure as outlined in Resolution 942.

Attached: 1. Resolution 942.

RESOLUTION NO. 942

A RESOLUTION AMENDING THE METHODOLOGIES FOR A SANITARY SEWER SYSTEM DEVELOPMENT CHARGE.

WHEREAS, the Canby City Council has determined by Ordinance No. 867 that a charge shall be imposed upon new development for acquiring funds for capital improvements, and for reimbursement of constructed excess capacity to the City's sanitary sewer system; and

WHEREAS, said Ordinance No. 867 provides that methodology and charges for capital acquisition, improvements, and reimbursements be established and amended by resolution; and

WHEREAS, ORS 310.145 requires that a governing body, when adopting or amending a fee resolution imposing new rates, may include a provision classifying said fees as subject to or not subject to the limitations set in Section 11 (b), Article XI of the Oregon Constitution; and

RESOLVED, that the following methodology for system development charges for the City of Canby, attached here to as Exhibit "A", be adopted to amend the current sanitary sewer system development charge effective immediately.

Proposed Update of the Wastewater Systems Development Charge

<u>Equivalent 3/4" Meters</u>	<u>Meter Size</u>	<u>Total</u>
1.00	3/4	\$2,235
1.67	1	\$4,470
3.33	1 1/2	\$11,175
5.33	2	\$22,350
10.67	3	\$55,875
16.67	4	\$78,225
80%	Multiple family	\$1,788

BE IT FURTHER RESOLVED that, except as otherwise specified in Ordinance 867, future changes to the methodology and charges resulting solely from inflationary cost impacts shall be measured and calculated annually by the City Recorder and charged according based upon changes in the Engineering News Record Construction Cost Index (ENR Index) of Portland, Oregon, with the current ENR Index as of enactment of this Resolution to be used for the basis of future calculations.

BE IT FURTHER RESOLVED that the Canby City Council hereby classifies the charges imposed herein as not being subject to the limitations imposed by Section 11 (b), Article XI of the Oregon Constitution and that the City Recorder is hereby directed to publish notice in accordance with ORS 310.145.

ADOPTED by the Canby City Council on the 3rd day of January 2007.

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer
City Recorder Pro-Tem

EXHIBIT "A"

**City of Canby
Update Wastewater System Development Charge**

Revised

**City of Canby
Update Wastewater System Development Charge**

October 2006

Economic & Financial Analysis
1409 Franklin Street, Suite 201
Vancouver, Washington 98660
(360) 823-1700
(503) 228-3225

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INTRODUCTION

The City of Canby retained Economic and Financial Analysis (EFA) to update the City's wastewater system development charge. Since the initial SDC was last evaluated in 2001, the City has been updating the SDC using the Construction Cost Index published by McGraw Hill in the magazine *ENR*. This report is based on the May 2006 index of 7,690 (Base Year 1913 = 100).

This update is based on an update of capital improvements made since the last evaluation and revisions to the capital improvements list.

The report contains two main sections. The first updates the reimbursement and improvement fees and compares the current and updated SDCs for wastewater. The second section compares Canby's SDCs to those of 12 other nearby and similarly sized cities in Oregon.

SYSTEM DEVELOPMENT CHARGE

Reimbursement Fee

Table 1 shows the current replacement cost for the existing wastewater treatment plant and major collection system components. Most of the collection system was built by private developers, not by the City's rate payers; therefore, these components are excluded from the system development charge. The current treatment plant has an average daily capacity of 2.0 million gallons per day (mgd) and a current average loading of 1.1 mgd. The land the wastewater treatment plant occupies is valued at its original cost.¹

Table 1 Summary of Fixed Assets

Existing Facility	Replacement Cost	Capacity ADWF*	\$/gallon
1 Land	\$330,000	2.80	\$0.1179
Wastewater Treatment Plant			
2 Primary Clarifier	640,000	2.00	0.3200
3 Decant Treatment Basin	200,000	2.00	0.1000
4 Wash Tank	200,000	2.00	0.1000
5 SS Holding Tank	260,000	2.00	0.1300
6 Blower Building & Flammable Storage	160,000	2.00	0.0800
7 Lab Building	250,000	2.00	0.1250
8 Sludge Holding Ponds (3)	410,000	2.00	0.2050
9 Disinfection Contact Basin	200,000	2.00	0.1000
10 1994 WWTP Expansion	4,647,660	2.00	2.3238
11 Odor Control (WWTP)	119,464	2.00	0.0597
12 Screening & Compacting	35,273	2.00	0.0176
13 UV Basin Covers (WWTP)	444,832	2.00	0.2224
14 Retained Site Piping/Outfall	250,000	2.00	0.1250
15 Retained Site Improvements	150,000	2.00	0.0750
16 Aeration Basin Construction (WWTP)	3,028,581	2.80	1.0816
17 Solids Dewatering & Effluent Filtration (WWTP)	2,516,215	2.80	0.8986
Collection System			
18 Redwood Interceptor	1,307,797	2.00	0.6539
19 Collection System Pumping Stations (6)	1,200,000	2.00	0.6000
20 Township Road (Oversizing Only)	34,932	2.00	0.0175
21 South Pine (Oversizing Only)	46,818	2.00	0.0234
Totals	\$16,431,572		\$7.3765

Sources: Land: city of Canby *Comprehensive Annual Financial Report Fiscal Year Ending June 30, 2005*, page 12, Business-Type Activities. Wastewater Treatment Plant and Collection System: Curran McLeod, Inc. Consulting Engineers for the City of Canby, letter to Davin Tramel dated August 25, 2006.

* Average Dry Weather Flow in millions of gallons per day (mgd).

¹ Finance Operations Manager, *Comprehensive annual financial report for the year ending June 30, 2005*, (City of Canby, Oregon) page 12, Business-Type Activities.

All fixed assets except land depreciate, and the money collected from the reimbursement fee is used to either payoff existing debt for the assets or to repair or replace existing assets. In essence new development pays a portion of the cost of maintaining the assets in usable condition. Land does not depreciate nor require replacement; hence in the calculation of the reimbursement fee, its value is kept at the original cost past and current users had to pay. Any additional land to be purchased is included in the improvement fee.

Table 1 also shows the calculation of the cost per gallon per day of capacity for each classification of assets.

The current capacity of the wastewater treatment plant (WWTP) is 2.0 million gallons per day (mgd) except for land that will be useful no matter the size of the treatment plant. Land is divided by the future capacity of the WWTP, 2.8 mgd. Similarly the Aeration Basin (project number 16) and Solids Dewatering & Effluent Filtration (17) components of the WWTP have capacity for 2.8 mgd.

The replacement cost in 2006 dollars divided by the capacity of each component is the cost per gallon of capacity. The average household on a standard size $\frac{3}{4}$ -inch meter produces 226 gallons of sewage per day (average dry-weather flow excluding all inflow and infiltration of water to the sewage collection system). The City's WWTP and collection system were designed assuming 100 gallons of sewage flow per capita per day (gcd). However the actual flows to the WWTP measure closer to 80 gcd than to 100 gcd. The year 2000 US Census reported an average household size of 2.83 persons per household. For this update of the wastewater SDC we assume 80 gcd and 2.83 persons per household.

In total, the cost of all components is \$7.3765 per gallon of capacity. The proposed wastewater reimbursement fee for a $\frac{3}{4}$ -inch water line connection is \$1,667, (i.e., 226 gpd x \$7.3765). Table 2 shows the reimbursement fee by meter size and for living units in a multiple family complex. For a multiple family complex on one meter, the City charges the SDC as the higher of the chosen water meter size or the SDC per housing unit multiplied by the number of housing units in the complex.

The wastewater SDC is increased from the $\frac{3}{4}$ -inch meter based on the equivalent number of $\frac{3}{4}$ -inch meters a particular meter size will provide. The City installs either $\frac{5}{8}$ x $\frac{3}{4}$ inch meters or $\frac{3}{4}$ inch meters as the basic size for a single-family residence or small business, and it uses the same SDC for both sizes. In this report we refer to either size as a $\frac{3}{4}$ inch meter or meter equivalency.

The City uses a schedule of $\frac{3}{4}$ inch meter equivalencies based on the historical actual water usage (and sewage production) of customers by meter size. For example, customers with $1\frac{1}{2}$ -inch meters use as much water as 5 customers using $\frac{3}{4}$ -inch meters; therefore, the wastewater reimbursement fee for the $1\frac{1}{2}$ -inch water meter is 5 times more than the fee for a $\frac{3}{4}$ -inch meter. Since there are not any meters larger than 4-inches in

diameter, the City will have to estimate usage for these larger size meters if an application is made for one larger than 4 inches.

For multiple family buildings with multiple housing units using one water meter, the SDC will be based on the higher of the SDC for the meter size selected or the SDC based on the number of housing units multiplied by the reimbursement fee for a multiple family unit as shown in Table 2. Multiple family housing units use about 80 percent as much water as a single family housing unit on a ¾-inch meter.

For a ¾-inch meter, the proposed reimbursement fee is \$145 (9.5 percent) more than the current reimbursement fee.

Table 2 Wastewater Reimbursement Fee by Meter Size and Multiple Family Housing

Equivalent 3/4" Meters	Meter Size	Reimbursement Fee		Change	
		Current	Proposed	\$	%
1	⅝ x ¾, or ¾	\$1,522	\$1,667	\$145	9.5%
2	1	3,044	3,334	290	9.5%
5	1 ½	7,610	8,335	725	9.5%
10	2	15,220	16,670	1,450	9.5%
25	3	38,050	41,675	3,625	9.5%
35	4	53,270	58,345	5,075	9.5%
80%	Multiple family	\$1,218	\$1,334	\$116	9.5%

Rounded to the nearest \$1.00.

Improvement Fee

Table 3 lists the capital improvements that increase the capacity of various components of the WWTP and collection system. The WWTP has a capacity of 2.0 mgd for most components, and the proposed capital improvements will increase the capacity to 2.8 mgd, an increase of 0.8 mgd. The expansion of Project number 1, Secondary Scum Pump Station will have an added capacity of 2.0 mgd and does not currently exist. The other capital improvements will have a total capacity of 2.8 mgd. Since most of these projects are expansion of existing facilities with current excess capacity, we use the total capacity of the plant to determine the cost per unit for all users (current and future).

Similar to the calculation of the reimbursement fee, the project cost divided by its capacity provides a cost per gallon of capacity. For all projects the cost per gallon is \$2.5136 per gallon. This cost per gallon multiplied by the average daily flow from a household on a ¾ inch meter provides the wastewater improvement fee of \$568 for a ¾-inch water line connection. Similar to the reimbursement fee, the improvement fee is based on meter size and equivalent numbers of ¾-inch meters or the number of housing units in a multiple family complex on one meter. Table 4 shows the schedule. The

improvement fee for multiple-family developments will be applied as described for the reimbursement fee—the larger of the meter size or the number of housing units multiplied by the rate per housing unit.

The proposed improvement fee is \$110 (16.2 percent) less than the current improvement fee.

Table 3 Capital Improvements List and Cost per Gallon of Capacity

Project Description	Cost 2006 \$'s	Capacity (ADWF)*	\$ per Gallon
1 Secondary Scum Pump Station	\$45,000	2	\$0.0225
2 Effluent Filtration Equipment	280,000	2.8	\$0.1000
3 RV Receiving Station / Drying Bed	120,000	2.8	\$0.0429
4 Headworks Screening	320,000	2.8	\$0.1143
5 UV Disinfection Upgrade	350,000	2.8	\$0.1250
6 Outfall Diffuser Improvements	150,000	2.8	\$0.0536
7 Processed Sludge Storage	150,000	2.8	\$0.0536
8 Second Primary Clarifier	640,000	2.8	\$0.2286
9 Effluent Irrigation Improvements	400,000	2.8	\$0.1429
10 Processed Sludge Drying, 2 wt/hr	1,600,000	2.8	\$0.5714
11 Lab Facility Expansion	400,000	2.8	\$0.1429
12 Odor Control	800,000	2.8	\$0.2857
13 System Planning	160,000	2.8	\$0.0571
14 Collection System Improvements	1,454,630	2.8	\$0.5195
15 Collection System Oversizing	150,000	2.8	\$0.0536
Total	<u>\$7,019,630</u>		<u>\$2.5136</u>

Source: Curran/McLeod Engineering, Inc. letter to Darwin Tramel, August 25, 2006.

* ADWF is Average Dry-Weather Flow in millions of gallons per day.

Table 4 Wastewater Improvement Fee

Equivalent 3/4" Meters	Meter Size	Improvement Fee		Change	
		Current	Proposed	\$	%
1	5/8 x 3/4, or 3/4	\$678	\$568	(\$110)	-16.2%
2	1	1,356	1,136	(220)	-16.2%
5	1 1/2	3,390	2,840	(550)	-16.2%
10	2	6,780	5,680	(1,100)	-16.2%
25	3	16,950	14,200	(2,750)	-16.2%
35	4	23,730	19,880	(3,850)	-16.2%
80%	Multiple family	\$542	\$454	(\$88)	-16.2%

Rounded to the nearest \$1.00.

Update System Development Charge

The sum of the reimbursement fee and improvement fee comprise the wastewater system development charge (SDC). Table 5 shows the summation of the two fees. The proposed wastewater SDC for a 3/4-inch water meter is \$2,235.

Table 5 Proposed Update of the Wastewater System Development Charge

Meter Size	Proposed System Development Charge		Total
	Reimbursement	Improvement	
5/8 x 3/4, or 3/4	\$1,667	\$568	\$2,235
1	3,334	1,136	\$4,470
1 1/2	8,335	2,840	\$11,175
2	16,670	5,680	\$22,350
3	41,675	14,200	\$55,875
4	58,345	19,880	\$78,225
Multiple family	\$1,334	\$454	\$1,788

Compared to the current wastewater SDC, the proposed SDC is \$35 (1.59 percent) more than the current SDC, as shown in Table 6 for all meter sizes.

Table 6 Comparison of Current to Proposed Wastewater SDC

Meter Size	Current	Proposed	Change	
			\$	%
5/8 x 3/4, or 3/4	\$2,200	\$2,235	\$35	1.59%
1	4,400	4,470	\$70	1.59%
1 1/2	11,000	11,175	\$175	1.59%
2	22,000	22,350	\$350	1.59%
3	55,000	55,875	\$875	1.59%
4	77,000	78,225	\$1,225	1.59%
Multiple family	\$1,760	\$1,788	\$28	1.59%

COMPARISON TO OTHER COMMUNITIES

Table 7 compares Canby's current systems development charges to other area communities for a single family housing unit. Canby's total SDCs (for all 5 services) rank 2nd of the 13 communities surveyed. At \$11,456 Canby is second only to West Linn's which totals \$24,060, but only slightly higher than the next 5 communities that are all in excess of \$10,000 for a single-family house.

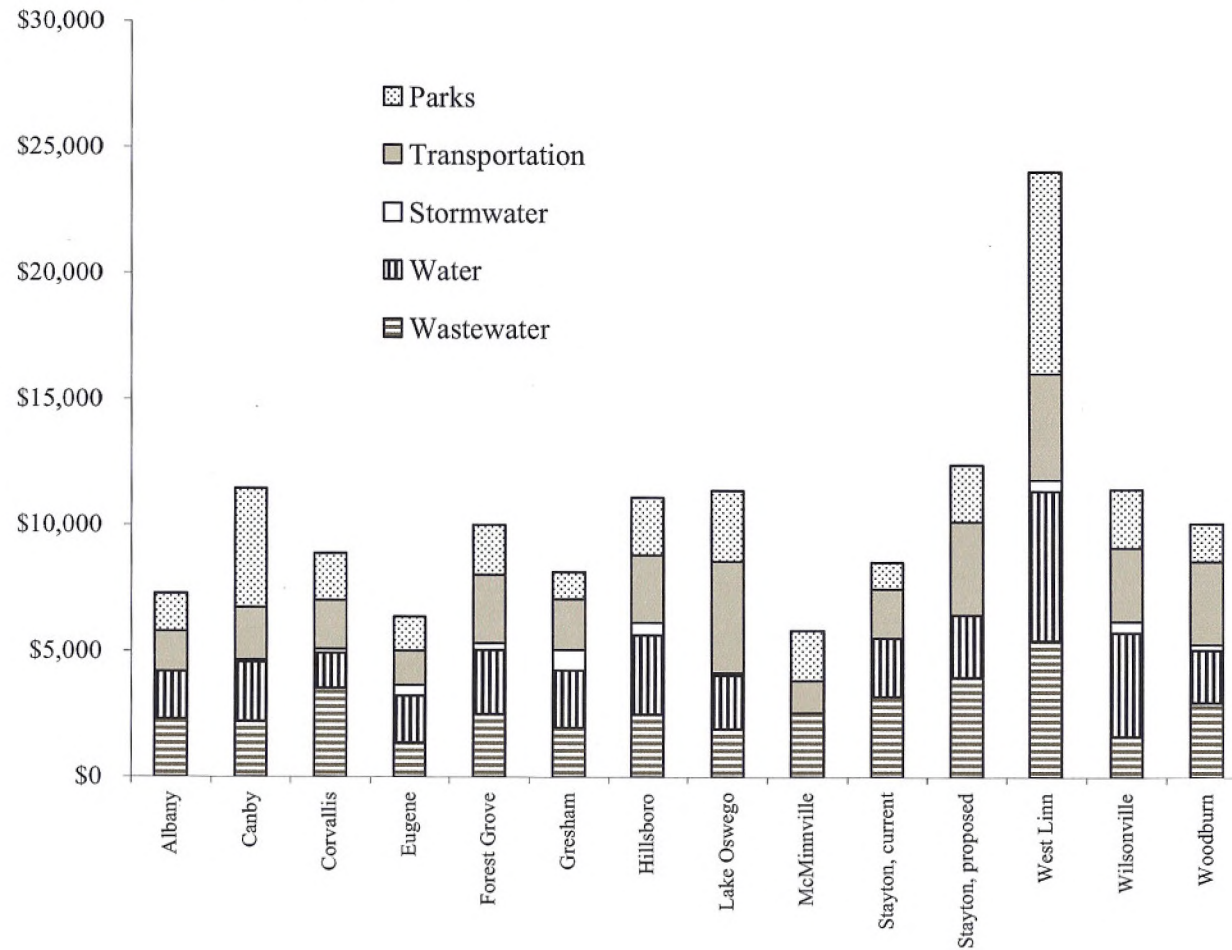
Canby's Park SDC (\$4,725) ranks 2nd behind West Linn's (\$8,029), but it's nearly twice as high as the 3rd ranking park SDC—Lake Oswego at \$2,825. All of the other SDCs rank nearer the average. Canby's current wastewater SDC is ranked 9th among the 13 communities.

The proposed Wastewater SDC will add \$35 to the total SDC bringing it from \$11,456 currently to \$11,491. This increase does not change the City's overall ranking among the 13 communities. Canby's ranking among sewer SDCs also will not change from 9th.

Table 7 Comparison of Systems Development Charges for Selected Oregon Communities

City	Stormwater		Wastewater		Transportation		Parks		Water		Total SDC	
	\$	Rank	\$	Rank	\$	Rank	\$	Rank	\$	Rank	\$	Rank
Albany	\$0	11	2,284	8	1,584	11	1,500	10	1,903	10	7,271	11
Canby	\$80	10	2,200	9	2,085	7	4,725	2	2,366	5	11,456	2
Corvallis	\$168	8	3,528	2	1,924	10	1,870	8	1,395	12	8,885	8
Eugene	\$429	5	1,354	13	1,377	12	1,345	11	1,860	11	6,365	12
Forest Grove	\$275	6	2,500	6	2,690	5	2,000	6	2,552	4	10,017	7
Gresham	\$823	1	1,963	10	1,997	8	1,073	12	2,273	7	8,129	10
Hillsboro	\$500	2	2,500	6	2,690	5	2,276	5	3,141	3	11,107	5
Lake Oswego	\$112	9	1,921	11	4,420	1	2,825	3	2,108	8	11,386	4
McMinnville	\$0	11	2,550	5	1,273	13	2,000	6	0	13	5,823	13
Stayton	\$0	11	3,197	3	1,936	9	1,062	13	2,332	6	8,527	9
West Linn	\$455	4	5,413	1	4,217	2	8,029	1	5,946	1	24,060	1
Wilsonville	\$456	3	1,628	12	2,917	4	2,320	4	4,111	2	11,432	3
Woodburn	\$220	7	2,977	4	3,286	3	1,513	9	2,085	9	10,081	6
Average	\$293		\$2,568		\$2,538		\$2,623		\$2,478		\$10,501	

Figure 1 Comparison of SDCs for Selected Oregon Cities



- STAFF REPORT -

APPLICANT:

Shaney Kovlski
583 S. Ivy Street
Canby, OR 97013

FILE NO.:

SP 06-03

OWNER:

Allen Manuel
717 SE First Avenue
Canby, OR 97013

STAFF:

Carla Ahl
Planning Technician

LEGAL DESCRIPTION:

Tax Lot 630 of
Tax Map 41-E-4AB

DATE OF REPORT:

December 22, 2006

LOCATION:

583 S. Ivy St.

DATE OF HEARING:

January 3, 2007

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1

I. APPLICANT'S REQUEST:

The applicant is requesting approval to allow her parents to stay in a recreational vehicle on site at 583 N. Ivy, until January 15, 2007. The applicant has stated her parents are recently retired and have purchased the trailer so they could have extended visitations with family and friends. The applicants were unaware of the City of Canby Code Section 16.44.070 which places time restraints on living in recreational vehicles and applied for the permit shortly after being notified.

II. APPLICABLE CRITERIA:

This is a quasi-judicial land use application. In judging whether a Temporary Trailer Permit should be approved, the City Council must consider the following standards:

Approval of such permits shall be based upon findings that this use will have no significant adverse impacts on the value or appropriate development of nearby properties. (16.44.090.B.)

III. FINDINGS:

A. Location:

The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 6300 of Tax Map 41-E-04AB. It is located on the Northwest corner of S. Ivy and SW 6th Avenue. The property consists of approximately 15,000 square feet, with 100 lineal feet of frontage along S. Ivy Street and 150 lineal feet of frontage along SW 6th Avenue. The entire area is zoned R-1, Low Density Residential.

B. Other Information:

1. The City Council may approve a permit to allow the use of a travel trailer, mobile home, or motor home, for a period not to exceed six months. (16.44.090 A)
2. The lot is currently occupied by a single-family home. There is adequate room for the recreational vehicle while maintaining a minimum 20 foot front yard setback, a 15 foot secondary street setback and a 20 foot back yard setback.
3. The landlord has approved the arrangement and has signed the application.
3. The Fire Marshall sent an e-mail explaining that the Fire District approves the temporary use of recreational vehicles for living with stipulations. The memo is attached.
4. The trailer is self-contained and is not attached to the sewer system for the disposal of either gray water or sewage.

IV. CONCLUSION

1. In Staff's determination, the proposed use will not result in a significant adverse impact upon the value of nearby properties given the temporary nature of the use. To date, no evidence contradicting the above finding has been received. In order to approve the application, the City Council will need to be satisfied that the approval criteria has been met.

2. The surrounding properties are developed under current zoning, staff has determined that the temporary use of a travel trailer will not have a significant adverse impact on the development of nearby properties.

V. RECOMMENDATION

Provided that the City Council can determine that there will not be significant adverse impact on the value of nearby properties, the staff recommends that the City Council, based on the application and facts, findings and conclusions of this report, approve SP 06-03 for a temporary trailer, with the following conditions of approval:

1. The trailer shall be located in the south portion of the lot and maintain the minimum setbacks required for the zone.
2. The applicant shall comply with any requirements of the Canby Fire District.
3. The permit shall expire after January 15, 2007 and subsequent visits will be limited to allowed time periods set forth in 16.44.070 of the Canby Municipal Code.

Exhibits:

1. Application
2. Site Plan
3. Memo from Fire Marshal
4. Applicable Code sections

SPECIAL PERMIT APPLICATION

FEE \$100.00

OWNER

APPLICANT*

Name Allen Manuel

Name Shaney Kovalski

Address 717 SE First

Address 583 S. Ivy St.

City Canby State OR Zip 97013

City Canby State OR Zip 97013

OWNER'S SIGNATURE Allen Manuel

PHONE 503-784-4950

Address 583 S. Ivy Lot Size 15,000 sf

Tax Map 41E04AB Tax Lot 6300

PROPERTY OWNER LIST

Attach a list of the names and addresses of the owners of properties located within 100 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2" x 11" sheet of mailing labels (1" x 2-5/8"), just as you would address an envelope.

USE OF PROPERTY

Existing Single Family Residence

Proposed Temporary RV for parents

Existing Structures House & Garage

PROJECT DISCRIPTION

FOR CITY USE ONLY

File # SP06-03

Date Received 11-17-06 Received by Cja

Pre-App Meeting N/A

* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making this application.

3RD

HOLLY

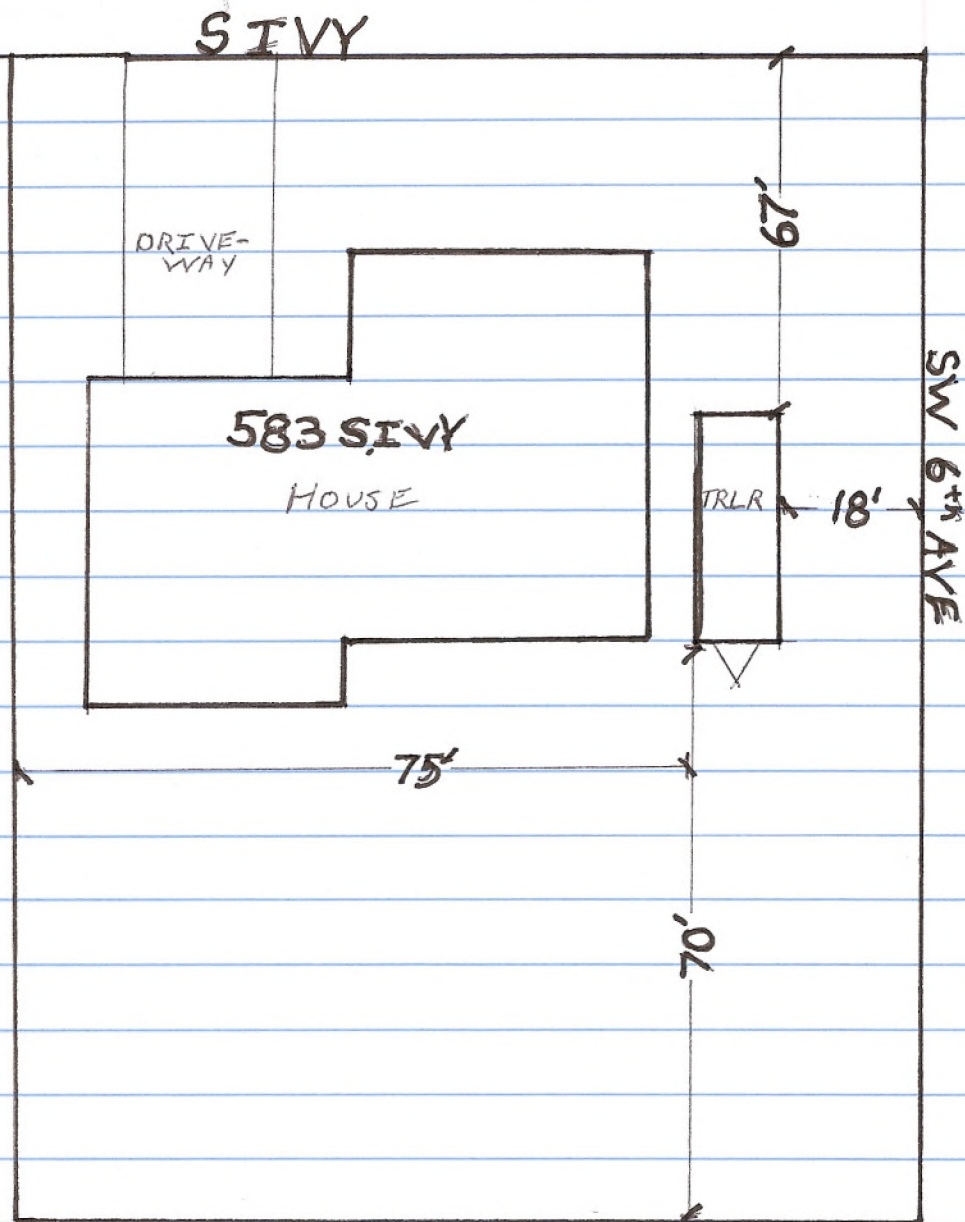
6TH

7TH

TOWNSHIP

W

X





Canby Fire District

221 S. Pine Street
P.O. Box 909
Canby, OR 97013
Bus. 503-266-5851 Fax 503-266-1320

December 18, 2006

Bill Netherton
593 S. Ivy Street
Canby,
Oregon 97013

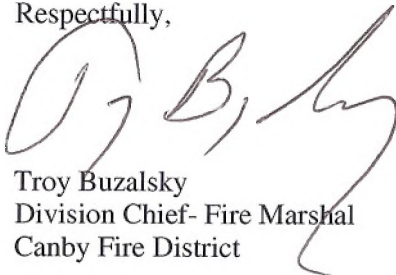
Bill,

Canby Fire District approves the temporary use of Mobil Homes, Manufactured Homes, and Recreational Vehicles for living with the following stipulations:

1. The temporary occupancy must have a visible address to assist fire and rescue responders in locating the residence. The address must have a minimum of 4 inch numbers with a contrasting background; clearly visible from the street.
2. The location of the temporary occupancy must not reduce access or either firefighting equipment or apparatus. Firefighters must be able to access all portions of the building, with no portion of the building being more than 150 feet from where fire apparatus will park for firefighting operations.
3. Any LP gas tanks used for heating or operations shall be specifically approved by the manufacture of the home or RV. Installation of larger, or remote tanks must be approved through the permit process.

Please let me know if you have any other questions or requests,

Respectfully,



Troy Buzalsky
Division Chief- Fire Marshal
Canby Fire District

each private road and between each unit and any outbuilding provided to serve that unit. Such paths are to be a minimum of three feet in width and designed to prevent drainage water from passing over such walkways.

F. A minimum of fourteen feet of separation shall be maintained between individual units, as well as between units and permanent buildings.

G. A concrete patio area or wood deck of at least one hundred fifty square feet, and no more than five hundred square feet, shall be provided for each unit.

H. Recreation and open space areas shall be provided and specified on the plan, and suitable equipment for such purposes shall be specified. Such areas shall be protected from streets, drives, and parking areas. A minimum of one hundred and fifty (150) square feet of recreation and open space areas for each mobile home space shall be provided in one or more locations within the mobile home park. The minimum size of each such recreation and open space shall be three thousand seven hundred and fifty (3,750) square feet, except, however, that those requirements may be reduced by as much as fifty (50) percent if the Planning Commission finds that such reduction is justified because of indoor recreation facilities which are provided.

I. A minimum of fifteen percent of the total development shall be landscaped, including a strip at least fifteen feet wide along all interior lot lines.

J. A sight-blocking fence which is not less than four, nor more than six, feet in height shall be provided along the perimeter of the development, except where reduced fence height is required for vision clearance along street frontage. The requirement for a fence may be modified by the Planning Commission based on clear findings that the modification will be sufficient to carry out the objectives of this section. (Ord. 890 section 40, 1993; Ord. 740 section 10.3.45(B), 1984; Ord. 1080, 2001)

16.44.040 Parking space for mobile home or travel trailer.

No mobile home or travel trailer will be allowed to remain in a mobile home or trailer park unless a parking space or previously approved storage area has been provided for that purpose. Mobile homes or travel trailers which are parked in storage areas shall not be occupied. (Ord. 740 section 10.3.45(C), 1984)

16.44.050 Special conditions imposed by Commission.

When reviewing a conditional use permit application for the development or expansion of a mobile home park or trailer park, the commission may impose special conditions of approval for the perimeter of the park to assure that its outward appearance does not conflict with the surrounding uses or activities. The commission shall not, however, interpret the requirements of Chapter 16.50 as allowing the denial of a mobile home park development because of the nature of surrounding residential development. (Ord. 740 section 10.3.45[part], 1984)

16.44.060 Compliance.

Mobile homes, motor homes or travel trailers, other than in approved mobile home parks or subdivisions, shall not be inhabited or used except as provided in sections 16.44.070 through 16.44.110, or as may otherwise be specified in this title. (Ord. 740 section 10.3.50[part], 1984)

16.44.070 Time limits.

No camper, trailer, motor home, or mobile home may be used or inhabited on a lot, or an adjacent lot, for more than seven consecutive days or a total of fourteen days, within a sixty day period unless such placement, use or habitation conforms with the requirements of this title. (Ord. 890 section 41, 1993; Ord. 740 section 10.3.50 (A), 1984)

16.44.080 Parking in right-of-way.

Parking or placement of such vehicles or structures within any public right-of-way is subject to the enforcement provisions of city ordinances governing nuisances and traffic violations. (Ord. 740 section 10.3.50(B), 1984)

16.44.090 Approval of permit.

A. The City Council may, after receiving a properly filed application and report from the staff and the Fire Marshal, approve a permit to allow the use of a travel trailer, mobile home, or motor home, for a period not to exceed six months.

B. Approval of such permits shall be based upon findings that this use will have no significant adverse impacts on the value or appropriate development of nearby properties.

C. Any permit issued pursuant to the terms of this chapter may be revoked by the council on twenty-four hours' notice upon finding that the use is a menace to public health or is resulting in a public nuisance. (Ord. 740 section 10.3.50(C), 1984)

16.44.100 Temporary permits hardship situations.

The City Council may also issue temporary permits for the use and occupancy of travel trailers or motor homes in special hardship situations, subject to the following:

A. Duration of the permit shall be specified by the council and may include a provision which requires renewal at predetermined intervals.

B. The nature of the hardship must be a physical or mental infirmity of a resident of either the principal dwelling unit or the temporary unit, and shall be certified as such in writing by a medical doctor or court of competent jurisdiction.

C. Prior to final issuance of the permit, the applicant shall sign an affidavit agreeing to remove or cease using the

travel trailer or motor home upon the death or relocation of the infirm person.

D. Upon receipt of an application and accurate plot plan for such a temporary hardship permit, the following procedure shall be followed:

1. Notices shall be mailed to the owners of property within one hundred feet of the subject property, giving them ten days in which to request a public hearing on the application.

2. If no such requests for a hearing are received within the time limits, the application shall be scheduled for council action at its next regular meeting without a public hearing.

3. If a public hearing is formally requested, it shall be scheduled on an upcoming council agenda and the hearing procedures of Division VIII followed.

E. A decision on an application for a temporary hardship permit shall be based upon the following standards and criteria:

1. No significant adverse impacts on the value or appropriate development of nearby properties will result.

2. The subject property contains sufficient vacant area to allow for the placement of the temporary unit without overcrowding the lot or the vicinity overall and will result in a reasonable amount of open space in the area.

3. The temporary unit will be connected to all required utilities in a manner which meets Code requirements.

4. The placement of the unit will meet the setback requirements of the zone.

5. The hardship situation is legitimate and clearly necessitates the issuance of a temporary permit as an alternative to having all of the affected persons share a single dwelling unit on the property.

F. The City Council may establish requirements as a condition of approving such an application which are necessary to assure compliance with the intent of this

ORDINANCE NO. 1227

AN ORDINANCE AUTHORIZING PURCHASE OF ROAD RIGHT-OF-WAY FOR THE EXTENSION OF SW BERG PARKWAY 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 Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut, Trustee and Kathleen M. Kahut, Trustee for the Kahut Living Trust, 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 Four Hundred Sixty-Two Thousand and no/100 dollars (\$462,000.00), plus such other consideration as set forth in a Letter Agreement dated November 8, 2006 between the parties. The sum of Four Hundred Forty-Two Thousand (\$442,000.00) of the total purchase price shall be deposited in escrow at or prior to the close of escrow in accordance with the terms of attached Letter Agreement. By this reference the attached Letter Agreement dated November 8, 2006 for the sale of road right-of-way is incorporated within as if set forth herein.

Section 3. Funds to Pay Purchase Price. The total sum of \$ 462,000.00 shall be paid from the City's current fiscal budget, account number 420-420-431-7600 titled "Transportation System Development Charge" 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 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 deliver 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 extension of SW Berg Parkway 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, December 6, 2006, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, January 3, 2007, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

Kimberly Scheafer
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 3rd day of January, 2007, by the following vote:

YEAS _____

NAYS _____

Melody Thompson
Mayor

ATTEST:

Kimberly Scheafer,
City Recorder - Pro Tem

EXHIBIT A

Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut & Kathleen M. Kahut
A Portion of Township 4 South, Range 1E, Section 4B Tax Lot 901

Berg Parkway Roadway Dedication Legal Description

A portion of that tract of land conveyed to Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut and Kathleen M. Kahut in deed recorded under fee number 78-26233 Clackamas County Deed Records, in Section 4, Township 4 South, Range 1 East of the Willamette Meridian, more particularly described as follows: Beginning at the northeast corner of that parcel conveyed to Fred A. Kahut, et al., under said fee number, said point also being the south east corner of Lot 2 in Partition Plat 1996-56 Clackamas County, Oregon, thence south $0^{\circ}03'00''$ east 154.03 feet more or less along the easterly property line of said tract to the true point of beginning, said point being on the proposed northern right-of-way of SW 13th Avenue and 25 feet northerly measured perpendicularly to the projected centerline of the existing SW 13th Avenue right-of-way; thence continuing south easterly along the eastern boundary of said Kahut tract 147.08 feet more or less to the southeast corner of said Kahut tract thence north $67^{\circ}22'48''$ west along the southern boundary of said tract a distance of 141.90 feet to an angle point; thence north $63^{\circ}02'20''$ west along the southern boundary 132.21 feet to an angle point; thence north $76^{\circ}19'16''$ west along the southern boundary 96.08 feet to an angle point; thence north $76^{\circ}47'00''$ west along the southern boundary 147.70 feet to an angle point; thence north $72^{\circ}33'00''$ west along the southern boundary 57.93 feet to an angle point; thence north $25^{\circ}32'30''$ west along the southern boundary 144.14 feet to the most westerly corner of the said Kahut tract; thence north $46^{\circ}53'45''$ east 20.37 feet along the western boundary of said tract to an angle point; thence south $43^{\circ}50'38''$ east 60.00 feet along the northern boundary of said tract to an angle point; thence south $63^{\circ}33'11''$ east 84.59 feet along the northern boundary of said tract; thence north $73^{\circ}18'02''$ east 26.07 feet more or less along the northern boundary of said tract to a point on the proposed northern boundary of SW 13th Avenue (Berg Parkway), said point being north $74^{\circ}56'51''$ west 433.13 feet and south $88^{\circ}49'34''$ west 27.89 feet from the true point of beginning; thence along a non-tangent curve left with radius 775 feet, delta $32^{\circ}27'11''$ and arc length 438.97 feet with long cord south $74^{\circ}56'51''$ east and cord length 433.13 feet to a point of tangency; thence north $88^{\circ}49'34''$ east 24.51 feet to the true point of beginning, total area being 51,384 square feet more or less.

In addition, an easement for utility and sidewalk purposes shall be granted, said easement being 12 feet wide, parallel and abutting the northerly line of the above described dedication, total area of the easement being 5,508 square feet more or less.

ORDINANCE NO. 1228

AN ORDINANCE RATIFYING A CONTRACT WITH KINTECHNOLOGY, INC OF CANBY, OREGON FOR THE PROVISION OF EMERGENCY SUPPORT TO THE CITY FOR ITS COMPUTER TECHNICAL SERVICES; AND DECLARING AN EMERGENCY.

WHEREAS, on December 12, 2006, the City of Canby received notice from its current computer service provider, Max DeRungs of IMR, Inc., that he could no longer provide any support to the City's computer network, effective immediately; and

WHEREAS, City was in need of immediate support for computer services for its network; and

WHEREAS, the Canby City Administrator declared, in writing, that emergency conditions existed requiring prompt action to select another computer service provider immediately; and

WHEREAS, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, Exhibit B (4) an emergency contract was entered into and signed on behalf of the City by the Canby City Administrator on December 13, 2006, a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein; and

WHEREAS, within 30 days of the date of this contract, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this contract and the staff report and believes it to be in the best interest of the City to ratify this contract; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The Contract, marked as Exhibit "A" hereto, with KinTechnology, Inc., of Canby, Oregon executed on December 13, 2006 by the City Administrator is hereby authorized and ratified as an emergency contract entered into under circumstances that created a substantial risk of interruption of services to the City of Canby, Oregon and the Council finds that awarding the contract in this manner was unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts and will result in a substantial cost savings to the City.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to ratify the new contract 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 January 3, 2007, 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 January 17, 2007, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City hall in Canby, Oregon.

Kimberly Scheafer
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 17th day of January, 2007, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer,
City Recorder - Pro Tem

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between the CITY OF CANBY (City) and KinTechnology, Inc. (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 as Follows:

- 1. Scope of Services. Contractor's services under this Agreement shall consist of the following:
 - A. See Exhibit "A" attached hereto.
- 2. Contractor Identification. Contractor shall furnish to City is employer identification number as designated by the Internal Revenue Service, or Contractor's Social Security Number, as City deems applicable.
- 3. Compensation:
 - A. City agrees to pay Contractor for services provided as set forth in Exhibit "B"
 - 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 Technical Service Department with day to day oversight provided by the Chauncey Seifried. 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. Contractor will provide proof of such coverage to the City, upon request.

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.

7. Term.

A. This Agreement shall terminate upon completion of all work tasks unless terminated previously 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.
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. Insurance shall be maintained with the following limits:
 - A. Liability - \$500,000.00

The City may require current copies of insurance certificates.
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 there from.
11. Limitation of Liability. Any and all liability or claims for damages, costs of defense or expenses will be limited to a sum not to exceed One Hundred Thousand Dollars (\$100,000), or the amount of its fee, whichever is greater on account of any injury or damage to persons or property arising out of any design defect, error, omission or professional negligence.
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.

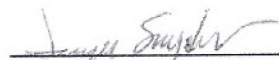
If mailed, notices shall be deemed effective forty-eight (48) hours after mailing unless sooner received.

CITY: Chaunee Seifried
City of Canby
182 N. Holly Street
Canby, OR 97013

CONTRACTOR: Joyce Snyder
KinTechnology, Inc.
P.O. Box 595
Canby, OR 97013

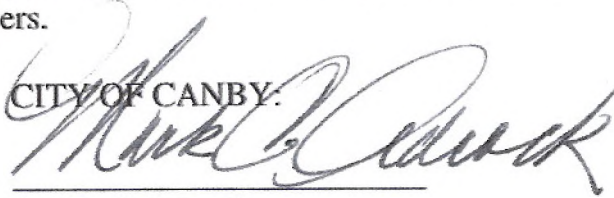
IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers.

CONTRACTOR:


By: Joyce Snyder

Date: 12/12/06

CITY OF CANBY:


By Mark Adcock
CITY ADMINISTRATOR

Date:

12/13/06

"Exhibit A"

Scope of Services – Provides all aspects of computer technical services.

This includes but not limited to the design and maintenance of the following: Servers, personal computer (PC), monitoring, upgrades, networks, emails, backups, planning, and network design.

Services do not include hardware

"Exhibit B"

Rates – Base hourly rates apply to services provided during normal weekday business hours Monday through Friday, 8:00am to 6:00pm in the time zone where services are performed. **Holiday rates** will be charged at double the base hourly rate on national holidays. **Emergency rates** will be charged at double that base hourly rate for non-scheduled urgent-care-response events. **Overtime rates** will be charged at one and one half times the base hourly rate during non-holiday, non-emergency and non-weekday business hours. KinTechnology reserves the right to change base hourly rates with prior notice to customers.

Base Hourly Rates

\$35 to 75/hr
\$75 to 95/hr
\$100 to 150/hr
\$125 to 200/hr
\$125 to 250/hr
\$95 to 125/hr
\$100 to 200/hr

Consulting Position

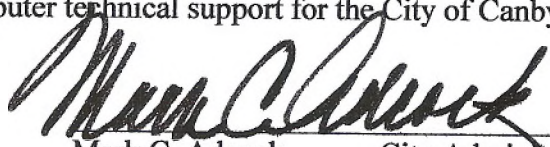
Intern Tech
PC/MAC Tech
Networking Tech
Specialist Tech
Director/Project Manager
Programmer
Trainer

Declaration of Emergency

On December 12, 2006, Max DeRungs of IMR, Ind., contacted the City of Canby to notify it that his company could no longer provide computer technical support for the City, effective immediately.

Due to the nature of this situation and the fact that computer support is necessary for the day to day smooth operation of City services, I hereby declare an emergency to exist pursuant to Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, Exhibit B (4).

Based upon this emergency, I have entered into a contract with KinTechnology, Inc., of Canby, Oregon to provide computer technical support for the City of Canby.


Mark C. Adcock City Administrator

Dated this 13 day of December, 2006.

DATE: December 27, 2006

MEMO TO: Honorable Mayor Thompson and City Councilors

FROM: Beth Saul, General Services Director

Through: Mark Adcock, City Administrator

RE: Amendment of funding authorization for shops complex maintenance projects

Issue:

The City Shops complex has served for over 20 years and now has some maintenance needs identified, some of which were discussed during the budget process and some that have been more recently identified. Staff is working in partnership with Canby Utilities to refine these needs and costs, but in order to ensure that City staff has budget authority to expend funds toward these needs staff has estimated a requirement of up to \$150,000 from the Capital Reserve.

Recommendation:

Staff recommends that the City Council authorize the expenditure of up to \$150,000 from the Capital Reserve toward the repair of beams for the covered equipment structure at the City Shops as well as toward other needed maintenance, including new tile in the staff areas and locker rooms, interior paint, and the relocation of the washer/dryer area. By authorizing this amendment to the budget request for the City Shops, City Council will help staff to act more quickly in addressing the most pressing need, the repair/replacement of beams in the covered structure.

Background:

During the budget process there was discussion of facility maintenance needs at the Shops complex, including the fact that the staff areas and locker rooms are in dire need of painting and flooring after twenty years of use.

As these needs were further researched, in partnership with Canby Utilities who also share the facility usage and maintenance, another problem was identified regarding dry rot in the beams holding up the roof of the covered equipment parking structure. This problem was handed over to a structural engineer for further analysis and the engineer came back with an estimate of about \$220,000

to repair/replace the beams. The engineer also indicated that this repair should be made as soon as possible to avert the potential collapse of the structure.

This recommendation was further reviewed by staff from both the City and Canby Utilities and, again in partnership, both entities are looking into ways to possibly reduce the cost and also address the other more mundane needs. More refined costs and recommendations will be forthcoming in early January 2007.

Fiscal Impact:

The City, through the budget process, had already allocated \$20,000 toward the City Shops for the more mundane (but still much needed) painting, flooring, and associated projects regarding the staff and locker rooms areas.

The portion of the estimated \$220,000 that the City would be paying for the beam repairs would be \$110,000, but the engineer also indicated that some additional requirements for newer earthquake and wind codes could add to the cost, so staff deemed it prudent to have authority to spend up to \$150,000 (\$20,000, plus \$110,000, plus contingency of \$20,000) to ensure that the entire project can be done.

As the projects move forward, the Council will be in a position to approve any of the projects that exceed \$15,000 through the City Charter ordinance requirements. This is true of any project, budgeted or unbudgeted. It is hoped that there will be significant cost savings by grouping these projects under one contractor.

This need has been reviewed with the City Finance Director, and funds are available in the Capital Reserve facilities line.

DATE: December 27, 2006

MEMO TO: Honorable Mayor Thompson and City Councilors

FROM: Beth Saul, General Services Director

Through: Mark Adcock, City Administrator

RE: Library Board recommendation regarding Vesta Mark funds

Issue:

Vesta Mark, a long-time area resident, left a bequest of about \$28,000 to the Canby Public Library upon her death. The City Council asked the Library Board to review the bequest and recommend its use to the Council.

Recommendation:

The Library Board has identified an immediate need for carpet replacement in the lobby and checkout areas of the library, as well as a need for more children's book shelving. They recommend that the Council authorize \$8,000 of the bequest toward these projects. The Board is still discussing the remaining \$20,000 and debating whether to recommend placing it into the Capital Reserve for future library maintenance needs or into the Endowment Fund for longer term use toward a new facility. The Board will bring back a separate recommendation on this portion.

Background:

Vesta Mark was a long-time resident who lived to be over 100 years old. She left funds from her estate to the library and several other organizations.

The Library has been in its current building for over 16 years and the carpet has never been replaced. It has become very worn in the high traffic areas. The Library has also experienced significant growth over the past few years in both usage and space needs. The facility is truly over capacity as shown by the Facility Needs Assessment of 2005, yet the staff is still trying to utilize every possible niche until a new facility can eventually be built. As shelf space is added, study space and conference room space has been eroded or eliminated. At present, keeping the collection growing is prudent to help keep circulation growing, and this relationship has been demonstrated by the extra infusion of book budget a couple of years ago that resulted in a spike in circulation. It is safe to say that adding the new children's shelving with this donation will bring

the library very close to having no more available space for shelving, but it will allow the children's collection to be increased for another year or two.

Most of the wooden shelving that the library has had built by a local cabinet maker is sturdy enough and attractive enough to be relocated into a new facility when that happy time comes!

Fiscal Impact:

The Vesta Mark funds are deposited in the library donation account for now and will accommodate the recommended projects. No General Fund money will be needed thanks to this generous donation.