

# AGENDA

## CANBY CITY COUNCIL MEETING

June 7, 2006, 7:30 P.M.

Council Chambers

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

*Mayor Melody Thompson*

*Council President Teresa Blackwell*

*Councilor Randy Carson*

*Councilor Walt Daniels*

*Councilor Roger Harris*

*Councilor Tony Helbling*

*Councilor Wayne Oliver*

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### WORK SESSION

6:30 P.M.

City Hall Conference Room

182 N Holly

The City Council will be meeting in a work session with representatives from the Canby Rod & Gun Club to discuss activities and plans at the gun club.

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### CITY COUNCIL MEETING

**1. CALL TO ORDER**

A. Pledge of Allegiance and Moment of Silence

B. Annual Livability Day Proclamation

Pg. 1

**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 Accounts Payable \$310,232.72

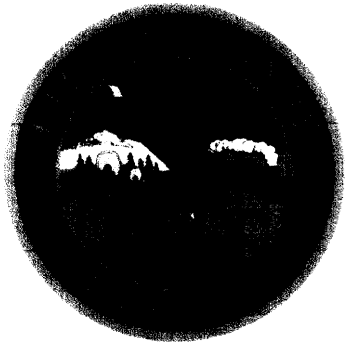
B. Approval of Minutes of the May 10, 2006 City Council Work Session with the Blue Heron Recreation District

C. Approval of Minutes of the May 10, 2006 City Council Work Session Regarding Park Survey Results

D. Approval of Minutes of the May 17, 2006 City Council Meeting & Executive Session

- E. Approval of Minutes of the May 24, 2006 City Council Work Session
- F. Reappointment to Parks & Recreation Advisory Board Pg. 2
- 7. **PUBLIC HEARING**
  - A. CPA 06-01 Pg. 3
- 8. **RESOLUTIONS & ORDINANCES**
  - A. Res. 921, Authorizing Filing of Applications with Federal Transit Administration for Federal Transportation Assistance Pg. 91
  - B. Ord. 1207, Authorizing a Contract with Community Transportation Consultants for Providing a Master Transit Plan for the City of Canby Transit System (2<sup>nd</sup> Reading) Pg. 93
  - C. Ord. 1208, Granting Non-Exclusive Gas Utility Franchise to Northwest Natural Gas, Fixing Terms, Conditions & Compensation of Such Franchise, & Repealing Ord. No. 788 (2<sup>nd</sup> Reading) Pg. 95
  - D. Ord. 1210, Authorizing Contract with Oregon Housing and Associated Services, Inc. for Providing Transit Operations for the Canby Transit System Pg. 103
  - E. Ord. 1211, Authorizing Contract with Western Bus Sales, Inc. for the Purchase of One (1) Used 2002 Blue Bird XCEL for Canby Area Transit Pg. 106
  - F. Ord. 1213, Amending the Canby Comprehensive Plan by Amending the Public Facilities and Services Section and Adoption a New Public Facilities and Capital Improvements Plan Pg. 47
- 9. **NEW BUSINESS**
  - A. Discussion re: Administrative Support for Clackamas County Coordinating Committee
- 10. **CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**
- 11. **CITIZEN INPUT**
- 12. **ACTION REVIEW**
- 13. **EXECUTIVE SESSION:** ORS 192.660(2)(b) Discipline of Public Officer, ORS 192.660(2)(d) Labor Negotiations, ORS 192.660(2)(h) Pending Litigation, and ORS 192.660(2)(i) Performance Evaluation of Public Officer
- 14. **ADJOURN**

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



Office of the Mayor

# Proclamation

**“Annual Livability Day”**

***WHEREAS*** The Canby Livability Coalition is dedicated to maintaining the quality of life in the community of Canby 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, Mayor of the City of Canby, hereby proclaim June 25, 2006 as:

**Annual Livability Day**

**in Canby and encourage all citizens to join in this observance.**

**Given unto my hand this 7th day of June, 2006.**

**Melody Thompson  
Mayor**

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

Date: 5/15/06  
 Name: Rick Maier Occupation: Semi-Retired  
 Home Address: CANBY, OR 97013  
 Employer: — Position: —  
 Daytime Phone: — Evening Phone: SAME  
 E-Mail Address: janirick@canby.com  
 For which position are you applying? PARK & REC BOARD

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

CURRENT PARK & REC BOARD MEMBER.  
CANBY POOL LEVY 2002 - STEERING COMMITTEE MEMBER - Campaign  
CANBY SWIM TEAM - 1994-2002 - BOARD MEMBER (4 yrs)  
OREGON SWIMMING, INC - MEET OFFICIAL 1995-2001

Experience and educational background:

MAZAMAS - Climbing Club - Member 1978-1988  
CANBY HIGH - CHAIR - VOTER REG. DRIVE - 1996-2004  
PTA - Board Member - Ackerman Middle School 1995-1998  
GATOR GRINDER TRIATHLON - 2005, 2006 volunteer

Reason for your interest in this position:

Career - Sales Rep & Sales Mgt positions  
IN INSURANCE, hospitality and security industries  
Education - A.A.S Bus. Adm (Marketing)

List any other City or County positions on which you serve or have served:  
NONE

Information on any special membership requirements:

N/A

Reason for Re-applying for Board: To pursue  
 Referred by (if applicable): stable funding + programming for  
parks + rec in the Canby Area and be pro-active  
 Feel free to attach a copy of your resume and use additional sheets if necessary  
toward the formation of a park + rec district.

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

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

Phone: 503.266.4021 Fax: 503.266.7961

**RECEIVED**

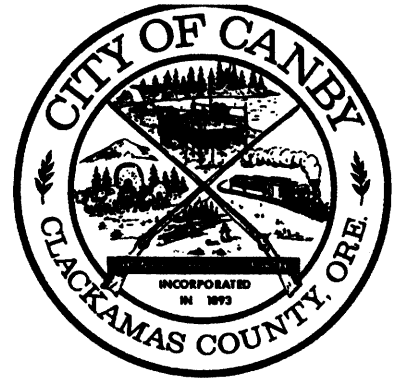
**MAY 1 2006**

**CITY OF CANBY**

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.

9-30-05

# MEMORANDUM



**TO:** *Honorable Mayor Thompson and City Council*  
**FROM:** *Matilda Deas, AICP, Project Planner*  
**THROUGH:** *Mark C. Adcock, City Administrator*  
**DATE:** *June 7, 2006*

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**Issue:** Ordinance 1213 (CPA 06-01), amending the Public Facilities and Services section of the Canby Comprehensive Plan, and adopting a new Public Facilities Plan and Capital Improvements Plan in keeping with State Law.

**Synopsis:** The City of Canby is proposing to amend the Public Facilities and Services section of the Canby Comprehensive Plan, which was last updated in 1993. In addition, the proposal creates a new Public Facilities Plan and Capital Improvements Plan in keeping with State Law. The proposals incorporate the most recent capital improvements lists for Canby's Water, Wastewater, Storm Drainage, Transportation, and Parks Systems, as required by State Law. This project is a required element of the City's Periodic Review program.

**Process:** The City Council will hold a public hearing on Comprehensive Plan Amendment 06-01 on June 7, 2006 and make a decision after considering the Planning Commission's recommendation and all input at the public hearing.

**Recommendation:** The Planning Commission voted 3-0 to recommend that the Council approve the proposal. To implement this decision, the Council would make a motion to **approve Ordinance 1213 and direct staff to return with written findings on CPA 06-01.**

**Rationale:** See attached Planning Commission staff report for more details.

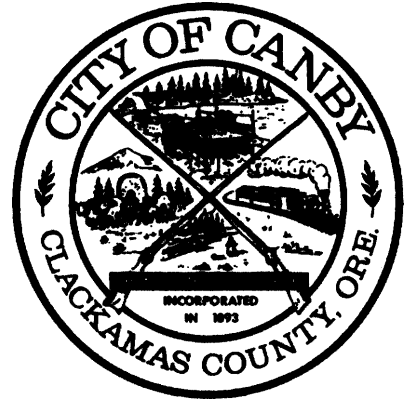
**Background:** The documents proposed for revision in this application are largely controlled by Oregon State Law and Administrative Rules. Canby is required to have a Capital Improvement Plan and a Public Facilities Plan that cover Water, Wastewater, Storm Drainage, and Transportation systems. Canby's plan has historically included Parks as well, and that focus is retained in the proposed revisions.

This project was completed by an experienced contract planning firm, Cogan Owens Cogan, and was partly paid for by a grant from the State of Oregon. The proposals have been reviewed in advance by state agencies representatives to ensure compliance with state law and rules.

The Planning Commission has met several times in work sessions on this project and also met in joint workshop with the City Council.

Options: 1. Reject or amend the ordinance. Staff does not recommend this option because the public process to this point did not reveal any outstanding issues.

Attached: Ordinance 1213; Planning Commission staff report, Findings, and attachments.



## STAFF REPORT

**TITLE:** Comprehensive Plan Amendment: Public Facilities & Services

**APPLICANT:** City of Canby

**FILE #:** CPA 06-01

**STAFF:** John Williams, Community Development & Planning Director

**REPORT DATE:** April 26, 2006

**HEARING DATE:** May 8, 2006

### I. APPLICATION SUMMARY

The City of Canby is proposing to amend the Public Facilities and Services section of the Canby Comprehensive Plan, which was last updated in 1993. In addition, the proposal creates a new Public Facilities Plan and Capital Improvements Plan in keeping with State Law. The proposals incorporate the most recent capital improvements lists for Canby's Water, Wastewater, Storm Drainage, Transportation, and Parks Systems, as required by State Law. This project is a required element of the City's Periodic Review program.

### II. APPLICABLE CRITERIA

#### Section 16.88.180 Comprehensive Plan Amendments

In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and city council shall consider:

1. The remainder of the Comprehensive Plan of the City, and the plans and policies of the county, state and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other

change which might be expected to be made;

4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide Planning Goals.

### **III. BACKGROUND**

The documents proposed for revision in this application are largely controlled by Oregon State Law and Administrative Rules. Canby is required to have a Capital Improvement Plan and a Public Facilities Plan that cover Water, Wastewater, Storm Drainage, and Transportation systems. Canby's plan has historically included Parks as well, and that focus is retained in the proposed revisions.

In general, we have attempted to make the Comprehensive Plan document more general in order to prevent it from becoming as out of date as it currently is. The details are contained within the Capital Improvements Plan, the Public Facilities Plan, and the individual system master plans. The Comprehensive Plan thus contains general policy language regarding the City's desire to provide adequate services and maintain our expensive infrastructure systems. Detailed infrastructure improvements and cost allocations are contained in the other documents.

This project was completed by an experienced contract planning firm, Cogan Owens Cogan, and was partly paid for by a grant from the State of Oregon. The proposals have been reviewed in advance by state agencies representatives to ensure compliance with state law and rules.

The proposed Public Facilities and Services Element of the Comprehensive Plan is structured very similarly to the existing document. It contains a general background on public infrastructure and financing techniques, then lists six broad policy goals – one for each main infrastructure system as required by the state plus one addressing other important services, such as emergency services, electricity, natural gas, phone, etc. Under each goal there are findings, policies, and implementation measures addressing the City's needs.

The proposed Public Facilities Plan restates much of this goal language, then contains descriptions of each main infrastructure system, specific project lists, financing allocations, and future planning needs.

The Planning Commission has met several times in work sessions on this project and also met in joint workshop with the City Council. Following this workshop, staff was directed to move forward with public notice and final adoption of the documents.



#### IV. FINDINGS

In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and city council shall consider:

1. The remainder of the Comprehensive Plan of the City, and the plans and policies of the county, state and local districts, in order to preserve functions and local aspects of land conservation and development;  
*Findings: This application will replace the existing Chapter VI of the Canby Comprehensive Plan. The proposal has been developed to conform in both structure and content to the remainder of the existing plan. A variety of Comprehensive Plan policies, goals, and implementation measures relate to the provision of public facilities and services. The current proposal ensures that the Comprehensive Plan is updated and relevant to current conditions. By doing so, the proposal will ensure that the remainder of the Comprehensive Plan is functional. Staff finds that this criteria has been met.*
2. A public need for the change;  
*Findings: The change is required under Canby's Periodic Review work order. This work task was included in Periodic Review because of how outdated the existing Comprehensive Plan elements and Capital Improvement Plan documents were. Updating the plans and ensuring all of the City's documents match is in the public interest. This change will also help expedite and simplify the City's planning and implementation delivery of infrastructure projects, which is in the public interest. Therefore, staff finds that a public need for the change has been demonstrated.*
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;  
*Findings: The proposal has been through public review through several Planning Commission workshops and a joint workshop with the City Council. The language in several sections was revised at these meetings in order to better meet the public need. Most of the language and project listings contained in the proposal have been through additional public review when the individual master plans were adopted. Therefore, staff finds that this criteria has been met.*
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;  
*Findings: Public facility planning is required by the State of Oregon for exactly these reasons. The infrastructure plans are meant to preserve and protect health, safety, and general welfare of the residents of this community. By updating the relevant language and ensuring conformity among the City's planning documents, these goals will be furthered. Therefore, staff finds that this criteria has been met.*
5. Statewide Planning Goals.

*Findings: Statewide Planning Goal 11 (Public Facilities) establishes the parameters under which this project was completed. Goal 11 (attached as an exhibit) requires cities to “plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” Goal 11 contains more detailed planning and implementation measures designed to assist cities in meeting the goal. Staff and the contractor have ensured that all work is compliant with these state requirements. Furthermore, this work was completed with funding assistance from the Department of Land Conservation and Development, whose staff has reviewed the proposals for conformity with the Statewide Planning Goals. Therefore, staff finds that this criteria is met.*

## **V. FINDINGS AND CONCLUSIONS**

Staff finds that all relevant criteria have been met, as follows:

1. Staff finds that the proposed amendments comply with the Comprehensive Plan of the City, and the plans and policies of the County, State, and local districts, and will preserve functions and local aspects of land conservation and development.
2. Staff finds that there is a public need for the change.
3. Staff finds that the proposed amendments will serve the public need better than any other change which might be expected to be made.
4. Staff finds that the proposed amendments will preserve and protect the health, safety, and general welfare of the residents of the community; and
5. Staff finds that the proposed amendments comply with the Statewide Planning Goals.

## **V. RECOMMENDATION**

Based upon previous public meetings and the findings and conclusions stated in this report, and without benefit of a public hearing on the matter, staff recommends that the Planning Commission recommend approval of **CPA 06-01** to the City Council.

Exhibits:

1. Draft Public Facilities and Services Element of the Canby Comprehensive Plan
2. Draft Public Facilities Plan including Capital Improvement Plan
3. Existing Comprehensive Plan section with changes noted
4. Statewide Planning Goal 11

THIS IS THE CURRENT COMPREHENSIVE  
PLAN TEXT - CHANGES ARE GENERALLY  
NOTED ON RIGHT.

CHANGES



## **PUBLIC FACILITIES AND SERVICES ELEMENT**

**GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC  
FACILITIES AND SERVICES TO MEET THE NEEDS OF THE  
RESIDENTS AND PROPERTY OWNERS OF CANBY**

### **BACKGROUND**

The Public Facilities and Services Element of the Plan may be regarded as the real backbone of the whole City planning process. This is because of the critical relationship between the adequacy of public facilities and services and the rate of community growth. Bluntly, if a city cannot provide adequate services and facilities, that city should not continue to grow.

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MADE MORE  
RESPONSIVE  
TO CURRENT  
STATUTE

In light of the extremely rapid growth rate experienced by Canby over the last 20 years, this community has been very successful in its efforts to adequately provide services and facilities. The community's ability to continue this trend will have a direct bearing on future growth. This will be stressed in the near future as funding is considered for school expansions, sewage treatment plan improvements, and routine expansions of virtually all other public facilities. It should also be noted that the community's public facilities and services are not all provided by the City. The State, the County, the fire district, two school districts, and private non-profit groups are also directly involved.

In order to be valid and usable, it is critical that this Plan Element be reasonable in its scope. It has been a common practice in far too many community plans to turn the "Facilities and Services Element" into no more than a "wish list" of improvements which will never actually be funded. This Public Facilities and Services Element is intended to realistically delineate the improvements which will be needed to accommodate the level of growth forecasted in the Plan (i.e., an eventual City population of approximately 20,000). It is recognized that in order to accommodate this population, almost three times the present City population, Canby will have to constantly strive to upgrade existing facilities and services while also finding new and, perhaps, innovative methods of meeting ever-increasing demands.

Changes in land use patterns may also have a significant impact on demand for various public facilities and services. For instance, a particularly "wet" industry such as a cannery could place a much greater demand on City water and sewer service, than would result from most other types of industries.

The topic "Public Facilities and Services" obviously covers a wide array of different things. Everything from public schools to police protection to electrical service is included. It is important to realize, however, that the expansion of different types of facilities and services require different techniques. For instance, the construction of a new elementary school is the responsibility of all of the taxpayers of the school district, but the construction of new water or sewer lines to serve a particular neighborhood should be paid for primarily by people of that neighborhood.

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There are several different methods of financing public improvements, but certain methods can only be used for certain types of improvements. The most commonly utilized financing methods are the following:

**ANNUAL BUDGETING** – Funds for some improvements may simply be included in the annual budget of the City or special district. Unfortunately, it is virtually impossible to fund major projects through the conventional fiscal budget process.

**GENERAL OBLIGATION BONDING** – This is the usual method of deriving funds for a major project. It involves a vote of all of the citizens of the district or City, to see if they are willing to indebt themselves for a long period of time. Canby's water facility improvement project has been funded this way, although the decision was reached at the time to retire this debt with revenues generated by water rates rather than increased property taxes.

**REVENUE BONDING** – Where a given facility or service needing improvements is, itself, a money-making entity, revenue bonds can be sold to make the improvements. The bonds are later retired through the money coming in from the facility or service. Recreation facilities where admission is charged and similar money-making activities may utilize the revenue bond method of financing.

**BANCROFT BONDING** – This method of funding is best where the desired improvement is to benefit only a portion of the community. It allows the property owners of that area to indebt themselves at relatively low interest for a long period of time. This process, with the resulting benefited areas known as special assessment districts or local improvement districts, can play a major part in the development of such City facilities as streets, sidewalks, and sewer or water lines. Where the needed improvements will clearly be of benefit to the whole community, the City can contribute to the financing and reduce the amount paid by individual property owners.

**SPECIAL LEVIES** – This is a system which is already in common usage. It requires the approval of the voters to exceed the so-called "6 percent limitation" (6% above the previous year's tax base figure) normally set by the State Constitution. This allows the voters to selectively finance special projects for a single tax year.

**SERIAL OR CONTINUING LEVIES** – This is similar to a Special Levy, but it may be utilized for a period of up to 10 years.

**SPECIAL FEES, CHARGES, OR TAXES** – These include such things as annexation fees, systems development charges, real estate sales taxes and utility connection fees. These various financing tools have different values depending upon how they are used. If used improperly, they may not even be legal, but if

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used appropriately they can help to assure that community costs are paid by those who necessitate the costs. In other words, they can be used to improve the fairness of the fees and taxes charged by the community.

**EXACTIONS** – Often labeled “legalized blackmail,” the exaction method is now fairly common usage. It involves requiring a developer to dedicate land for some public purpose (usually road right-of-way) as a condition of approving some sort of development application. In recent years, some communities have even gone to the extent of requiring developers to pay a fee in lieu of dedicating land. Such regulations must be carefully drawn and administered to be legal.

**TAX INCREMENT FINANCING** – Although primarily a tool for redeveloping depressed areas, tax increment financing could be used for special capital improvement projects such as Industrial Park improvements. A special taxing district is formed and property taxes in excess of the specified base amount are used to cover the costs of improvements. This system is most successful where improvement work and resulting development/redevelopment spurs an increase in valuation, thereby increasing the tax revenues.

As the City continues to grow, the demand for different public facilities and services will grow. The City, and other related service-providing entities, will have to be creative in their approach to funding, using all possible means of assuring that adequate services are provided.

Contrary to commonly held beliefs, growth and development are not necessarily financially rewarding for a community. While it is true that such costs as taxes are spread among a wider group of taxpayers, the community's costs in providing facilities and services often increase beyond the amount of new revenue generated. This will be especially true in Canby's case because growth is now occurring away from the established core area of the community, in areas which do not already have adequate roads or utility lines. This trend will also be significant for the school districts because new sites for future school construction will have to be acquired in areas which are presently unincorporated. The established schools and recreation facilities within the City will not be sufficient in the face of continued population growth, and new sites in more outlying urbanizable areas will be needed.

The City of Canby has historically taken a strong stand requiring developers to construct the various public facilities needed to support their proposed developments. With some notable exceptions, the City has been fairly successful in this vein. Unfortunately, this process can create a situation which is inherently unfair. This is, when one developer pays for and installs improvements to serve one side of a given road, the property owners on the other side of the road can generally take advantage of these improvements without bearing any of the costs. This will happen with increasing frequency in the future if remedial steps are not taken.

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NOT  
APPLICABLE

DELETED — NO LONGER  
APPLICABLE

The City attempted to deal with this problem in the past by the use of a "Reimbursement Ordinance" which required one property owner to reimburse another for improvement costs. More recently an "Advance Financing Ordinance" has been adopted which is intended to reimburse developers for much of the costs of new improvement construction.

More recently it has become apparent that, through the use of Local Improvement Districts (LID's), the City may be able to oversee the sharing of improvements costs between property owners. This is because the City Council actually determines the amount of assessment to be charged against benefited properties within the LID. The City Council has the legal authority to create an LID and assess the benefited properties, even if the majority of the property owners object. Politically, of course, such a thing is not very likely to happen unless some overwhelming community benefit could be shown. Still, the use of LID's could be very helpful where it is simply a matter of assuring that one property owner does not reap a windfall profit from the expense and efforts of other property owners in the area.

Other methods besides the formation of an LID might also be utilized to serve the same purpose. The City might modify its fee schedule for annexations and various utility connections, requiring a higher fee from property owners who have benefited from prior improvement work of other property owners. If such a reimbursement system is not found to be administratively possible, the extra fees could be channeled into a City fund to be used to stimulate the creation of Local Improvement Districts. In this way, at least, the City would be working towards improving the process in the future.

Another method which could be used on a limited basis involves the alignment and construction of new roads and the utilities within the road right-of-way. Where a developer proposes to undertake such construction, and the overall shape of adjacent properties will allow it, the City may authorize the developer to align the road such that neighboring properties are prevented from having road frontage. When those adjacent owners choose to develop their properties and utilize the road and its utilities, they would have to reimburse the previous developers or subsequent property owners. This system, too, could be difficult to administer, would require a carefully worded City ordinance, and would only be helpful in certain unique cases.

There are a variety of ways through which the City might be able to increase the fairness of improvement costs. As time goes on the City will have to try different methods creatively, always trying to improve the process.

The following background information is provided to help familiarize the user of the Comprehensive Plan with some of the various entities providing public services and facilities in Canby.

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**SCHOOL DISTRICT # 86** – This is the Elementary School District. It provides educational services to a total of 53 square miles, including over 10,500 total residents. At the present time, there are approximately 2,000 students served by

the district. District #86 schools in the City include William Knight Elementary, Howard Eccles Elementary, and Philander Lee Elementary Schools and the Ackerman Junior High School (7<sup>th</sup> and 8<sup>th</sup> grades). There are no other public elementary schools within the urbanizable area of Canby, and it is obvious that additional school sites will be needed in the future years. Based upon an analysis of the Land Use Map, it is evident that additional schools will be needed in the areas northwest and northeast of the present City limits. District #86 already operates on a 12-month schedule for students through the sixth grade, indicating that existing school facilities are being operated so as to maximize efficiency. Also, the district has added classrooms and other facilities to the existing schools in an effort to delay the need to construct additional schools at other locations.

**SCHOOL DISTRICT #1** – This is the High School District. It serves a total area of approximately 84 square miles, with about 16,500 total residents. At the present time there are approximately 1,250 students attending Canby High School, the district's only school. The district recently attempted to gain voter approval for the finding of the acquisition of an additional high school site on the City's northeast side, but the effort was rejected by the voters. It is now likely that the present high school will have to be expanded and students may eventually have to begin attending classes in "shifts" to maximize the use of the existing facilities.

**CLACKAMS COMMUNITY COLLEGE (C.C.C)** – This two-year public college is located in Oregon City, some ten miles from Canby. It is the most accessible and least expensive college serving the Canby area. A relatively small portion of the property tax dollars of Canby residents goes to support C.C.C. The school provides Canby residents with valuable services at minimal costs. It can be hoped that Canby's continued growth and development will result in more local programs and classes scheduled by C.C.C. and, perhaps, some improved transit system connecting the City and the college.

**CANBY COMMUNITY SCHOOLS** – This agency provides the major organized recreation and evening education programs in Canby. Housed in the high school, the Community School's office is financed jointly by the City of Canby, Clackamas Community College, and the High School District. This office organizes and administers night school classes, evening "open gymnasium" sessions, special programs, summer playground supervision and other recreation programs. Having begun in recent years, the Community Schools' operation has already grown into a significant provider of needed community services.

**FIRE DISTRICT #62** – Fire prevention, fire protection, and ambulance services are provided by the Fire District. The City contracts with the districts for service within the City limits. The district employs a Fire Chief, Fire Marshal, dispatcher, and three professional fire fighters who work rotating 24 hour shifts. Fire fighting and ambulance assistance is provided by local volunteers who are trained in fire suppression and emergency medical techniques. The services

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provided by the Fire District appear to adequately meet Canby's needs, other than delays in response time which are sometimes caused by trains blocking City streets. As Canby continues to grow, however, it may necessitate a larger professional fire fighting crew with less emphasis on volunteers. The same will likely be true of ambulance service which may be provided by some commercial organization in the future.

A more immediate concern is for emergency response efforts and the access problems created by trains. Due to economic constraints, it is not likely that any viable sort of underpass or overpass will be constructed in the next few years so the possibility of constructing a fire substation on the north side of town should be seriously considered. Realistically, such a substation will be an asset even when an overpass or underpass is eventually constructed.

**CANBY TELEPHONE ASSOCIATION** – The local telephone company serves an area of approximately 85 square miles in and around Canby, with about 6,000 paying customers. The Association has a franchise agreement with the City for the provision of telephone service. Close coordination between the City and the Association should prove to be mutually beneficial as the community continues to grow, reducing costs for each entity in the process. CTA now also operates the local cable television service through its subsidiary North Willamette Telecom.

**NORTHWEST NATURAL GAS** – Northwest Natural Gas provides pipeline service to much of Canby and surrounding areas. The gas company reports that no fuel shortages are anticipated and relatively inexpensive natural gas service should continue to be available in the foreseeable future. Northwest Natural Gas serves approximately 800 customers in Canby at this time and anticipates a consistent increase in connections as the price of electricity continues to increase. It is important that the City work closely with the gas company to assure that new developments have the option of being supplied with natural gas, if such service is available.

**CANBY DISPOSAL COMPANY** – Operating on a franchise agreement with the City, the Canby Disposal Company is responsible for the collection of solid waste and the operation of a recycling facility. It serves a total of nearly 2,700 customers in and around the City. Recycling stations for newspaper and glass are operated by local Lions and Kiwanis Clubs, respectively. Several local service stations receive waste crankcase oil for recycling. The regional need for waste disposal sites should increase public awareness of alternatives to conventional landfill practices. No local landfill sites are recommended, but a local transfer station may be appropriate as part of a regional collection and disposal system.

**MOLALLA RIVER STATE PARK** – Additional to the various recreation facilities provided by the City and the local schools, is the Molalla River State Park. Located at the confluence of the Pudding, Molalla, and Willamette Rivers, the park provides for picnicking, boat launching and fishing. A more important



environmental feature of the park is the rookery or nesting ground, of the Great Blue Heron. Although not within the urbanizable area of Canby, the Molalla River State Park does provide an excellent open space, recreation, and riparian habitat area in close proximity to the City.

REMOVED

**LOAVES AND FISHES PROGRAM** – As noted in the section of the Introduction dealing with demographics, a fairly large percentage of Canby's population is senior citizens. The Canby Loaves and Fishes program has been offering meals and various social programs, as well as basic transportation, to an increasing number of seniors each year. Officials of the Loaves and Fishes program expect Canby to show continued marked increases in the number of participants. Unfortunately, the present site of the meals and other programs is overcrowded and cannot be expanded to allow for five-day-a-week operation. This site, the St. Patrick's Catholic Church, though benevolently offered, is not adequate to meet future needs. The need for a Senior Center, perhaps operated in conjunction with an overall community center on a multiple use basis, is apparent now and will become increasingly important as Canby continues to grow. A committee of City Council and staff members, representatives of Loaves and Fishes, and other concerned persons has been working for some time in an effort to secure Community Development Block Grant funds for the development of a senior center. Preliminary approval of such funding has now been received and construction is expected to begin in 1984.

**CANBY UTILITY BOARD** – Created by Charter Revision in 1970 and amended in 1982, the Utility Board provides electrical and water service to City customers. Control of the Water Department was formally returned to the City Council by the 1982 Charter Amendment, but the actual operation of the utility remains the responsibility of the Utility Board by agreement between the City Council and the Board. Major improvements to the water system have recently been completed as the result of a three million dollar bond issue passed by the voters in late 1978. Completion of those improvements is intended to result in increased flows, greater total water availability, and a wider service area. In fact, these improvements are expected to accommodate a City population of 20,000 provided that future commercial and industrial developments do not exceed anticipated levels of water consumption.

The usable storage capacity of the water system is approximately 4,8 million gallons. This figure includes a recent increase of about 2 million gallons with the construction of a new storage facility on S.W. 13<sup>th</sup> Avenue. As City growth continues an additional storage facility should be constructed on the northeast edge of town, thereby providing for water storage at critical points on the City's perimeter.

It is an unfortunate characteristic that the community's greatest water consumption occurs during summer hot spells when fire danger is greatest and water supplies are at their lowest. Recent improvements to the water intake

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system at the Molalla River should assure that seasonal shortages will have little impact on City residents in coming years.

Canby has historically benefited from extremely low electrical rates as a result of its status as a "preference customer" of the Bonneville Power Administration. This trend has changed significantly in the last few years, primarily because of recent federal legislation affecting BPA's wholesale power rates. Canby generates none of its own electrical energy and is totally dependent upon BPA for its entire electrical load. This dependence, coupled with the rate increases noted above, have caused the Utility Board to begin reviewing the potential of generating its own electricity. The City takes delivery of power at two substations. One is located in Barlow and identified as the "Canby Substation" and has two three-phase 7,200 volt (phase to ground) feeder lines coming into the City from the west. The other substation which went into service on January 16, 1978, is called the "Twilight Substation" and is located east of town on North Redwood Street. Two feeder lines of the same number of phases and voltage as that at the Canby Substation tie into the Canby distribution system on N. Pine Street. The Twilight Substation has been designed and constructed to allow for the installation of an additional feeder line to serve the area east of the present City limits as the City grows in that direction. This could be particularly important as planned industrial growth occurs.

**CITY SERVICES** – The City of Canby provides a wide range of urban services. These include sanitary sewer service operating under permit from the State Department of Environmental Quality, storm sewer service provided primarily by the Public Works Department, an indoor swimming pool, three City parks, a Municipal Court, a Police Department, a library and building inspection services. Professional City employees include the City Administrator, Swimming Pool Manager, Police Chief, Librarian and Building Official.

A consulting engineering firm has been retained by the City to analyze the sewage disposal system and recommend improvements to increase its capacity. Research by that firm indicated that the treatment plant was operating at only about 72% of capacity for hydraulic flow, but its treatment record was poor. That meant that the plant could handle some additional growth, provided that improvements were made to the treatment of waste before it left the plant. Many of the improvement recommendations of the consultants included maintenance items which were fairly routine. Also that certain components of the original treatment plant were not built to the specifications set by the design engineer. Having determined the nature of problems within the plant, the City has been able to upgrade the quality of treatment and comply with its DEQ discharge permit. Short-range and long-range improvement strategies have also been determined for the plant. The City collects a sewer connection fee which is budgeted as a reserve account for eventual plant expansion. It is likely that some additional funding source will be needed to augment this City fund. Improvements to the sewer collection system will also be needed in the future as some lines are approaching capacity and

others will be reaching their design life. The City's past emphasis on the use of "lift stations" rather than relying strictly on gravity flow also tends to increase operation and maintenance costs.

The City storm sewer system appears to be generally adequate, largely because of the sandy soil conditions of the area. Improvements are needed in some parts of town in the form of additional drywells. In other areas, the lack of adequate curbs and gutters causes storm drainage problems. At this time, much of the central area of Canby is drained into property owned by Southern Pacific. Depending upon the type of development which eventually occurs at that presently vacant site, the City may have to provide some sort of treatment facility for this run-off water. Canby charges no sort of regular fee for maintenance systems, so the costs of such operations and maintenance are merely a part of the annual budget of the Public Works Department.

Basic information about the City's street and sidewalk system is included in the Transportation Element. It is appropriate to mention here, however, that Canby's budget for street maintenance and improvement is perhaps the part of the budget which is most adversely affected by inflation. This is largely because of our reliance on petroleum products to power a variety of City vehicles and heavy equipment, and because road oils and asphalt are petroleum based.

Canby provides recreational facilities at three primary locations. The Community Park is a riverside facility of about 15 acres. It offers fishing in the Molalla River and a pond which is stocked regularly. Picnic facilities and restrooms are also provided. The Community Park is essentially an undeveloped facility providing a nice open space area for recreation. A much wider range of uses can be made of the Community Park in the future if some sort of improvement plan is implemented there. Wait Park is a small playground area located near the City center. It consists of one City block with restrooms, swings, a tot-lot, and picnic facilities and other improvements. Maple Street Park is a model facility which future City parks may be patterned after. Unfortunately, the high demand for local recreation facilities, particularly softball/baseball diamonds, has created a situation where the need for additional sites became apparent even before the completion of Maple Street Park. Local schools also provide playground facilities, but should not be relied upon to the extent that other types of recreation facilities are ignored. The City has been fortunate that it has been able to work out cooperative arrangements with both the School Districts in terms of sharing recreational responsibilities.

The Community Swimming Pool is an indoor pool of regulation size. It is used for both recreational and competitive purposes. Although a relatively new structure, the pool has required major improvement work because of original design inadequacies. As the community continues to grow it can be hoped that the use of the pool will increase and its maintenance costs will stabilize. It is an important local facility providing services which are unavailable elsewhere in the

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community. Efforts to expand community awareness of the pool are probably needed, in view of the relatively low usership it receives.

The City Police Department employs 12 professional officers including the Chief of Police. This force is augmented by reserve officers who are available for back-up duty. The police dispatch office includes communication channels with outlying County offices and with the Fire Department dispatch office. A computer terminal also assists the City Police Department in providing routine identification of individuals or vehicles. The greatest constraint facing the City Police Department at this time is the lack of adequate office space. Presently located in cramped quarters in the City Hall basement, the Department is in serious need of larger, more accessible facilities.

The Canby Public Library is presently housed in leased space in the basement of the Graham Building. Not unlike the Police Department, the library is in need of larger quarters which are more accessible to the public. The library serves more than 1,500 card carrying patrons with over 10,200 volumes. It also provides the significant service of being able to tap the resources of the "Inter-Library Loan" and the Clackamas County Cooperative Library Services for additional texts upon request. This effectively means that millions of texts are available through the Canby Public Library. The Library also provides various special programs, displays, lectures, films, and other services.

The Zion Memorial Cemetery is another City facility providing an important community service. The cemetery consists of approximately 30 acres, located on Township Road to the east of the present City limits. Only slightly more than half of the usable area of the cemetery has already been used for burial purposes.

***REGIONAL GOVERNMENT ENTITIES*** – The City of Canby is located within the taxation and service area of two regional governmental entities (the Port of Portland and Tri-Met) and is just outside of another (the Metropolitan Service District). Although not actively involved with the Port of Portland, the City has utilized the Port's technical staff for research relative to economic development projects. This type of assistance is expected to increase in the future as Canby steps up its industrial recruitment efforts.

Tri-Met provides regular bus service connecting Canby with the remainder of the Portland region. This service is often criticized by members of the local business community who are taxed to support Tri-Met and by riders who are disappointed in the lack of convenient scheduling. Unfortunately, Canby has not provided the kind of ridership which would encourage Tri-Met to invest more heavily in this area. This subject is discussed in greater detail in the Transportation Element.

#### **FINDING NO. 1**

The City of Canby is only one of many entities providing essential facilities and services to the people of this community. However, as the unit of government responsible for coordinating all such activities within the corporate limits, the City must play an active part in assuring that all of the needed facilities and services are available to serve the public. This also entail a responsibility for assuring that the City's growth and development are not allowed to exceed the community's ability to provide the necessary facilities and services. It should be noted that a new development may cause a reduction in the services provided to the already developed areas of the City, in which case a value judgment must be made about the adequacy of those services. On the other hand, some services such as expanded medical facilities may only be feasible when a larger population exists to support them.

**POLICY NO. 1: CANBY SHALL WORK CLOSELY AND COOPERATE WITH ALL ENTITIES AND AGENCIES PROVIDING PUBLIC FACILITIES AND SERVICES.**

**IMPLEMENTATION MEASURES:**

- A) Expand the development review process to allow for a technical meeting among developers and staff persons of various service-providing agencies, whenever requested by any affected party.

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NOW IN  
CURRENT  
CODE
- B) Expand the development review process to include local school districts for any housing-related development and the Northwest Natural Gas Company for any development.

"
- C) Continue to stress the adequacy of services and facilities in the review of each development proposal. Encourage developers to approach projects in phases as a means of assuring that rapid development, outstripping essential services, does not occur. Approve only those applications where it is found that public facilities and services are adequate. → IN CODE

REPHRASED
- D) Work with the local school districts in an effort to establish dedication, or fees in lieu of dedication, standards whereby new residential developments would be contributing directly towards the construction of new facilities which are necessitated by that new residential growth. Such standards would also require coordination with Clackamas County to ensure fairness throughout the school districts and would require careful consideration of their impacts on residential construction costs. (see HOUSING ELEMENT)

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LEGAL  
UNDER  
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- E) Promote the recently adopted "Advance Financing Ordinance" for public improvements. Focus special attention on record-keeping to assure that all funds are properly accounted for. The Utility Board will consider the implementation of similar regulations for financing water and electric system expansions.

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- F) Support the efforts of groups within the community which may attempt to improve local medical facilities and services.

**FINDING NO. 2**

RETAINED

Financing the needed public facilities and services may be the single largest obstacle facing the City of Canby as it attempts to implement this Comprehensive Plan. The City will have to combine all possible methods of financing in a rational and creative manner to have sufficient funds to adequately implement this Plan. This will mean not only generating a tremendous amount of revenue for public projects, but it will also mean making sure that revenue is taken from the most fair and logical sources. Where new development is to be primarily benefited by expanded facilities, the development should pay for the bulk of the cost. Where the whole community benefits, the whole community should share the costs.

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As the City is responsible for assuring the adequacy of services and facilities to new developments, it makes sense also that the City would attempt to ensure that the costs for each developer be as equitable as possible. Such equity is not only important in the interest of fairness, but can actually have beneficial impact on community growth. Without equity in such things, some developers will attempt to out-wait others, hoping to benefit from public improvements without having to share in the costs. This sort of attitude can result in poorly coordinated patterns of growth and can cause opposition to the formation of needed Local Improvement Districts. The recipient of some "windfall" public improvement at no cost has no reason to support the formation of an L.I.D. which would result in his sharing the cost of such improvement.

**POLICY NO. 2: CANBY SHALL UTILIZE ALL FEASIBLE MEANS OF FINANCING NEEDED PUBLIC IMPROVEMENTS AND SHALL DO SO IN AN EQUITABLE MANNER.**

**IMPLEMENTATION MEASURES:**

REPHRASED

- A) Promote the creation of Local Improvement Districts as a means of financing needed improvements. This will require political and staff commitment as well as "seed money" from the annual budget for those particular improvements which will benefit the entire community.

OUTDATED

- B) Utilize creative methods of assessment to assure that most costs are borne by those who will benefit the most from improvements.

NOT  
CURRENTLY  
ON RADAR

- C) Consider the creation of a City fund for the promotion of L.I.D.'s. Such fund to be created by revenues from annexation fees, systems development charges, real estate sales taxes, utility connection fees, general fund money, or any other sources which are deemed to be both legal and appropriate in view of the policies of the Housing Element.

D) Revise the fee schedule for annexations and utility connections so that these costs represent a more equitable reimbursement to the City for its expenses in providing necessary facilities and services.

REPHRASED

E) Consider the adoption of a "reimbursement" ordinance where the City would actually administer the funds. Because it is assumed that a developer will pass his improvement costs on to subsequent purchasers, it may be practical to charge a development fee of any developer who stands to gain a "windfall" benefit from the prior work of another developer. That money could then be passed on to those who purchased property from the developer who originally did the work. Such an ordinance would have to be carefully worded and would need some provision for covering the administration costs of the City. If used property, however, it could encourage developers to work together in providing public facilities and services.

OUTDATE

F) Allow property owners to "Bancroft" the various fees as provided in ORS 223, when it is determined that the bond market is adequate.

### FINDING NO. 3

A logical and reasonable Capital Improvement Program (C.I.P.) is the most important tool for providing needed improvements in a rational fashion. Without an adopted C.I.P. the City Council is forced to constantly re-evaluate its priorities for funding, without the benefit of previously established goals and objectives. By adopting a C.I.P., the City Council establishes the priorities for what may entail years of work. It is important that these priorities not change too frequently or tremendous amounts of time and energy may be wasted. Realistically, however, some opportunity for changing priorities must be provided in coordination with the City's annual budget process. With this in mind, the following list of major Capital Improvement Projects is intended as a guideline only. Subsequent refinement in the form of a detailed C.I.P. should not require an amendment to the Comprehensive Plan. The following list of proposed Capital Improvements is *not prioritized*. It is intended to convey a general view of the scope of improvements needed to accommodate 20,000 people in Canby. It should be noted, however, that some of the items listed are already needed.

PAGES

120 -

127

TOTALLY  
UPDATED

+

MADE  
COMPLIANT  
WITH  
STATUTES

#### EMERGENCY SERVICES:

- Expansion of Police Department quarters
- Construction of Police substation on south side of town
- Construction of Fire substation on north side of town
- New Police and Fire vehicles and other equipment

#### CITY BUILDINGS:

- New Library
- Enlarged City Hall
- Enlarged equipment yard

**SEWER SYSTEM:**

Enlarged treatment plant  
Major trunk lines to south side of town and urbanizing areas

**WATER SYSTEM:**

Water storage and pumping facility on northeast side of town  
Expanded system of water main lines in northeast and southeast areas of Urban Growth Boundary

**STORM DRAINAGE:**

Improvement to downtown collection and disposal system  
Eventual Treatment system  
Expansion of facilities to serve outlying areas

**ELECTRICAL SYSTEM:**

Expansion of substation facilities  
Acquisition of Generating Facilities or "Load Management" systems

**PARK DEVELOPMENT:**

New parks needed in northwest, southeast, and northeast urbanizable areas and within the present City limits in the southeast area

**SENIOR CENTER/COMMUNITY CENTER/MUSEUM**

**STREET LIGHTING:**

Upgrade existing facilities  
Provide new facilities as needed

**TRANSPORTATION IMPROVEMENTS:**

Street and sidewalk upgrading  
Acquisition of right-of-way for new street projects  
Major intersection upgrading  
Underpass/overpass construction  
Bicycle path design and construction

**POLICY NO. 3: CANBY SHALL ADOPT AND PERIODICALLY UPDATE A CAPITAL IMPROVEMENT PROGRAM FOR MAJOR CITY PROJECTS.**

**IMPLEMENTATION MEASURES:**

- A) Prepare and adopt a Capital Improvement Program listing projects, cost estimates, priorities, and funding sources.
- B) Consider revisions to the C.I.P. as part of the annual budget process.



- C) Do not "cut corners" on public investments in a manner which will decrease the longevity of the proposed improvement. While it is recognized that the City must remain interested in providing improvements at minimum cost, such fiscal restraint should not be allowed to create a "false economy" where improvements have a shortened design life. All public improvements should be regarded as long-term investments of the community.
- D) Provide full consideration for funding of the following list of possible Capital Projects as part of the capital portion of the annual budget, also utilizing the following map entitled Capital Improvement Plan dated September 11, 1992.

## ***CAPITAL IMPROVEMENT PLAN***

### ***STREET PROJECTS:***

In the long term, these projects encompass the complete improvement of the entire street system. This would include major street repair, consisting of replacing all of the oil mat streets with a good base and a good surface and to build crowns for better runoff and extended street life. Another element is to rebuild problem intersections. New streets or street extensions are proposed in a number of cases. Adjacent development projects will aid in building the portions within or adjacent to the development. County and State roadway improvements are also proposed. As funds become available from many sources, specific projects are selected and detailed for each year.

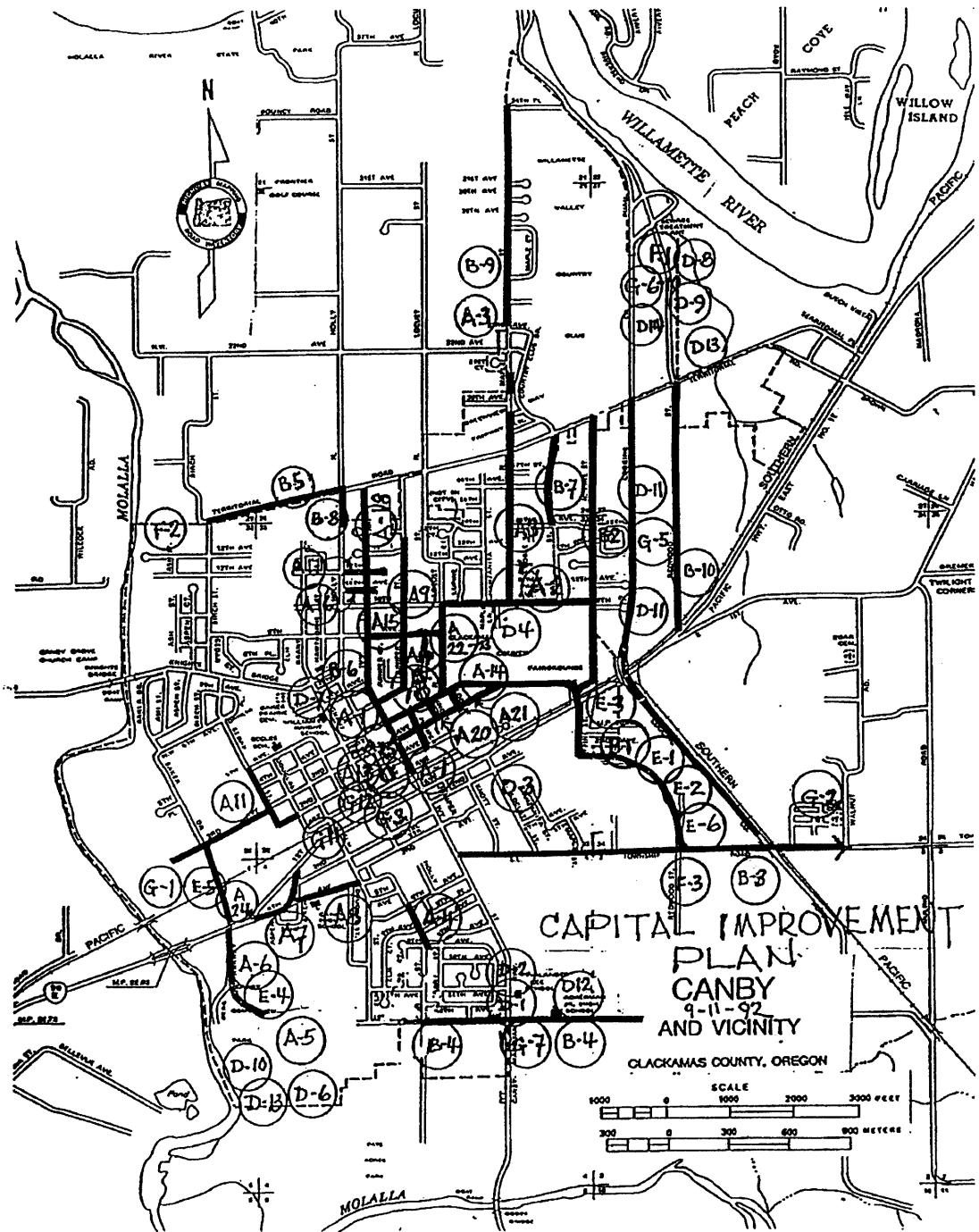
#### ***A. PROJECTES TO BE FUNDED BY CITY (not in priority order)***

##### ***SHORT-TERM (by 1998):***

1. N. Ivy (south of 9<sup>th</sup>)
2. N.E. 10<sup>th</sup>
3. N. Maple
4. S. Fir
5. S.W. 13<sup>th</sup>
6. Berg Parkway
7. S. Birch and S.W. 4<sup>th</sup>
8. S.W. 4<sup>th</sup>

##### ***LONG-TERM (6-20 years):***

9. N. Juniper (2<sup>nd</sup> phase)
10. N.E. 5<sup>th</sup> and Juniper
11. Cedar and N.W. 3<sup>rd</sup>
12. Downtown Overlay (10,000 feet)
13. N.W. 3<sup>rd</sup>
14. N.E. 4<sup>th</sup>



Canby Comprehensive Plan

15. N.E. 9<sup>th</sup>
16. N.W. 11<sup>th</sup>
17. N.W. 12<sup>th</sup>
18. N. Ivy (north of 9<sup>th</sup>)
19. N. Knott (1<sup>st</sup> phase)
20. N. Knott (2<sup>nd</sup> phase)
21. N.E. 3<sup>rd</sup>
22. N. Locust (1<sup>st</sup> phase)
23. N. Locust (2<sup>nd</sup> phase)
24. Baker to Berg
25. Realignment – north/south connection, Ivy to Holly

***B. PROJECTS FUNDED OTHER THAN BY THE CITY (not in priority order)***

*SHORT-TERM (by 1998):*

1. Township Road (Ivy to Mulino)
2. S. Pine (99-E to Township)
3. N. Pine (99-E to Territorial)

*LONG-TERM (6-20 years):*

4. S.E. 13<sup>th</sup>
5. N.W. Territorial
6. N. Ivy (new)
7. Oak Street (connection 14<sup>th</sup> to Territorial)
8. N. Holly
9. N. Maple
10. Redwood
11. Streets within or adjacent to developed project (within current City limits)
12. Streets within or adjacent to developed projects (outside current City limits)
13. County arterials resurfacing, especially E. Territorial, and South Ivy

***C. CITY HALL COMPLEX IMPROVEMENTS (not in priority order)***

Currently, central administrative offices exist downtown on Holly Street at S.W. 2<sup>nd</sup> Avenue, for the City Administration, Community Services, and the Police Department. The Library and its offices are nearby on Holly Street. The short-term project includes immediate roof maintenance on all buildings which have been deferred. Improvements are needed in these facilities, especially to protect police evidence and to secure vehicles and to make electronic and similar relatively minor improvements to the existing buildings and sites. In the longer term, modernization and remodeling of selected space, such as attics and basement areas, is needed, as well as court and Council Chambers. Ultimately, a new central complex should be explored as the City reaches the 20,000 population, because the current facilities will not be sufficient when the service demands more than double.

*SHORT-TERM (by 1998):*

1. Police evidence and property building, including a secured parking area
2. Complete remodel of City Hall done in phases
3. New furniture and needed computers for City offices
4. Roof Improvements (1993)
5. Library shelving (Approx. \$15,000) and new HVAC system (Approx. \$15,000)
6. Information and records management system

*LONG-TERM (6-20 years):*

7. Police building second-story improvement
8. Complete remodel of City Hall done in phases
9. New or improved council chambers
10. New City Hall complex
11. New walk-in safe
12. New furniture and needed computers for City offices
13. Information and records management system
14. Microfilming equipment

***D. PARKS AND FLOOD/STEEP SLOPE PROTECTION (not in priority order)***

In March of 1991, the Canby Parks Master Plan Committee published a Parks Master Plan which was subsequently adopted by City Council in April, 1991. A 3-phase development program was a part of this plan. Proposals 5, 11 and 15 are part of this plan. The City and School District have gradually been making improvements at the facilities located at 13<sup>th</sup> and Ivy, including a Swimming Pool, Adult Center, Gymnasium at Ackerman Junior High School, and Lee Elementary School. Consistent with the newly adopted joint use policies, proposals #1, 2 and 12 are included. The City has long attempted to locate a park in the high density population area near S. Locust and S.W. 3<sup>rd</sup> Avenue. Proposal #3 would provide for this gap in recreational service, once implemented. The City has acquired property called the Marshall property, next to Maple Park, which is not yet developed. Proposal #4 would provide this additional desirable development of a much used facility. Flood plain and steep slope protection would help accomplish these policies and also provide recreational service consistent with many of the Parks Plan proposals. Proposal #7 is to further develop an existing park.

*SHORT-TERM (by 1998):*

1. Parks Plan – Phase I and II
  - a. South side mini-park and bike/foot path system
  - b. Improve Community Park and neighborhood park
  - c. Two more mini-parks, and acquire other neighborhood park

d. Embankment

2. Swim Center expansion and improvement
3. Marshall property developed
4. Community Center at Swim Center/Adult Center property
5. Expand Triangle Park and improve fountain and staging for cyclists

*LONG-TERM (6-20 years):*

6. Parks Plan – Phase III
7. Parks Plan – Phase IV, including four-field sports complex, new 2-pool aquatic center, community center
8. Expand Community Park by obtaining Traverso property – restrooms, sewer
9. Obtain more embankment area and area between it and Molalla River – Greenway
10. Purchase development rights on floodplain and wetlands
11. Willamette Greenway acquisition/rights
12. Purchase Andrus property for State park
13. Acquisition ODOT property for 18-hole golf course, marina and boat launch

***E. INDUSTRIAL PARK IMPROVEMENT (not in priority order)***

The City of Canby contracted with Richard Carothers Associates to prepare an Industrial Attraction Plan. The City has annexed the first stage of the area recommended in this plan as the best area for promotion. The six proposals encompassing this project would provide the needed sewer, water, electric and road improvements needed to develop this economic resource area.

*SHORT-TERM (by 1998):*

1. S.E. sewer collector (Redwood and Pine)
2. Infrastructure for S.E. industrial area (within current City Limits)
3. Realignment of N. Pine – N.E. 4<sup>th</sup> with signal
4. S.W. Berg Parkway to S.W. 13<sup>th</sup> Avenue connector
5. Berg Parkway to Baker Street connection
6. Infrastructure for southeast industrial area (outside current City Limits)

*LONG-TERM (6-20 years):*

7. Infrastructure for S.E. industrial area (within current City Limits)
8. Infrastructure for southeast industrial area (outside current City Limits)

***F. SEWER (not in priority order)***

The sewer project includes a number of components such as: 1) wastewater treatment plant facility upgrade; 2) extension of sewer interceptor along Territorial Road; 3) completion of the southeast sewer collection system along S. Pine and S. Redwood; and 4) other sewer improvements to serve the remainder of the Growth Area Boundary outside the current City limits.

*SHORT-TERM (by 1998):*

1. Wastewater Treatment plant facility upgrade
2. S.E. sewer collector (Redwood and Pine)

*LONG-TERM (6-20 years):*

3. Wastewater Treatment plant facility upgrade
4. Territorial sewer extension
5. Other sewer improvements

**G. OTHER PROJECTS (not in priority order)**

Other projects proposed to be accomplished include the following components: construction of elements of a stormwater system, cemetery improvements, parking lots, sidewalks, electrical and water system improvements, traffic signal improvements, expansion of City shops, beautification, and various public facility pre-planning.

*SHORT-TERM (by 1998):*

1. Stormwater outfall improvements
2. Cemetery improvements, which include relocation of the entrance and caretaker's residence
3. Southern Pacific property parking lot
4. Sidewalk and curb improvements
5. N.E. stormwater plan
6. CUB improvements
7. Safety equipment
8. ADA compliance
9. Stormwater Plan
10. Trafficways Plan Update
11. CUB Water Plan
12. CUB electric plan implementation
13. Traffic Signal Program:
  - a. 99-E and Territorial
  - b. 99-E and Pine Street
  - c. 13<sup>th</sup> and Ivy
  - d. Township and Ivy

*LONG-TERM (6-20 years):*

14. Cemetery improvements, which include relocation of the entrance and caretaker's residence
15. Sidewalk and curb improvements
16. N.E. stormwater plan – Implementation
17. CUB improvements
18. Traffic signal program
  - a. 99-E and Birch
  - b. 99-E and Berg Parkway/Baker
19. Expand City shops (with excess property, build RV park and nature trails)
20. Highway 99-E beautification (to include median separation and landscaping, acquiring greenway property, installing a visitor center, installing sidewalks and street trees on north side of 99-E)
21. Downtown pedestrian mall
22. CUB electric plan implementation

**FINDING NO. 4**

A Comprehensive Plan is essentially a “cookbook” for how a community will deal with growth and change. It should not be overlooked, however, that systems within city government also require updating as the community grows, attitudes change, or situations differ. For example, it is quite evident that Canby today needs a considerably larger, better equipped, and more professional staff than it needed 20 years ago. This would be true even if the City hadn't grown at a rapid rate, but it is especially true in view of such fast growth. Another example, and one which is too often overlooked, is the City Charter. Very few residents of Canby are likely to be familiar with the Charter, yet it was created by a vote of the people. The community's tax base is yet another important factor which is little understood by the voters who are expected to deal with it. Both the tax base and the Charter are things which should be updated periodically to keep pace with changes in the community. Failure to do so is more an example of a lack of understanding than a prevailing political sentiment of the voters.

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NOT REALLY  
GERMANE  
TO  
COMPREHENSIVE  
PLAN

**POLICY NO. 4: CANBY SHALL STRIVE TO KEEP THE INTERNAL ORGANIZATION OF CITY GOVERNMENT CURRENT WITH CHANGING CIRCUMSTANCES IN THE COMMUNITY.**

**IMPLEMENTATION MEASURES:**

- A) Request the voters to approve an increase to the City's tax base as often as may be necessitated by inflation and/or community growth.

NOT LEGAL  
ANYMORE

- B) Periodically update and place before the voters segments of the City Charter which accurately depict the needs of the community. Charter amendments should be considered on a regular basis of every five, or so, years to make sure that the total Charter remains up to date.

NOT A  
“PLANNING”  
ISSUE

REMOVED;  
NOT  
"PLANNING"  
ISSUES

- C) Increase cooperation and coordination between the Canby Utility Board and City Council to assure that the Utility Board is operated along the basic policy lines established by the City Council and to assure that the taxpayers and utility customers of the community receive the best possible services for their dollars.
- D) Provide personnel programs designed to assure that the City of Canby will have a competent professional staff which can keep pace with community growth and changing circumstances.

**FINDING NO. 5**

RETAINED  
BUT  
TRIMMED

Public recreation and school sites are of special significance in a rapidly growing community. Too often, communities fail to plan ahead to provide adequate areas, at appropriate locations, for future park and school acquisition. Perhaps more than any other public facilities, recreation and school planning tends to be left until after growth occurs. In such cases it is not planning at all, but merely a response to adverse conditions which already exist. Canby has been fortunate that school and recreation sites have been generally able to keep pace with growth to this point. Looking ahead to a time when Canby's population is three times its present level, however, we see some rather sobering statistics. It can be estimated, based upon national trends, population forecasts, and the City's urban growth plan, that by the year 2000 approximately 165 additional acres of developable property will be needed for public school purposes. Another 75 acres will be needed for public park and recreation sites. It must also be noted that the specific nature of the planned school or recreation facility will determine the appropriate size and location. A high school generally requires a much larger and more accessible site than an elementary school. A tot-lot requires less area, but closer proximity to small children, than does a baseball diamond, etc. All of these factors need to be considered as Canby continues to grow.

**POLICY NO. 5: CANBY SHALL ASSURE THAT ADEQUATE SITES ARE PROVIDED FOR PUBLIC SCHOOL AND RECREATION FACILITIES.**

**IMPLEMENTATION MEASURES:**

REPHRASED

- A) City staff, as well as elected and appointed officials, will work with representatives of the school districts, community school's office, and other recreation-oriented groups to determine the best possible sites for future acquisition.

NOT  
LEGAL

- B) Utilize Implementation Measure "D," under Policy No. 1, to implement this policy.

RETAINED

- C) Utilize the density bonus provisions of the planned unit development regulations to encourage developers to provide either public or private recreation facilities within their projects. If sufficient recreation opportunities



are provided through this means, the amount of land needed for public acquisition can be reduced accordingly.

D) Park Measures:


- a. Develop additional parks, such as Wait and Maple Park, to more adequately serve people living within Canby's current City limits and ultimate Urban Growth Boundary. Canby's current population is 9,000 and will ultimately reach 20,000.
- b. Continue to also make Canby's recreational resources available to the broader Canby community, including businesses, employees, and residents, living in the Canby High School District, which is basically the South Clackamas County Recreational District, and take steps to gain financial support for recreation from these people.
- c. Develop one mini-park (2 acres) for each 2,000 residents and locate such park so as to be readily accessible to each local residential area. For a population of 20,000, this would be 20 acres and 10 parks.
- d. Develop one neighborhood park (15-17 acres) adjacent to schools for each 5,000-7,000 people. For a population of 20,000, this results in a need for about 3 neighborhood parks and about 45 acres.
- e. Provide a total acreage of about 5 acres/1,000 people of public recreation land within the Canby Urban Growth Boundary. For a population of 20,000, this would result in about 100 acres.
- f. Locate the new mini-parks and neighborhood parks on vacant land within the developing residential areas. Take steps to reserve such land prior to, or concurrent with, the development of such areas.
- g. Encourage new neighborhood parks such as Maple Street Park to be located adjacent to school sites and encourage joint City and school district development of recreation/school sites to the maximum extent practicable.
- h. Develop a system of bike paths and lanes throughout Canby, utilizing the Molalla River flood plain and embankment, park lands, easements, roadways, and other lands.
- i. Develop a "greenway" along the Molalla River, including major river park nodes and providing a protection and preservation of steep slopes and wetlands and flood-prone lands. Such a "greenway" should aid in protecting Canby's water source, storm drainage system, and open

RETAINED  
BUT  
TRIMMED;

MOST  
MOVED  
TO PARK  
PLAN.



space, while still providing extensive educational and recreational opportunities.

- 
- j. Program the development of the above described parks to be roughly concurrent with the development of each area of the City, as part of a development program as generally outlined in the Canby Parks Master Plan for Land and Facilities, 1991.
  - k. Strongly advocate Canby's interests in State/Regional recreational planning and programming, especially with regard to the South Clackamas Recreation District, METRO, and the State, to encourage the location and development of recreation facilities near Canby and funding of recreation services to Canby residents and employees.
  - l. Continue and intensify the cooperation between the City of Canby, Canby Kids, the school districts, major church groups, and the Adult Center, Pool, and others, in the provision of recreation services.
  - m. As land is reserved and/or funds become available for mini-parks, neighborhood parks, district parks, and greenways, provide programming for the ultimate development of a new swim center, two indoor pools, a new Community Center, a new fitness center, four ballfields, and one new amphitheater. Locate such facilities adjacent to schools as part of a neighborhood park or in relation to other major recreation facilities such as the Molalla River "Greenway."
  - n. Generally, utilize the attached map of the "Parks Plan" dated March 27, 1991, to guide the geographic location of new parks facilities described above.

— " — END — " —

Appendix A: Capital Improvements Plan

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		WATER						Project Schedule				
Map ID	Item	Type	Project Title	Description / Location	Listed Cost	Cost 2005 \$\$	Cost Estimate	Short-term	Medium-term	Long-term	Year	Funding Source
								(0-5 years)	(6-10 yrs)	(10-20 yrs)		
Source and Intake												
	SI01	WSI	River Intake Pump Station	Phase I - Address current system deficiencies	\$47,000	\$49,900	\$52,900	\$52,900			2006/07	User Fees
	SI02	WSI	River Intake Pump Station	Phase II – address growth related issues	\$708,000	\$751,100	\$1,039,700			\$1,039,700	2016	User Fees
	SI03	WSI	Investigate Groundwater and Aquifer storage and Recovery sources		\$150,000	\$159,100	\$207,600		\$207,600		2014	User Fees
			Total Source and Intake		\$905,000	\$960,100	\$1,300,200	\$52,900	\$207,600	\$1,039,700		
Treatment												
1	TP03	WT	Plant Improvements	Phase I	\$952,000	\$1,010,000	\$1,040,300	\$1,040,300			2006/07	User Fees
2	TP04	WT	Plant Improvements	Phase II	\$6,073,000	\$6,442,800	\$8,918,400		\$8,918,400		2016	User Fees
3	TP05	WT	Backwash Pond Improvements		\$557,650	\$591,600	\$627,600	\$627,600			2007	User Fees
4	TP07	WT	Secondary Power Supply		\$150,000	\$159,100	\$173,900	\$173,900			2008	User Fees
			Total Treatment		\$7,732,650	\$8,203,500	\$10,760,200	\$1,841,800	\$8,918,400	\$0		
Distribution and Piping												
5	DP01	WDP	Vicinity of SW 4 <sup>th</sup> & S Aspen		\$181,000	\$192,000	\$203,700	\$203,700			2007/08	User Fees
6	DP02	WDP	Vicinity of SE 13 <sup>th</sup> Ave. east of S Ivy		\$92,000	\$97,600	\$103,500	\$103,500			2007/08	User Fees
7	DP03	WDP	Vicinity of NW 3 <sup>rd</sup> and Baker		\$146,000	\$154,900	\$169,300	\$169,300			2008/09	User Fees
8	DP04	WDP	Vicinity of Hwy 99E & N Sequoia		\$28,000	\$29,700	\$38,800		\$38,800		2014	User Fees
	DP07	WDP	Pipeline Rehabilitation (yearly)		\$4,000,000	\$4,243,600	\$5,872,400	\$1,160,300	\$1,345,100	\$3,367,000	Yearly	User Fees
			Total Distribution and Piping		\$4,447,000	\$4,717,800	\$6,387,700	\$1,636,800	\$1,383,900	\$3,367,000		
Storage and Pump Station												
9	ST00	WSPS	Water Treatment Plant Land Acquisition		\$75,600	\$80,200	\$82,600	\$82,600			2006/07	User Fees
10	ST02	WSPS	New Reservoir at 13 <sup>th</sup> Avenue Site		\$1,946,000	\$2,064,500	\$2,190,200	\$2,190,200			2007/08	User Fees
11	ST03	WSPS	New Reservoir at Water Treatment Plant Site		\$2,135,000	\$2,265,000	\$2,475,100	\$2,475,100			2008	User Fees
12	ST04	WSPS	Molalla Forest Road Reservoir and Pump Station		\$4,048,000	\$4,294,500	\$5,281,700		\$5,281,700		2012	User Fees
13	ST05	WSPS	Territorial Road Reservoir and Pump Station		\$5,115,000	\$5,426,500	\$7,969,000			\$7,969,000	2018	User Fees
14	ST06	WSPS	Township Road Reservoir and Pump Station		\$3,802,000	\$4,033,500	\$7,285,000			\$7,285,000	2025	User Fees
			Total Storage and Pump Station		\$17,121,600	\$18,164,200	\$25,283,600	\$4,747,900	\$5,281,700	\$15,254,000		
			Total WS		\$30,206,250	\$32,045,600	\$43,731,700	\$8,279,400	\$15,791,600	\$19,660,700		

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			WASTEWATER						Project Schedule				
Map ID	Item	Type	Project Title	Description Location	Listed Cost	Cost 2005 \$s	Cost Estimate	Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)	Year	Funding Source	
Collection System													
1		WWC	Collection System		\$1,115,800	\$1,182,700	\$1,691,800	\$219,300	\$356,800	\$1,115,700	2006-2019	User Fees	
2		WWC	Territorial Rd/Hwy99E/ Crossing		\$300,000	\$318,000	\$318,000	\$318,000			2005/06	User Fees	
3		WWC	SE 2 <sup>nd</sup> Ave. Collection System		\$300,000	\$318,000	\$318,000	\$318,000			2005/06	User Fees	
			Total Collection		\$1,715,800	\$1,818,700	\$2,327,800	\$855,300	\$356,800	\$1,115,700			
Treatment Plant													
4		WWT	Sec. Scum Pump Station		\$35,000	\$37,100	\$41,700	\$41,700			2006/07		
5		WWT	Effluent Filtration Equipment		\$240,000	\$254,400	\$285,800	\$285,800			2006/07		
6		WWT	Septage Receiving Station		\$100,000	\$106,000	\$119,100	\$119,100			2006/07		
7		WWT	Headworks Conveyor		\$150,000	\$159,000	\$225,500		\$225,500		2010/11		
8		WWT	UV Disinfection Upgrade		\$290,000	\$307,400	\$345,400	\$345,400			2006/07		
9		WWT	Outfall Diffuser Assembly		\$60,000	\$63,600	\$101,400		\$101,400		2012/12		
10		WWT	Dewatered Sludge Storage		\$120,000	\$127,200	\$142,900	\$142,900			2006/07		
11		WWT	New Primary Clarifier		\$600,000	\$636,000	\$1,207,300			\$1,207,300	2015/16		
			Total Treatment		\$1,595,000	\$1,690,700	\$2,469,100	\$934,900	\$326,900	\$1,207,300			
System Planning													
12		WWP	Facility Plan Update		\$50,000	\$50,000	\$189,500		\$139,500	\$50,000	2010-2016		
13		WWP	SDC Update (2006)		\$10,000	\$10,000	\$10,000	\$10,000			2005/06		
14		WWP	Rate Study / SDC Update		\$20,000	\$21,200	\$62,600	\$26,800	\$35,800		2008/09		
			Total Planning		\$80,000	\$81,200	\$262,100	\$36,800	\$175,300	\$50,000			
			Total WWS		\$3,390,800	\$3,590,600	\$5,059,000	\$1,827,000	\$859,000	\$2,373,000			

STORM DRAINAGE												
Map ID	Item	Type	Project Title	Description Location	Listed Cost	Cost 2005 \$\$	Cost Estimate	Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)	Year	Funding Source
Master Plan Phase I												
1		SDI	Land Acquisition for Regional Treatment		\$300,000	\$318,000	\$357,300	\$357,300			2006/07	
			Phase I Total		\$300,000	\$318,000	\$357,300	\$357,300	\$0	\$0		
Master Plan Phase II												
2		SDII	Regional Treatment and Permitting		\$600,000	\$636,000	\$1,106,750		\$1,106,750		2013 - 2015	

			Costs									
			Phase II Total		\$600,000	\$636,000	\$1,106,750	\$0	\$1,106,750	\$0		
<b>Master Plan Phase III</b>												
3		SDIII	Drywell Decommissioning		\$25,000	\$26,500	\$28,100	\$28,100			2005/06	
3		SDIII	CB BMP Implementation		\$500,000	\$530,000	\$1,033,400	\$158,300	\$211,900	\$663,000	2005-2019	
3		SDIII	Drywell BMP Implementation		\$125,000	\$132,500	\$157,800	\$157,800			2007/08	
3		SDIII	Domestic Well Decommissioning		\$20,000	\$21,200	\$25,200	\$25,200			2007/08	
			Phase III Total		\$670,000	\$710,200	\$1,244,500	\$369,400	\$211,900	\$663,000		
<b>System Planning</b>												
		SDP	Stormwater Master Plan Update		\$100,000	\$106,000	\$287,080	\$127,680	\$159,400		2005-2010	
		SDP	Drywell Decommissioning Plan		\$20,000	\$212,000	\$33,800		\$33,800		2012/13	
			Total Planning		\$120,000	\$318,000	\$320,880	\$127,680	\$193,200	\$0		
			Total SDS		\$1,690,000	\$1,982,200	\$3,029,430	\$854,380	\$1,511,850	\$663,000		

TRANSPORTATION												
Map ID	Item	Type	Project Title	Description Location	Listed Cost	Cost 2005 \$s	Cost Estimate	Short term (0-5 years)	Medium term (6-10 yrs)	Long term (10-20 yrs)	Year	Funding Source
<b>New Streets</b>												
1		Arterial	Berg Parkway	Canby Sq. to SW 13 <sup>th</sup> Ave.	\$708,000	\$947,500	\$1,064,600	\$1,064,600			2007	SDC
2		Collector	NW Baker Street	3 <sup>rd</sup> to Hwy 99	\$116,000	\$155,200	\$233,400		\$233,400		2012	State, SDC
3		Collector	Bridge	Structure	\$6,500,000	\$8,698,500	\$13,079,300		\$13,079,300		2012	State, SDC
4		Collector	NE 9 <sup>th</sup> Ext.	Log Road to Redwood	\$185,500	\$248,200	\$561,200			\$561,200	2019	New Dev
5		Collector	SE Otto Road	Walnut St. to Hwy 99E	\$462,000	\$618,300	\$1,397,800			\$1,397,800	2019	New Dev, SDC
6		Collector	SE Walnut	SE 1 <sup>st</sup> Ave. to Territorial	\$848,000	\$1,134,800	\$2,565,700			\$2,565,700	2019	New Dev
7		Collector	SE 2 <sup>nd</sup> Avenue	SW 2 <sup>nd</sup> Ave. to SE 2 <sup>nd</sup> Ave.	\$87,000	\$116,400	\$175,100		\$175,100		2012	City
8		Collector	Industrial Area	Master Plan	\$9,900,000	\$13,248,400	\$17,729,400	\$17,729,400			2010	New Dev, SDC
9		Nbhd Connector	NW Birch	Territorial to NW 22 <sup>nd</sup>	\$464,000	\$620,937	\$1,403,900			\$1,403,900	2019	New Dev, SDC
10		Nbhd Connector	NW 10 <sup>th</sup> Avenue	Birch to Grant Street	\$377,000	\$504,500	\$758,600		\$758,600		2012	New Dev
11		Nbhd Connector	SE 17 <sup>th</sup> Avenue	Ivy to Redwood	\$754,000	\$1,009,000	\$2,281,300			\$2,281,300	2019	New Dev
12		Nbhd Connector	S Redwood	SE 13 <sup>th</sup> to SE 17 <sup>th</sup> Ave.	\$464,000	\$620,937	\$1,403,900			\$1,403,900	2019	New Dev
13		Nbhd Connector	S Teakwood	Township to S 13 <sup>th</sup> Ave.	\$754,000	\$1,009,000	\$2,281,300			\$2,281,300	2019	New Dev, SDC
			Total New Streets		\$21,619,500	\$28,931,674	\$44,935,500	\$18,794,000	\$14,246,400	\$11,895,100		
<b>Street Widening/Upgrading</b>												

14		Arterial	N Ivy Street	NW 6 <sup>th</sup> to NW 9 <sup>th</sup> Ave.	\$232,000	\$310,500	\$348,800	\$348,800			2007	Grant, SDC
15		Arterial	N Ivy Street	NW 9 <sup>th</sup> to NW 10 <sup>th</sup> Ave.	\$14,400	\$19,300	\$21,700	\$21,700			2007	Grant, SDC
16		Arterial	N Ivy Street	NW 10 <sup>th</sup> to NW 12 <sup>th</sup> Ave.	\$174,000	\$232,900	\$261,600	\$261,600			2007	Grant, SDC
17		Arterial	S Ivy Street	Hwy 99E to SW 2 <sup>nd</sup> Ave.	\$41,600	\$55,700	\$83,700		\$83,700		2012	SDC
18		Arterial	S Ivy Street	SW 2 <sup>nd</sup> to SE 9 <sup>th</sup> Ave.	\$572,000	\$765,500	\$1,151,000		\$1,151,000		2012	SDC
19		Arterial	S Ivy Street	S 13 <sup>th</sup> Ave. to South	\$475,200	\$635,900	\$1,437,800			\$1,437,800	2019	New Dev, SDC
20		Arterial	Territorial	Holly St. to Redwood	\$1,482,000	\$1,983,300	\$2,982,100		\$2,982,100		2012	New Dev, SDC
21		Arterial		Redwood to Hwy 99E	\$496,000	\$663,800	\$998,000		\$998,000		2012	New Dev, SDC
22		Arterial	Knightsbridge	Holly St. to K-Bridge	\$870,000	\$1,164,300	\$1,308,200	\$1,308,200			2007	City, SDC
23		Arterial	S Berg Parkway	Hwy 99 to Canby Sq.	\$390,000	\$521,900	\$586,400	\$586,400			2007	SDC
24		Arterial	S 13 <sup>th</sup> Avenue	W End to Elm St.	\$48,000	\$64,200	\$96,600		\$96,600		2012	SDC
25		Arterial	S Territorial	Haines Rd. to Hwy 99E	\$870,000	\$1,164,300	\$2,632,300			\$2,632,300	2019	New Dev, SDC
26		Arterial	S 13th Avenue	Elm St. to Fir St.	\$203,000	\$271,700	\$408,500		\$408,500		2012	New Dev, SDC
27		Arterial		Fir St. to Redwood	\$715,000	\$956,800	\$1,438,700		\$1,438,700		2012	New Dev, SDC
28		Arterial		Redwood to Mulino Rd.	\$1,192,500	\$1,595,800	\$3,608,000			\$3,608,000	2019	New Dev
29		Arterial	N Holly Street	Territorial to N 22 <sup>nd</sup> Ave.	\$440,000	\$588,800	\$1,331,300			\$1,331,300	2019	New Dev, SDC
30		Arterial	S Elm Street	Hwy 99E to SW 2 <sup>nd</sup> Ave.	\$64,000	\$85,600	\$96,200	\$96,200			2007	City, SDC
31		Arterial	Hwy 99E	Town limit to Town limit	\$4,380,000	\$5,861,400	\$8,813,400		\$8,813,400		2012	
32		Collector	N Pine	N 4 <sup>th</sup> Ave. to Territorial	\$1,044,000	\$1,397,100	\$1,569,800	\$1,569,800			2007	New Dev, SDC
33		Collector	N Redwood	Territorial to Hwy 99E	\$400,000	\$535,300	\$601,500	\$601,500			2007	New Dev, SDC
34		Collector	SE 2 <sup>nd</sup>	Private Section	\$168,000	\$224,800	\$338,000		\$338,000		2012	New Dev, SDC
35		Collector	Township	Redwood to Railroad	\$896,000	\$1,199,100	\$1,802,900		\$1,802,900		2012	New Dev, SDC
36		Collector	N10th Avenue	Locust St. to Pine St.	\$667,000	\$892,600	\$1,002,900	\$1,002,900			2007	City, SDC
37		Collector	NE 3 <sup>rd</sup> Avenue	Locust St. to Hwy 99E	\$896,000	\$1,199,100	\$1,802,900		\$1,802,900		2012	Grant, New Dev, SDC
38		Collector	N Holly Street	N 1 <sup>st</sup> Ave. to N 7 <sup>th</sup> Ave.	\$638,000	\$853,800	\$959,300	\$959,300			2007	City, New Dev, SDC
39		Collector	N Holly Street	13 <sup>th</sup> Ave. to Territorial	\$160,000	\$214,100	\$322,000		\$322,000		2012	New Dev, SDC
40		Collector	NW 2 <sup>nd</sup> Avenue	Grant St. to Douglas St.	\$580,000	\$776,200	\$1,167,100		\$1,167,100		2012	SDC
41		Collector	N Grant Street	Hwy 99E to Knightsbridge Rd.	\$638,000	\$853,800	\$959,300	\$959,300			2007	City, New Dev, SDC
42		Collector	SW 2 <sup>nd</sup> Avenue	Elm St. to Ivy St.	\$504,000	\$674,500	\$1,014,100		\$1,014,100		2012	New Dev, SDC
43		Collector	SE Haines	Mulino Rd. to Brown Rd.	\$956,000	\$1,279,300	\$2,892,500			\$2,892,500	2012	New Dev, SDC

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44		Nbhd Collector	Territorial	Birch to Holly St.	\$609,000	\$815,000	\$1,225,400		\$1,225,400		2012	New Dev, SDC
45		Nbhd Collector	Maple	N 10 <sup>th</sup> to N 22 <sup>nd</sup> Ave.	\$640,000	\$856,500	\$1,287,800		\$1,287,800		2012	New Dev, SDC
			<b>Total Widening/ Upgrading</b>		<b>\$17,075,700</b>	<b>\$28,712,900</b>	<b>\$44,549,800</b>	<b>\$7,715,700</b>	<b>\$24,932,200</b>	<b>\$11,901,900</b>		
<b>Traffic Signal Projects</b>												
46		New	Hwy 99E/ Territorial	Territorial	\$1,650,000	\$2,208,100	\$2,340,600	\$2,340,600			2006	County, State, SDC
47		New	Hwy 99E / Otto	Otto	\$250,000	\$334,600	\$503,000		\$503,000		2012	New Dev, SDC
48		New	Ivy / Township	Township	\$200,000	\$267,600	\$318,800				2008	SDC
49		Upgrade	Hwy 99 / Ivy	Ivy	\$300,000	\$401,500	\$506,800	\$506,800			2009	SDC
50		Upgrade	Hwy 99 / Berg Parkway	Berg Parkway	\$100,000	\$133,800	\$141,900	\$141,900			2006	SDC
51		Reconfiguration	NW 1 <sup>st</sup> / Elm	Close west leg off first	\$100,000	\$133,800	\$159,400	\$159,400			2008	SDC
			<b>Total Signal</b>		<b>\$2,600,000</b>	<b>\$3,479,400</b>	<b>\$3,970,500</b>	<b>\$3,148,700</b>	<b>\$503,000</b>	<b>\$0</b>		
<b>Sidewalk Projects</b>												
52			N 10 <sup>th</sup> Avenue	Grant to Locust	\$165,000	\$220,800	\$332,000		\$332,000		2012	LID
53			NE 4 <sup>th</sup> Avenue	Ivy to Pine	\$112,000	\$149,900	\$225,400		\$225,400		2012	County, LID
54			NW 3 <sup>rd</sup> Avenue	Cedar to End	\$63,000	\$84,300	\$89,400	\$89,400			2006	LID
55			NW 2 <sup>nd</sup> Avenue	Douglas to Cedar	\$14,000	\$18,700	\$22,300	\$22,300			2008	LID
56			SE 2 <sup>nd</sup> Avenue	Ivy to Maple	\$82,000	\$109,700	\$116,300	\$116,300			2006	LID
57			SW 4 <sup>th</sup> Avenue	Elm to Birch	\$22,000	\$29,400	\$33,100	\$33,100			2007	LID
58			S Locust	Hwy 99 to Township	\$32,000	\$42,800	\$64,400		\$64,400		2012	LID
59			S Elm	SW 4 <sup>th</sup> to SW 13 <sup>th</sup>	\$32,000	\$42,800	\$64,400		\$64,400		2012	LID
60			SW 6 <sup>th</sup> Avenue	Elm to Ivy	\$64,750	\$86,700	\$130,300		\$130,300		2012	LID
			<b>Total Sidewalk</b>		<b>\$586,750</b>	<b>\$785,100</b>	<b>\$1,077,600</b>	<b>\$261,100</b>	<b>\$816,500</b>	<b>\$0</b>		
			<b>Total TSP</b>		<b>\$41,881,950</b>	<b>\$61,909,074</b>	<b>\$94,533,400</b>	<b>\$29,919,500</b>	<b>\$40,498,100</b>	<b>\$23,797,000</b>		

PARKS												
Map ID	Item	Type	Project Title	Description/Location	Listed Cost	Cost 2005 \$s	Cost Estimate	Start year (to 2008)	Medium term (to 2012)	Long term (to 2035)	Year	Funding Source
1			Canby Regional Park	Phase II	\$2,382,200	\$2,525,100	\$3,796,900		\$3,796,900		2012	SDC
2			13th Avenue Park		\$1,113,100	\$1,179,900	\$1,405,300	\$1,405,300			2008	SDC
3			Eco Park	Includes Master Plan	\$257,200	\$272,600	\$409,900		\$409,900		2012	SDC
4			Trail		\$147,400	\$156,200	\$234,900		\$234,900		2012	SDC
			Acquisition and Development of New Park Land	Includes Two Master Plans	\$28,306,400	\$30,004,800	\$33,713,400	\$33,713,400			2007	Bond
5			Swim Center	Replacement/Addition	\$10,020,000	\$10,621,200	\$15,970,400		\$15,970,400		2012	Bond

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			Total Park System		\$42,226,300	\$44,759,800	\$55,530,800	\$35,118,700	\$20,412,100	\$0		
Total Public Facilities Capital Improvement Projects					\$119,395,300	\$144,287,274	\$201,884,330	\$75,998,980	\$79,072,650	\$46,493,700		

\* Amount is based on a 20 year cycle, which differs from the amount in the Wastewater Collection System Master Plan.

Notes:  
The "Cost in 2005 \$s" details what each project would cost if constructed in 2005.  
The "Cost Estimate" column estimates what each project will cost upon completion.  
An inflation rate of 6% was used for wastewater, stormwater and transportation projects. A figure of 3% was used for water projects.  
All project costs are rounded off to the nearest \$100.



# Oregon's Statewide Planning Goals & Guidelines

## GOAL 11: PUBLIC FACILITIES AND SERVICES

OAR 660-015-0000(11)

**To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Counties shall develop and adopt community public facility plans regulating facilities and services for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

Local Governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or extended

system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

Local governments may allow residential uses located on certain rural residential lots or parcels inside existing sewer district or sanitary authority boundaries to connect to an existing sewer line under the terms and conditions specified by Commission rules.

Local governments shall not rely upon the presence, establishment, or extension of a water or sewer system to allow residential development of land outside urban growth boundaries or unincorporated community boundaries at a density higher than authorized without service from such a system.

In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties.

***A Timely, Orderly, and Efficient Arrangement*** – refers to a system or plan that coordinates the type, locations and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

**Rural Facilities and Services** – refers to facilities and services suitable and appropriate solely for the needs of rural lands.

**Urban Facilities and Services** – Refers to key facilities and to appropriate types and levels of at least the following: police protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

**Public Facilities Plan** – A public facility plan is a support document or documents to a comprehensive plan. The facility plan describes the water, sewer and transportation facilities which are to support the land uses designated in the appropriate acknowledged comprehensive plan or plans within an urban growth boundary containing a population greater than 2,500.

**Community Public Facilities Plan** – A support document or documents to a comprehensive plan applicable to specific unincorporated communities outside UGBs. The community public facility plan describes the water and sewer services and facilities which are to support the land uses designated in the plan for the unincorporated community.

**Water system** – means a system for the provision of piped water for human consumption subject to regulation under ORS 448.119 to 448.285.

**Extension of a sewer or water system** – means the extension of a pipe, conduit, pipeline, main, or other physical

component from or to an existing sewer or water system, as defined by Commission rules.

## **GUIDELINES**

### **A. PLANNING**

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.

2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.

3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.

4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.

5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.

7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land

conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

## **B. IMPLEMENTATION**

1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.

2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.

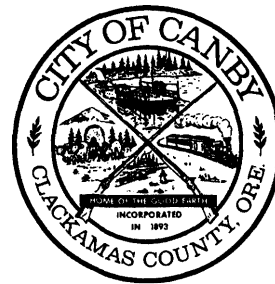
3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.

4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.

5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.

6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal





**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF CANBY**

<b>A REQUEST FOR APPROVAL TO AMEND CANBY'S COMPREHENSIVE PLAN AND PUBLIC FACILITIES PLAN</b>	) ) ) )	<b>FINDINGS, CONCLUSION &amp; ORDER CPA 06-01 (City of Canby)</b>
--	------------------	---

**NATURE OF APPLICATION**

The City of Canby is proposing to amend the Public Facilities and Services section of the Canby Comprehensive Plan, which was last updated in 1993. In addition, the proposal creates a new Public Facilities Plan and Capital Improvements Plan in keeping with State Law. The proposals incorporate the most recent capital improvements lists for Canby's Water, Wastewater, Storm Drainage, Transportation, and Parks Systems, as required by State Law. This project is a required element of the City's Periodic Review program.

**HEARINGS**

The Planning Commission held a public hearing to consider this application at its meeting of May 8, 2006.

**CRITERIA AND STANDARDS**

**Section 16.88.180 Comprehensive Plan Amendments**

In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and city council shall consider:

1. The remainder of the Comprehensive Plan of the City, and the plans and policies of the county, state and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide Planning Goals.

**Findings, Conclusions & Order  
CPA 06-01  
Page 1 of 4**

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## FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the May 8, 2006 public hearing and incorporates the April 26, 2006 staff report and Commission deliberations as support for its decision. The Planning Commission hereby accepts and incorporates the findings contained in the April 26, 2006 staff report, and finds:

1. The remainder of the Comprehensive Plan of the City, and the plans and policies of the county, state and local districts, in order to preserve functions and local aspects of land conservation and development;  
*Findings: This application will replace the existing Chapter VI of the Canby Comprehensive Plan. The proposal has been developed to conform in both structure and content to the remainder of the existing plan. A variety of Comprehensive Plan policies, goals, and implementation measures relate to the provision of public facilities and services. The current proposal ensures that the Comprehensive Plan is updated and relevant to current conditions. By doing so, the proposal will ensure that the remainder of the Comprehensive Plan is functional. Therefore, this criteria has been met.*
2. A public need for the change;  
*Findings: The change is required under Canby's Periodic Review work order. This work task was included in Periodic Review because of how outdated the existing Comprehensive Plan elements and Capital Improvement Plan documents were. Updating the plans and ensuring all of the City's documents match is in the public interest. This change will also help expedite and simplify the City's planning and implementation delivery of infrastructure projects, which is in the public interest. Therefore, a public need for the change has been demonstrated.*
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;  
*Findings: The proposal has been through public review through several Planning Commission workshops and a joint workshop with the City Council. The language in several sections was revised at these meetings in order to better meet the public need. Most of the language and project listings contained in the proposal have been through additional public review when the individual master plans were adopted. Therefore, this criteria has been met.*
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;  
*Findings: Public facility planning is required by the State of Oregon for exactly these reasons. The infrastructure plans are meant to preserve and protect health, safety, and general welfare of the residents of this community. By updating the relevant language and ensuring conformity among the City's planning documents, these goals will be furthered. Therefore, this criteria has been met.*

5. Statewide Planning Goals.

*Findings: Statewide Planning Goal 11 (Public Facilities) establishes the parameters under which this project was completed. Goal 11 (attached as an exhibit) requires cities to “plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” Goal 11 contains more detailed planning and implementation measures designed to assist cities in meeting the goal. Staff and the contractor have ensured that all work is compliant with these state requirements. Furthermore, this work was completed with funding assistance from the Department of Land Conservation and Development, whose staff has reviewed the proposals for conformity with the Statewide Planning Goals. Therefore, this criteria is met.*

**CONCLUSION**

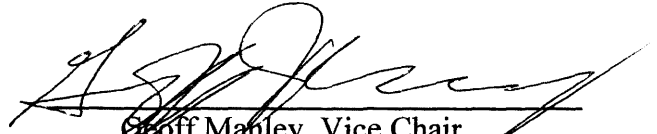
The Planning Commission of the City of Canby concludes that based on the findings and conclusions contained in the April 26, 2006 staff report, testimony at the May 8, 2006 public hearing and Commission deliberations, CPA 06-01 will comply with all applicable criteria.

**ORDER**

The Planning Commission of the City of Canby recommends that application CPA 06-01 be approved.

**I CERTIFY THAT THIS ORDER** recommending approval of **CPA 06-01** to the Canby City Council was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 22<sup>nd</sup> day of May, 2006.

  
Geoff Manley, Vice Chair  
Canby Planning Commission

  
John R. Williams  
Community Development & Planning Director

**ATTEST:**

**ORAL DECISION**                      **May 8, 2006**

AYES:                      Manley, Ewert, Molamphy

NOES:                      None

ABSTAIN:                      None

ABSENT:                      Tessman, Brown

**WRITTEN FINDINGS**                      **May 22, 2006**

AYES:

NOES:

ABSTAIN:

ABSENT:



**ORDINANCE NO. 1213**

**AN ORDINANCE AMENDING THE CANBY COMPREHENSIVE PLAN BY  
AMENDING THE PUBLIC FACILITIES AND SERVICES SECTION AND ADOPTING  
A NEW PUBLIC FACILITIES PLAN AND CAPITAL IMPROVEMENTS PLAN.**

**WHEREAS**, the Planning Commission has proposed comprehensive plan amendments as authorized by CMC 16.88.180(A); and

**WHEREAS**, the Canby Planning Commission, after providing appropriate public notice, conducted a public hearing on the amendment, during which the citizens of Canby were given the opportunity to come forward to present testimony on the proposed changes; and

**WHEREAS**, the Planning Commission found that the standards and criteria of Section 16.88.180(C) of the Land Development and Planning Ordinance, concerning Comprehensive Plan Amendments, were met and recommended approval by a vote of 3-0 to the City Council; and

**WHEREAS**, the City Council, after reviewing the record of the Canby Planning Commission regarding the subject amendments, concluded that the Planning Commission's findings of fact and the amendment itself are appropriate.

**NOW, THEREFORE, THE CANBY CITY COUNCIL ORDAINS AS FOLLOWS:**

- (1) CPA 06-01 is hereby approved and the Comprehensive Plan of the City of Canby is modified as detailed in Exhibits 1 and 2.

**SUBMITTED** to the Council and read the first time at a regular meeting thereof on June 7, 2006, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on June 21, 2006, commencing after the hour of 7:30 p.m., at the Council's regular meeting chambers at the Canby City Hall in Canby, Oregon.

**ENACTED** on the second and final reading by the Canby City Council at a regular meeting thereof on June 21, 2006 by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder Pro Tem

# Public Facilities Plan

Prepared for the  
City of Canby

April, 2006



For the City of Canby

# **Canby Public Facilities Plan**

April 2006

This project was made possible partly by financial assistance provided by the  
Oregon Department of Land Conservation and Development

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## 1. Purpose Statement

Oregon Administrative Rules (OAR) 660-011-0010 through OAR 660-011-0045 require cities and counties in Oregon to develop and maintain Public Facilities Plans to help assure that urban development within their boundaries is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community, and that facilities and services are provided in a timely, orderly and efficient arrangement. Public Facilities Plans also are intended to serve as a framework for urban and rural development within a city's urban growth boundary (UGB).

The Canby Public Facilities Plan (PFP) is intended to further the purposes of Statewide Planning Goal 11. The PFP includes the following information:

- Goals and policies for incorporation in the City's Comprehensive Plan to guide planning, constructing and financing public facilities.
- Narrative descriptions of existing and planned water, wastewater, storm drainage and transportation facilities.
- Capital improvement plan for future construction of facilities. The plan contains information about all facility costs, schedule and funding sources.
- General financing plan indicating how the City plans to finance current and planned facilities and services.

It is expected that this plan will be revised in the future to reflect updates to specific master plans, significant proposals for new development within or outside the city that prompt the need for review of public facilities plans, or other similar factors or events. One of the following plan policies states that the PFP will be updated periodically as needed.

## 2. Goals and Policies

The following are policies and implementation measures recommended for inclusion in the City's Comprehensive Plan under the sections *Public Facilities and Services Element*. They are organized by general topic. These policies and implementation measures intended to be consistent with state law and existing City policies and practices, are for promoting efficient and effective provision of urban services and protecting natural resources.

### **Goal 1: To assure the adequate provision of water services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1** – *Canby shall maintain, repair or replace all current water system elements to continue providing an adequate level of water service.*

#### Implementation Measures

- A. Water treatment facilities must be upgraded to meet current needs, including the following improvements:
  - 1. Upgrade water treatment facilities.
  - 2. Repair Clearwell weld failures and compromised coatings.
  - 3. Replace and enlarge backwash ponds.
  - 4. Improve truck delivery access.
- B. Replace and repair pipes in fire flow deficient areas and areas where facilities have reached their estimated design life using a distribution system maintenance program.
- C. Capacity of the existing production pumps should be increased to meet peak day demand and improve efficiency.

**Policy No. 2** – *Canby shall maintain, repair, replace and/or expand its water system to meet future adequate water service needs.*

#### Implementation Measures

- A. An application for additional water rights on the Willamette River is in process and intended for industrial and electric generation needs, but may be further developed to meet peak day demand well past 2040.
- B. Several treatment facility elements must be replaced or repaired, including the following:
  - 1. Replace system generators to provide sufficient and reliable backup power.
  - 2. Develop an emergency response plan that defines improvements to increase protection in compliance with federal regulations.

C. Storage capacity must be added to the current system.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major water projects, and utilize all feasible means to finance any needed water system improvements in an equitable manner.*

Implementation Measures

- A. Develop a Water Master Plan Update that provides a capital improvement plan for the water system. The Water Master Plan Update was most recently completed in 2003. Capital improvement projects cited in the Master Plan are listed in Section 3 of this Public Facilities Plan.
- B. Pay for yearly pipeline costs using user fees and, when possible, use general obligation bonds to pay for large system improvements. Service Development Charges should be used to pay for system expansion needed to serve new development.

**Goal 2:** To assure the adequate provision of waste water services to meet the needs of the residents and property owners of Canby.

**Policy No. 1** – *Canby shall maintain, repair or replace existing wastewater system elements, as needed, to continue providing the current level of wastewater services.*

Implementation Measures

- A. Replace or repair deteriorating collection systems.
- B. Improve or replace other existing facilities as needed in the future to ensure their reliability.

**Policy No. 2** – *Canby shall maintain, repair, replace or expand its wastewater system to meet future wastewater service needs.*

Implementation Measures

- A. Construct new trunk and major sewers.
- B. Construct four new pump stations.
- C. Relocate, upgrade and/or expand pump stations in areas where additional capacity is needed.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major wastewater projects, and utilize all feasible means of financing any needed wastewater system improvements in an equitable manner.*

Implementation Measures

- A. Develop a Wastewater Master Plan that provides a capital improvement plan for the wastewater system. The current Wastewater Collection System Master Plan was adopted by the City in 1999. Capital improvement projects included in the Master Plan are listed in section 3 of this Public Facilities Plan.
- B. Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Private development is expected to pay for the majority of new collection facilities through system development charges and the construction of new infrastructure.

**Goal 3: To assure the adequate provision of storm drainage services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1** – *Canby shall maintain, repair or replace existing storm drainage system elements, as needed, to continue providing the current level of storm drainage services.*

Implementation Measures

- A. Purchase a regional treatment site.
- B. Provide regional treatment and monitoring facilities.
- C. Maintain, expand or replace existing local facilities as needed, to ensure they continue to function reliably.
- D. Develop standards and requirements for on-site storm drainage facilities; incorporate into City development, public facility and other ordinances.

**Policy No. 2** – *Canby shall maintain, repair, replace or expand its storm drainage system to meet future storm drainage service needs.*

Implementation Measures

- A. Decommission unacceptable drywells and water wells.
- B. Implement a catchbasin and drywell best management practices (BMP) plan.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major storm drainage projects, and utilize all feasible means of financing any needed storm drainage system improvements in an equitable manner.*

Implementation Measures

- A. Develop a Storm Drainage Master Plan that provides a capital improvement plan for the storm drainage system. The Storm Drainage Master Plan was adopted by the City in 1994. Capital improvement projects cited in the Master Plan are listed in section 3 of this Public Facilities Plan.



- B. Storm drainage user fees will be collected monthly and system development charges (SDCs) will be assessed on development as it occurs. SDCs will be used to fund capital improvements to serve new development. User fees also will fund system operation and maintenance.

**Goal 4: To assure the adequate provision of transportation services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1 – Canby shall maintain, repair or replace existing transportation system elements, as needed, to continue providing an adequate level of transportation services.**

**Implementation Measures**

- A. Install new traffic signals and upgrade existing signals at several intersections.
- B. Construct or upgrade sidewalks and paths.
- C. Install bike lanes as part of future street improvements.

***Policy No. 2 - Canby shall maintain, repair, replace or expand its transportation system to meet future transportation service needs.***

**Implementation Measures**

- A. Construct, widen or otherwise upgrade arterial streets, collector streets and neighborhood connectors.
- B. Improve the intersections identified in the Transportation System Plan.
- C. Complete bicycle, pedestrian and other improvements, consistent with the City's Transportation System Plan.

***Policy No. 3 – Canby shall adopt and periodically update a capital improvement program for major transportation projects, and utilize all feasible means of financing any needed transportation system improvements in an equitable manner.***

**Implementation Measures**

- A. Develop a Transportation System Plan that provides a capital improvement plan for the transportation system. The City of Canby adopted a Transportation System Plan in 2000. The plan identifies short-term and long-term transportation system improvements and includes a transportation financing plan. Capital improvement projects cited in the Plan are listed in section 3 of this Public Facilities Plan.
- B. Capital improvement costs will be paid for through state, regional and local gasoline taxes, user fees, property taxes, serial levies, local sales tax, debt funding, economic development funding and system development charges as identified in the TSP.
- C. Explore adoption of a combined street maintenance fee/gas tax.

**Goal 5: To assure the adequate provision of parks and recreation services to meet the needs of the residents and property owners of Canby.**

**Policy No. 1** – *Canby shall maintain, repair or replace existing parks system elements, as needed, to continue providing an adequate level of park and recreational services.*

Implementation Measures

- A. Improve the level of maintenance in current city parks and recreation facilities.
- B. Standardize park and recreation amenities for ease of maintenance and aesthetics.
- C. Improve park and recreation signage.
- D. Improve access to facilities to comply with the Americans with Disabilities Act.
- E. Improve the perceived level and actual safety of parks and recreation facilities.

**Policy No. 2** – *Canby shall maintain, repair, replace or expand its parks system to meet future park and recreation service needs.*

Implementation Measures

- A. Acquire and develop 141.2 additional acres of park and recreation facilities by 2020 to meet the community standard of 10 acres of developed parkland per 1,000 residents.
- B. Allocate land needed for mini-parks and neighborhood parks in rapidly developing areas on the edges of the city.
  - 1. Develop mini-parks (two acres or smaller) to serve 2,000 residents or a ¼-mile area. For a population of 20,000, this would be approximately 20 acres and 10 parks.
  - 2. Develop neighborhood parks (15-17 acres) to serve 5,000-7,000 people or a ¼ to ½-mile area. For a population of 20,000, this results in a need for about three neighborhood parks and about 45 acres.
- C. Identify potential trail connections and linkages to schools and other recreational sites in the Canby vicinity.
- D. Develop bike lanes to connect bicyclists to parks, natural areas and off-road bicycling opportunities.
- E. Develop connections between Canby parks, trails, the Molalla River State Park and the Willamette River, with a hub in Wait Park.

**Policy No. 3** – *Canby shall adopt and periodically update a capital improvement program for major parks projects, and utilize all feasible means of financing any needed parks system improvements in an equitable manner.*

### Implementation Measures

- A. Continue to update the City's Park and Recreation Master Plan, which identifies needed capital improvements and standards for the parks system. The City of Canby adopted a Park and Recreation Master Plan Update in 2002. Capital improvement projects listed in the Master Plan are listed in section 3 of this Public Facilities Plan.
- B. Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Use bonds to acquire additional land for new park facilities and to replace the existing pool facility.
- C. Explore creation of a separate park and recreation district to help provide and pay for new park facilities.

### **Goal 6: To assure the provision of a full range of public facilities and services to meet the needs of the residents and property owners of Canby**

**Policy No. 1** – *Canby shall work closely and cooperate with all entities and agencies providing public facilities and services, and ensure that public facilities and services are provided concurrently with future development.*

#### Implementation measures

- A. Work with land developers, property owners and other service providers to ensure that adequate public facilities and services are in place to meet the needs of new residents and businesses prior to approval and/or construction of new development.
- B. To minimize the cost of providing public services and infrastructure, discourage urban development that lacks adequate public services and promote efficient use of urban and urbanizable land within the city's urban growth boundary.
- C. Support only development that is compatible with the City's ability to provide adequate public facilities and services.
- D. Prioritize the extension of water, sewer, and transportation infrastructure within the UGB, as needed.
- E. Require all properties that receive urban services to either annex to the city or enter into an agreement for future annexation when contiguous to city limits.

**Policy No. 2** – *Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.*

#### Implementation measures

- A. Allow for the creation of Local Improvement Districts and Advanced Financing Districts as a means of financing needed improvements where supported by local residents.

- B. Continue to use SDCs to pay for the costs of public facilities and services needed to serve new development. Consider adopting additional SDCs, as allowed by Oregon statutes, to pay for services not currently covered by SDCs.
- C. Use general obligation and revenue bonds, as appropriate, to help finance long-term capital improvements.
- D. Consider establishing additional special districts, if needed, to cover the cost of facilities or services that cannot be financed through user fees, SDCs, tax revenues or other existing funding mechanisms.
- E. Use fees to recover the cost of services to the greatest extent possible where services or facilities directly benefit users.
- F. Incorporate additional changes to capital improvement plans (CIPs) and associated SDC rates, as needed, as individual master plans are updated.

**Policy No. 3** – *Canby shall coordinate with the Canby School District to help ensure that adequate sites are provided for public school and associated recreation facilities.*

**Implementation measures**

- A. Work with representatives of the school district, community schools office, and recreation-oriented groups to determine the best possible sites for future acquisition and development of schools and associated recreational facilities.
- B. Utilize the density bonus provisions of the planned unit development regulations to encourage developers to provide either public or private recreation facilities within their projects. If sufficient recreation opportunities are provided through this means, the amount of land needed for public acquisition can be reduced accordingly.

### 3. Public Facilities System Descriptions

#### 3.1 Water System

##### Overview

The majority of water supplied to the city of Canby by Canby Utility is obtained from the Molalla River, with additional water supplied by groundwater sources. The three surface water intake points include the Molalla River infiltration gallery, the Main River Intake and the Old River Intake. Groundwater intake points include the Springs Gallery, the Collection Boxes and Well No. 10. All of these sources are located approximately 2.5 miles upstream from the confluence of the Willamette and Molalla Rivers. Figure 1 shows proposed upgrades the water transmission, storage, and treatment system.

The River Infiltration Gallery (RIG) and River Intake Pump Station were constructed in 1980 and consist of an infiltration gallery, wet well, and raw water pumps. Raw water from the river filters through river gravels into perforated collector pipes (Ranney collectors). The RIG has a capacity of about 7 million gallons per day. The collectors are connected to a common header that delivers the raw water to the 14-foot-diameter, 40-foot-deep pump station well. The Main River Intake (MRI) was constructed in 1997. It is a screened structure that takes water directly from the Molalla River to the wet well of the River Intake Pump Station. The MRI has a design capacity of 8 million gallons per day. The RIG/MRI facility serves as the primary water source for Canby.

The Old River Intake was constructed in the early 1970's and has a pump capacity of 900 to 1,000 gallons per minute (gpm). The intake is seldom used due to the higher quality raw water produced by the RIG/MRI facility and seasonal constraints that prevent using the pump during low river water levels. The point of intake for this water right has been transferred to the RIG/MRI facility, but water can be diverted at either location.

Construction of the concrete Springs Gallery began in 1944 at the gravels near the Molalla River. The Springs Gallery is approximately 18 feet in diameter and 24 feet deep with openings in the walls to permit groundwater infiltration. Between 1950 and 1951, a 30-inch diameter, 300-foot-long perforated corrugated metal collection pipe was buried in the same vicinity and was connected to the existing infiltration gallery. The Spring Gallery has a capacity of 1,000 to 1,200 gpm, but is used infrequently due to its low pH and moderate nitrate levels.

The concrete Collector Boxes, constructed around 1930, collect water from springs near the Molalla River at the base of the ridge and direct it into a cistern. The cistern discharges water into the Springs Gallery. This source was valved off due to trace-level contaminant concentrations in the 1990s and is not currently being used.

Well No. 10 pumps groundwater into the Springs Gallery and has a capacity of approximately 250 gpm. Due to low flow rates and reduced water quality, the well is not currently used.

- The capacity of the River Intake Pump Station is not sufficient to meet current peak day demands.
- Older turbidity treatment units operate well with flows less than 2 mgd through the sedimentation basin. However, at buildout, a capacity of 4 mgd will be needed.
- A rapid mix process is needed to disperse chemicals upon addition. This generally improves coagulation, sedimentation and filtration, and reduces chemical use.
- Installation of baffling in the Clearwell is needed to provide adequate disinfection capacity.
- The Clearwell has weld failures and compromised coatings that need repair. Seismic analysis and improvements should be completed simultaneously.
- Existing backwash ponds flood due to inadequate capacity. They should be replaced and enlarged.
- The existing generator does not provide sufficient backup power for buildout conditions. The new Ultra Violet (UV) units will require backup power for reliability.
- Full size trucks cannot access the chemical feed area in the back of the treatment plant. Truck delivery access to the plant will need to be improved.
- Due to increased security concerns, a Vulnerability Assessment will need to be performed and an Emergency Response Plan developed to comply with federal regulations and define improvements to increase protection.

#### Distribution System

- Several fire flow-deficient areas have been identified related to inadequate pipe size.
- Several pipes have reached their estimated design life. A maintenance program for pipe replacement should be developed.

#### Storage and Pump Station

- The current system has a storage deficit of approximately 5.3 million gallons. Additional storage will be necessary.
- The existing production pumps are not able to supply the needed peak day demand with the largest unit out of service. In addition, the existing variable frequency drives produce excess harmonics, impacting pump performance.
- A comprehensive inspection and structural analysis of the tanks should be conducted to determine their vulnerability to seismic activity.

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## 3.2 Wastewater Collection System

### Overview

The City of Canby collects and treats sanitary sewage through a gravity and pressurized collection system that began to be constructed in 1955. The system uses gravity sewer lines ranging in size from six inches to 30 inches in diameter. Most of the old gravity sewers, installed before 1980, were constructed with concrete pipe and asbestos cement pipe. Most of the newer sewers were constructed with PVC pipe. The new Redwood interceptor sewer, which was constructed in 1989, is concrete sewer pipe ranging in size from 15 to 30 inches. The system is subdivided into drainage basins. Each basin corresponds to a particular interceptor or trunk sewer. Trunk sewers receive sewage from branch sewers.

The collection system utilizes seven sewage pump stations. Of the seven, six are owned and operated by the City. The seventh, Village of the Lochs Pump Station, is privately owned and operated by the Village of the Lochs. There are approximately 1,000 feet of pressure sewer or force mains in the collection system. The force mains are four inches in diameter. Figure 2 illustrates the proposed elements of the wastewater collection system.

### Planning

The City adopted a Wastewater Collection System Master Plan prepared by Curran-McLeod, Inc., Consulting Engineers in 1999. The plan reviews existing facilities as well as planning criteria. The City of Canby must be able to provide sewage collection and treatment to all areas within its urban growth boundary (UGB). The City's Wastewater Master Plan identifies wastewater treatment needs for this service area with a planning horizon of the year 2015. Several pump stations and system extensions are either planned, under construction, or have been constructed since the plan was adopted.

In general, the condition of the sanitary sewer system is good. The collection system has no deficiencies related to excessive infiltration or inflow. Most sewers have excess capacity for both existing and future flows. However, numerous sections of sewers have been installed at relatively flat grades, including some at adverse grades. These sewers are subject to the accumulation of solids and require more frequent cleaning to prevent blockages. All of the existing pump stations are relatively new and in good working order.

Wastewater system needs identified include:

- The collection system along South 2<sup>nd</sup> Avenue between Elm and Knott Streets should be replaced within the next few years. These existing sewers have significant surcharging problems which will increase with new development. Approximately 2,080 feet of existing 8- to 10-inch sewers will be replaced with 10- to 18-inch sewers.
- Approximately 10 miles of new trunk or major sewers and as many as four new pump stations will be needed to serve the built-out service area. The station at 3<sup>rd</sup> Avenue and Baker Street will be relocated and upgraded, and the Willow Creek station will need to be expanded.

- ➔ Private development will pay for the majority of new collection facilities through the construction of infrastructure.

### 3.3 Storm Drainage System

#### Overview

The Canby area drainage system consists of eight basins that ultimately drain to the adjacent Molalla and Willamette Rivers. Numerous natural detention ponds and wetlands exist throughout this area. The majority of local drainage flows from impervious street and sidewalk surfaces within the public right-of-way. Contribution of runoff from private property is minimal due to the prevalence of subsurface storm water drywells and surface infiltration.

The existing drainage system is comprised of conveyance pipes, open ditches, drainage ways and drywells. The oldest element is a system of collection pipes varying in size from 10 to 20 inches. Smaller collection systems are located in numerous localized areas, which most frequently collect runoff for discharge in drywells common to a larger area. The stormwater disposal system consists of approximately 200 drywells, various areas of disposal trenches and 10 surface-water discharge points. In addition, the Oregon Department of Transportation (ODOT) has two substantial collection systems that discharge into the Molalla and Willamette Rivers. Figure 3 shows scheduled upgrades to the storm drainage system.

#### Planning

The City adopted a Storm Drainage Master Plan prepared by Curran-McLeod, Inc., Consulting Engineers in 1994. The plan evaluates the existing land use designations and typical storm drainage runoff, assuming ultimate build-out of land within the urban growth boundary. The information was modeled using synthetic rainfall events superimposed on the area to estimate peak discharge rates for each section of collection pipe and each basin. The plan divides capital improvements into three phases: 1-5 years, 5-10 years and 10-20 years.

The City of Canby is currently preparing Best Management Practices and an updated Master Plan for the continued use of drywells as the primary stormwater disposal method. New guidelines have already been implemented to require pre-treatment of all stormwater, and require DEQ registration and Rule Authorization for all injection well disposal systems.

Storm drainage system needs identified include:

- A. The City of Canby has completed construction of improvements to resolve the system deficiencies identified in Phase I of the 1994 Master Plan. Future improvements will expand the monitoring and treatment facilities to all surface-water disposal locations over the next 10 to 20 years pending the adoption of EPA/DEQ requirements to comply with the Phase II Stormwater Program or the Total Mass Daily Loading (TMDL) criteria adopted for the Willamette River and tributary basins.
- B. Approximately 50% of Phase I improvements are complete. The remaining Phase I work is to buy the regional treatment site.



C. Phase II entails providing the regional treatment and monitoring facilities.

D. Phase III includes decommissioning any unacceptable drywells, implementing a catchbasin and drywell BMP plan, and any potential domestic water well decommissioning.

E. Ongoing planning efforts include the Master Plan update.

### **3.4 Transportation System**

#### **Overview**

The city of Canby is located approximately 20 miles south of Portland on the Willamette River. State Route 99E (Pacific Highway) runs through and provides the most direct access to the City. Territorial Road forms the major east-west arterial route to the north of the city, while S. 13<sup>th</sup> Avenue is a major east-west arterial at the southern end of the city. Ivy Street (the Canby Marquam Highway) is the major north-south arterial. Holly Street connects Canby with West Linn, across the Willamette River to the north via the Canby Ferry. The Southern Pacific Railroad, which parallels Highway 99E, forms a major barrier to traffic of all modes wishing to travel from north to south.

The city of Canby has a well-planned collector and arterial street system to serve existing and future land development. Most of Canby's collectors and arterials have sidewalks on at least one side of the street. The majority of street intersections within the city of Canby are controlled by stop signs. The intersections of Highway 99E and Ivy Street, Hwy. 99E and Redwood/Sequoia, Grant Street, Elm Street, Fourth/Pine Streets and Berg Parkway, and the intersection of Ivy Street and 13<sup>th</sup> Avenue are the only locations controlled by a traffic signal. Several unsignalized intersections are currently operating at or near capacity along Highway 99E. Figure 4 shows proposed upgrades to the arterial/collector street system.

Other transportation components include:

- Canby Area Transit (CAT) provides system services in Canby with links to the neighboring cities, including Oregon City, Wilsonville and Molalla. Service also is offered to link to Tri-Met services at the Oregon City Transit Station. CAT offers fixed-route service six days a week and is free to riders. All buses have bicycle racks and are ADA-compliant.
- Passenger rail service is provided daily (two trains/day) by AMTRAK to Portland and Salem, Oregon. Southern Pacific Railroad provides daily service (16 trains/day) for freight shipment. Spur-line freight service (lumber and feed) between Canby and Molalla is provided weekly by the Molalla Western Railway Company.
- Regional and international air service for passengers and freight is provided at the Portland International Airport which is located approximately 20 miles from Canby. The Aurora State Airport and Mulino Airport also provide local commercial service and private aircraft use.
- The Canby Ferry is operated year-round by Clackamas County and provides auto, bicycle and pedestrian service across the Willamette River. The ferry links Canby with Pete's

Mountain Road and West Linn to the north. Current use of the river as a transportation route is limited to barge shipment of sand and gravel as well as some floats of timber. Recreational boating on the Willamette River is popular year-round.

- Pipeline transportation in and through the Canby urban area includes transmission lines for electricity, cable television and telephone services, and pipeline transport of water, sewer and natural gas.

One traffic operations problem area was identified at Highway 99E and Territorial Road. This two-way, stop-controlled intersection experiences high volume traffic on Highway 99E. Single-lane approaches experience excessive delays during peak hours, and the eastbound left-turn movement is operating near capacity. The City of Canby has received a grant for \$2 million from ODOT to address the problems at this intersection. Improvements are scheduled for 2006.

No major traffic safety problems have been identified. However, the absence of sidewalks in some areas and lack of continuity in others creates a potential safety hazard for pedestrians in those locations. An absence of bicycle lanes or routes also creates potential hazards for cyclists. The City currently is developing a bicycle route plan for collector and arterial streets that will include posted routes as well as bicycle lanes and a recreational bicycle route network.

## **Planning**

The city of Canby adopted a Transportation System Plan in 2000. The plan includes an analysis of existing conditions, identification of short-term and long-term transportation system improvements (prepared by Pavement Services, Inc), a transportation system description, a transportation finance plan and a description of the transportation system plan's compliance with the Transportation Planning Rule. Future transportation needs were identified based on an assessment of long-range impacts of local and regional growth of the transportation system and surrounding land uses. A planning horizon of buildout in 2015 was used to identify future demographic conditions from which traffic forecasts were developed. The study area includes all land within Canby's urban growth boundary.

Planned transportation system improvements include:

- Construction and widening/upgrading of arterial streets, collector streets and neighborhood connectors.
- Installation of new traffic signals and upgrading existing signals at several intersections.
- Reconfiguring of the intersection at NW 1<sup>st</sup> and Elm Street.
- Construction or upgrading of sidewalks.

The Capital Improvement Plan in this document provides specific details on these improvements.

Other transportation system improvements include:

- Installation of bike lanes for the following street segments:

- NE 2<sup>nd</sup> Avenue from Ivy Street to the dead-end at Thriftway and from Elm to Cedar.
  - NE 3rd Avenue from Holly Street to Pine Street/99E intersection.
  - NE 5th Avenue from Cedar to Elm Street.
  - N Elm Street from 99E to 5th Avenue.
  - Remove bike lanes from Grant Street between 1<sup>st</sup> and 3<sup>rd</sup>, but leave lanes across 99E and the railroad tracks and extending to the south and from 3<sup>rd</sup> Avenue to Knights Bridge.
- ➔ Construction of a multi-use path on the north side of the railroad tracks from Redwood Street to Ivy Street.

### 3.5 Parks System

#### Overview

The City of Canby has a variety of park and recreation facilities, as well as public spaces available to residents and visitors including:

Name	Size	Classification	Facilities
13 <sup>th</sup> Avenue Park	5.7 acres	Neighborhood park	Undeveloped with a master plan for full development. Currently used as a soccer field and maintained by Canby Kids.
19 <sup>th</sup> Avenue Loop	1.8 acres	Mini-park	Picnic tables and footbridge in a wooded upland area overlooking Willow Creek Wetland protected area.
Arneson Garden	1.8 acres	Mini-park	Benches, trash cans, visitor information board, wheelchair-accessible trails, bike rack.
Canby Adult Center	6,175 sq. ft.	n/a	Billiards room, cafeteria, library, computer room, exercise room, multi-purpose room, library, video lounge, meals-on-wheels, classes, tax, health and legal consultation and transportation services.

Name	Size	Classification	Facilities
Canby Community Park Wetland Protected Open Space and Trail	14.5 acres	Community park	Boat ramp on Molalla River, pond, trail, one play area, one informal play field, picnic tables, benches, grills, amphitheater, shelter, rest rooms, trash cans and Boy Scouts headquarters. Wetland area being restored through community-wide effort.
Canby Swim Center	25-yard pool	n/a	Indoor pool with ADA lift, dressing room with toilets and showers, lobby, bleachers, lap, recreation and competitive swimming, swim lessons, water exercise and pool rentals.
Eco Park	19 acres	Community park	Undeveloped park with established nature trails.
Locust Street Park	1 acre	Mini-park	Two play areas, one full basketball court, restrooms, covered picnic tables, drinking fountain, trash cans and benches.
Logging Road Trail Willamette Wayside Fish Eddy Property	3 miles 15 acres 20 acres	Multi-use trail with protected open space along Willamette River	A paved, multi-use trail traversing the city. At the Willamette River terminus, the Willamette River Wayside and Fish Eddy offer nature experiences in protected open space.
Maple Street Park	9 acres	Neighborhood park	Two tennis courts, two ball fields, two handball courts, two basketball courts, four horseshow pits, two play areas, benches, bleachers, picnic tables, restrooms, concession stand, trash cans, grills, shelter, bicycle rack and announcer's booth.
Skate Park (Phase I of Canby Regional Park)	14 acres	Community park	A paved parking lot, a large skate park with three separate skate bowls, drinking fountain, portable toilets and a bike rack. Master plan calls for ball field and picnic area development in Phase II.
Wait Park	2 acres	Mini-park	Gazebo, benches, restrooms, picnic tables, fountains, trash cans, bicycle rack, water and electrical outlets and two play areas.

Name	Size	Classification	Facilities
Willow Creek Wetland	4.6 acres	Protected open space	Protected wetland area adjacent to residential development.

In addition to city facilities, the Canby School District and Clackamas County Fairgrounds allow area residents limited use of their facilities and grounds. Outside the city limits, Molalla River State Park and two private golf courses offer additional recreation opportunities.

The Blue Heron Recreational District was formed about 30 years ago in the Canby area, but lacks a permanent funding source. As a result, it has been relatively limited in its ability to acquire and provide recreational opportunities. The City will explore options to garner the necessary support within the community to fund the district.

Figure 5 shows proposed upgrades to the parks system.

### Planning

The City of Canby adopted a Park and Recreation Master Plan Update prepared by the Community Planning Workshop of the University of Oregon in 2002. The City of Canby consulted guidelines from the National Recreation and Park Association and the Oregon Parks and Recreation Department to assess the current level of services for Canby park and recreation resources. A systems approach was used to determine park adequacy. This approach emphasizes locally identified needs and desires rather than applying a blanket standard that may or may not respond to community growth and desires. These park and recreation planning guidelines are not to be considered rigid regulations, but provide a framework for the community to assess existing and needed recreation areas and facilities and levels of service. This assessment provides a baseline to compare Canby's future supply of parks.

The parks and recreation system was assessed in six different ways:

1. Current park acreage
2. Current park acreage by type of park
3. Current supply of recreation facilities
4. Services area guidelines
5. Comparison with the 1997 Parks Master Plan Update
6. Comparison with population projections. The use patterns, participation rates, demographic data and community input form the basis for projecting demand and establishing guidelines to meet that demand.

Currently, there are 5.38 acres of city-owned parkland in Canby per 1,000 residents (developed and undeveloped parkland). Projections for this plan are based on an Urban Growth Boundary area to serve the city in 2020. A figure of 10 acres per 1,000 residents has been adopted as the

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city's overall park standard. Based on this park standard, Canby will need 210 acres of parkland, or 141.2 acres of new parkland, to serve the projected population in 2020.

Identified parks system needs include:

#### Improvement and Maintenance

- Improve the level of maintenance in current city parks and recreation facilities.
- Move towards standardized park and recreation amenities for ease of maintenance and aesthetics. Recycled plastic benches, garbage receptacles, drinking fountains, picnic tables, lighting, restrooms, irrigation and some play equipment have been identified as desired amenities.
- Improve park and recreation signage, including identifying entrances to Canby's parks where they are obscure or in poor condition, and directional signage along main arterial streets.
- Improve universal access. Bathrooms in some parks may need upgrades to comply with the Americans with Disabilities Act. Currently, Wait Park, Maple Street Park and Canby Community Park are not fully accessible.
- Improve the perceived level and actual safety of Canby's parks and recreation facilities.

#### Acquisition, Development and Trail Connections

- Acquire and develop 141.2 additional acres of park and recreation facilities by 2020 to meet the community standard of 10 acres of developed parkland per 1,000 residents.
- Allocate land needed for neighborhood parks in rapidly developing areas on the edges of the city. Residents living in the southeast areas within the urban growth boundary are most underserved.
- Identify potential trail connections and linkages to schools and other recreational sites in the Canby vicinity. A map generated at an August, 2000 community forum identifies Canby Transportation System Plan recommendations and recommended bike and multi-use trails as conceptual planning tools.
- Develop bike lanes to connect bicyclists to parks, natural areas and off-road bicycling opportunities. The Canby Transportation System Plan identifies needed bike lanes.
- Connect Eco Park/Logging Road Trail with the Molalla River State Park.
- Develop a hub of trails and parks in Wait Park.
- Develop connections between the Willamette River and Canby.

#### Parkland and Recreation Projects

- Develop Phase II of the Canby Regional Park with multiple sports fields, lighting for night-time play, and a dual-use parking area.
- Develop the 13<sup>th</sup> Avenue Park site into a neighborhood park.
- Develop the Eco Park site as a nature park for recreation and nature enjoyment.
- Acquire, protect and restore sensitive riparian and wetland areas along the Molalla River, particularly the Canby Utilities property, and create the necessary rights-of-way to connect Canby Community Park to Knight's Bridge with a trail system, benches and river access (the "Molalla River Greenway" concept).
- Construct an additional swimming pool. The Canby Swim Center is currently at or near maximum capacity.
- Develop currently-owned public property designated for parks, recreation and open space and acquire new property as opportunities arise. Suggested property includes the Marshall House property and remaining portions of the Willow Creek Wetland.

#### 4. Capital Improvements Plan (CIP)

##### Overview

The City of Canby's Public Facilities Plan calls for significant investment in infrastructure to accommodate expected growth and development over the next 20 years. A summary of planned improvements is presented in Table 1 below. The level of investment is based on cost estimates for planned projects in the City's adopted master plans for water, sewer, and transportation. A list of all planned public facility projects is included in Appendix A. It indicates the location, estimated cost, source of funding, and estimated timeframe for each capital improvement project. All cost estimates are expressed in year 2004 dollars.

It should be noted that a PFP project list may be adopted as part of the Comprehensive Plan, but there is no obligation on the part of the City to build the projects as described in the PFP or to meet the timeframe listed for the projects. The project list may be included as part of the Comprehensive Plan to show anticipated infrastructure needs based on known regulatory requirements and current assumptions about growth and the direction of future development. The list is intended only to provide a general indication of the facilities needed to support future growth. If growth trends change, or if new regulations are imposed on the city, or if technologies emerge that satisfy needs using different methods than those assumed in master plans, the City may revise its public facilities investment strategy without amending the Comprehensive Plan or PFP.

Public Facility	Short-term (Yr. 1 – 5)	Medium-term (Yr. 6 – 10)	Long-term (Yr. 11 – 20)	Total
<b>Water</b>				
<i>Source and Intake</i>	\$52,900	\$207,600	\$1,039,700	<b>\$1,360,100</b>
<i>Treatment</i>	\$1,841,800	\$8,918,400	\$0	<b>\$10,760,200</b>
<i>Distribution and Pricing</i>	\$1,636,800	\$1,383,900	\$3,367,000	<b>\$6,387,700</b>
<i>Storage and Pump Station</i>	\$4,747,900	\$5,281,700	\$15,254,000	<b>\$25,283,600</b>
<b>Water Total</b>	<b>\$8,279,400</b>	<b>\$15,791,600</b>	<b>\$19,660,700</b>	<b>\$42,731,700</b>
<b>Wastewater</b>				
<i>Collection System</i>	\$855,300	\$356,800	\$1,115,700	<b>\$2,327,800</b>
<i>Treatment Plant</i>	\$934,900	\$326,900	\$1,207,300	<b>\$2,469,100</b>
<i>System Planning</i>	\$36,800	\$175,300	\$50,000	<b>\$262,100</b>
<b>Wastewater Total</b>	<b>\$1,827,000</b>	<b>\$859,000</b>	<b>\$2,373,000</b>	<b>\$5,059,000</b>
<b>Storm Drainage</b>				
<i>Master Plan Phase I</i>	\$357,300	\$0	\$0	<b>\$357,300</b>
<i>Master Plan Phase II</i>	\$0	\$1,106,750	\$0	<b>\$1,106,750</b>
<i>Master Plan Phase III</i>	\$369,400	\$211,900	\$663,000	<b>\$1,244,500</b>
<i>System Planning</i>	\$127,680	\$193,200	\$0	<b>\$320,880</b>
<b>Storm Drainage Total</b>	<b>\$854,380</b>	<b>\$1,511,850</b>	<b>\$663,000</b>	<b>\$3,029,430</b>

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<b>Public Facility</b>	<b>Short-term (Yr. 1 – 5)</b>	<b>Medium-term (Yr. 6 – 10)</b>	<b>Long-term (Yr. 11 – 20)</b>	<b>Total</b>
<b>Transportation</b>				
<i>New Streets</i>	\$18,794,000	\$14,246,400	\$11,895,100	\$44,935,500
<i>Street Widening/Upgrading</i>	\$7,715,700	\$24,932,200	\$11,901,900	\$44,549,800
<i>Traffic Signal Projects</i>	\$3,148,700	\$503,000	\$0	\$3,970,500
<i>Sidewalk Projects</i>	\$261,100	\$816,500	\$0	\$1,077,600
Transportation Total	\$29,919,500	\$40,498,100	\$23,797,000	\$94,533,400
<b>Parks</b>				
Parks Total	\$35,118,700	\$20,412,100	\$0	<b>\$55,530,800</b>
<b>Total Investment</b>	<b>\$75,998,980</b>	<b>\$79,072,650</b>	<b>\$20,412,100</b>	<b>\$201,884,330</b>

No schedule is provided for parks projects and selected transportation projects.

## 5. Financing and Implementation Plan

The City of Canby uses a combination of strategies to finance the development and maintenance of its public works infrastructure. The following discussion provides an overview of the financial structure in place to support Canby's infrastructure and development and ongoing maintenance needs.

### 5.1 Water System

Canby's water system is managed as a municipal enterprise by Canby Utility, which means the service is operated as a business enterprise and is self-supporting. The utility is debt-free. Yearly pipeline maintenance and improvements are paid for by user fees. In 2004, Canby Utility secured a \$2.9 million bond to pay for improvements to the water treatment plant, storage and distribution system, and filtering capability. The 20-year capital improvement plan (CIP) included in this Plan includes 19 projects totaling approximately \$30 million. In addition, Canby Utility plans to construct the following longer-range projects:

- A second new reservoir at the water treatment plant site is scheduled for development in 2035
- A groundwater and/or aquifer storage and recovery sources scheduled for development in 2039
- System looping improvements scheduled for 2040
- Upgrades to the downtown north service area scheduled for 2040

Canby Utility charges an SDC to pay for water infrastructure. The methodology was last updated in 2004. It includes both a reimbursement component for existing fixed assets and an improvement component for capacity-building projects.

### 5.2 Wastewater System

Canby's wastewater system also is managed as a municipal enterprise. The City maintains a "Sewer Construction Reserve Fund" accrued from user fees and SDCs to finance improvements and new facilities.

Revenues from user fees are used to pay for all costs associated with the system. This includes the operation and maintenance of the wastewater treatment plant and collection system, as well as all of the capital expenses needed to replace, upgrade or expand the plant and collection system. To pay for the capital expenses of replacing existing facilities, the user fee includes a factor for the depreciation of equipment and structures, including sewers. Likewise, the user fee includes a factor for the capital expenses which are expected to be required for ongoing operation of the treatment plant.

All SDC fees are related to the capital cost of providing new capacity. The SDC is comprised of two components, a reimbursement fee and an improvement fee. The reimbursement fee essentially reimburses the system for the cost of existing capacity, including financing costs.

The improvement fee provides a mechanism to collect funds for future needed capacity building. The magnitude of the SDC is based on the cost of service and facilities. For reimbursement, all existing capacity is inventoried, the cost identified and then prorated according to the amount of capacity used for a new connection. Improvements are inventoried, costs estimated and the cost again prorated by the amount of capacity consumed by a new connection.

The CIP for wastewater included in this plan assumes that a combination of user fees and SDCs will be adequate to fund projected future improvements.

### **5.3 Storm Drainage System**

Canby's Storm Drainage System is also paid for through a combination of user fees and SDCs. User fees are collected monthly for use of the storm water system. Systems development charges (SDCs) are assessed on development as it occurs. Storm drainage improvements by private development which are identified in the Capital Improvement Plan are eligible for credits to offset the on-site SDC charges, in accordance with Oregon Revised Statutes. User fees and SDCs will be used to fund capital improvements as well as system operation and maintenance for the next 10 years.

The user fee is based on total annual utility costs and on trip rates. The SDC charge on new development will be \$0.42 per trip generated. This fee is based on the Phase I capital costs. The SDC revenues can be used only for capital purchases and debt service. The SDC revenue is used for cash acquisitions of capital and for debt service on the revenue bonds issued to build the Phase I improvements and for monitoring.

The CIP for wastewater included in this plan assumes that a combination of user fees and SDCs will be adequate to fund projected future improvements.

### **5.4 Transportation System**

The City of Canby Transportation System plan identifies needed transportation system improvements over the next 20 years, including new streets, street widening, new traffic signals and bike lane and sidewalk projects. The total cost of these improvements is estimated to be about \$47.2 million. Of this total cost, approximately \$8.4 million is expected to be funded by the State of Oregon and Clackamas County for improvements to facilities under their jurisdiction; the remaining \$38.8 million will be the responsibility of the City and its residents, including new development.

Funding sources are divided into the following seven categories:

1. City: The City of Canby is responsible for approximately \$1.3 million (3%) of the project costs, mostly for costs that are related to maintenance of existing surfaces.
2. County: Clackamas County is allocated a share of the signal at Territorial and Hwy. 99E, covering less than 1% of total costs.
3. State: The State of Oregon is expected to help fund a share of several projects on or near Hwy 99E. These costs total \$7.9 million, or 16.7% of the \$47.2 million total.

4. LID: Local Improvement Districts are planned to cover \$508,350 in sidewalk projects.
5. Grants: The Oregon Department of Transportation has funded grants for some street projects in the past. It is assumed that \$1.1 million of these grants will be available for certain projects (approximately 2.3% of total costs).
6. New Development: Developers of new projects and properties are required to provide frontage improvements along their properties. This is anticipated to be a major source of improvements in the future, providing almost \$21 million (44%) of the total costs identified in this plan.
7. System Development Charges: The City imposes a charge on all new development to cover the costs of projects required due to growth. This SDC is in addition to any on-site costs included in #6 above, and pays for off-site projects all over town. System Development Charges are expected to cover \$14.8 million (31%) of total costs.

Seventy-five percent of total project costs are assessed to new development with the remainder covered by public agencies.

## **5.5 Parks System**

Improvements to Canby's parks system are funded in one of two ways. Parks that serve areas of new development are paid for through SDCs. Projects that are not eligible for SDC funding are paid for through general fund. Especially large capital improvements are funded through bonds. In 2007, an \$8 million bond will be used to acquire additional acreage for park land. In 2012, an \$8 million bond will be used to replace the existing pool.

## **6. Plan Implementation**

The City of Canby's Public Facilities Plan is implemented through a combination of local plans, infrastructure standards and development codes. Implementing plans include:

- Water Master Plan Update, September, 2003
- Wastewater Collection System Master Plan, December, 1999
- Storm Drainage Master Plan, December, 1994
- Transportation System Plan, April, 2000
- Park and Recreation Master Plan Update, January, 2002

Infrastructure design standards include:

- Canby Municipal Code, Title 12. Streets, Sidewalks and Public Places
- Canby Municipal Code, Title 13. Public Services
- Canby Municipal Code, Title 16. Planning and Zoning (regulations and design standards)

Financing is supported by:

- City of Canby and Canby Utility System Development Charges Methodologies
- Canby Municipal Code, Title 4. Public Improvements
- Canby Municipal Code, Title 13. Public Services
- Annual City budget authorization

## City of Canby Comprehensive Plan

### DRAFT PUBLIC FACILITIES AND SERVICES ELEMENT

Like other cities, Canby must be able to provide adequate public facilities and services to support the community's growth and quality of life. To date, Canby has been successful in its efforts to adequately provide services and facilities. The community's ability to continue this trend will have a direct bearing on future growth. The community's public facilities and services are not all provided by the City. The State, the County, Canby Utility, Canby Fire District, Canby School District, private utilities, and private non-profit groups are also directly involved. This Public Facilities and Services Element is intended to realistically delineate the improvements which will be needed to accommodate the level of growth forecasted in the Plan. To do this, Canby will have to constantly strive to upgrade existing facilities and services while also finding new and, perhaps, innovative methods of meeting ever-increasing demands.

For the purposes of this Comprehensive Plan and consistent with Oregon statutes and administrative rules, this element of the Plan focuses on those facilities covered under Statewide Goal 11 (Public Facilities) and which are provided primarily by the City or in close partnership with local utilities, including the following:

- Water
- Wastewater
- Storm Drainage
- Transportation

For each of these types of services, the Plan includes policies, findings and other information related to existing conditions, future plans, identified capital improvements and financing strategies and sources. This information also is listed for parks and recreation, although this element could be incorporated in a separate section of the Comprehensive Plan in the future. Additional but less detailed information is included for several other types of public services, including fire, police, and utilities. Other facilities (e.g., permitting, building inspection and other administrative services) are not addressed in this element of the Plan.

In addition to describing existing and future planned facilities, this chapter identifies potential tools for financing future improvements. A variety of techniques have been used historically and will be used in the future to pay for new and improved facilities and to spread those costs out over time. They may include:

- *Taxes and General Funds* – Funds for some improvements are included in the annual budget of the City or special district and are funded through property or other tax

revenues. For example, state allocation of gas taxes to the City are used to fund a portion of the cost of local transportation system improvements.

- *General Obligation Bonding* – This method often is used to pay for major capital improvement projects that are needed to expand facilities and are expected to be constructed and implemented over time. Such bonds must be approved by a vote of residents of a special district or City and are repaid from tax revenues over time. Some of Canby's water facility system improvement projects have been funded this way in the past.
- *Revenue Bonding* – Revenue bonds can be sold to make the improvements, with the bonds repaid from user fees or other revenues. For example, this method can be used to fund recreation facilities where future user fees can be used to repay the bonds.
- *Special Levies* – This can be used to finance operations or maintenance of specific facilities over a discrete time period. Special levies require voter approval.
- *User Fees or Charges* – These may include fees for services such as water or wastewater collection, use of recreational facilities, utility connection fees or other charges. User fees can help to assure that facility costs are paid by those who directly benefit.
- *Exactions* – Canby typically requires developers to pay for or construct facilities that directly serve their developments such as sewer and water lines, local streets, or improvements needed to adjacent collector or arterial roads.
- *Tax Increment Financing (Urban Renewal)* – A special taxing district is formed and property taxes in excess of the specified base amount are used to cover the costs of improvements. Canby currently has one Urban Renewal District encompassing the Pioneer Industrial Park and commercial districts. Funds are planned to be used for industrial park improvements, downtown infrastructure projects, municipal facilities, and utility upgrades.
- *System Development Charges (SDCs)* – These charges can be used to finance improvements necessary to serve new growth or development. They typically are assessed at the time of development or connection to city services. Canby currently charges SDCs for water, parks and recreation, stormwater, and transportation services and facilities. State law does not allow cities to charge SDCs for any additional services.
- *Local Improvement Districts (LIDs)* – These districts can be formed and approved by local property owners and used to finance improvements in a specific area such as a road or sidewalk extension or upgrade. They require approval of a majority of property owners in a given area and typically are initiated by property owners, rather than by the City.
- *Advanced Financing Districts (AFDs)* – Similar to LIDs,

**Goal 1: To assure the adequate provision of water services to meet the needs of the residents and property owners of Canby.**

**Finding No. 1**

Canby Utility manages the delivery of water services to the City of Canby. The Molalla River Infiltration Gallery and Main River Intake facility serves as the primary water source for Canby. Water is drawn from the Molalla River, distributed through approximately 66 miles of pipe and stored in three reservoirs located with adjacent pump stations. The existing pump station is not currently sufficient to meet peak day demands. In addition, many of the pipes in the system are approaching the end of their design life.

**Policy No. 1 - Canby shall maintain, repair or replace all current water system elements to continue providing an adequate level of water services.**

**Implementation Measures:**

- A) Water treatment facilities must be upgraded to meet current needs, including the following improvements:
  - 1) Upgrade water treatment facilities.
  - 2) Repair Clearwell weld failures and compromised coatings.
  - 3) Replace and enlarge backwash ponds.
  - 4) Improve truck delivery access.
- B) Replace and repair pipes in fire flow deficient areas and areas where facilities have reached their estimated design life using a distribution system maintenance program.
- C) Capacity of the existing production pumps should be increased to meet peak day demand and improve efficiency.

**Finding No. 2**

The City of Canby and, therefore, Canby Utility's future service area are projected to include lands currently within the urban growth boundary but outside City boundaries. The population is forecasted to 22,329 residents by 2015 and 51,671 residents by 2040. Existing water system elements are inadequate to meet future water demands for these population levels. Additional water supply will be needed in the long term as current water rights on the Molalla River will not be sufficient to meet the estimated 2040 peak demand. Future service will be limited by minimum stream flow and raw water intake and delivery capacities. Alternate sources include the Willamette River and groundwater wells.

**Policy No. 2- Canby shall maintain, repair, replace and/or expand its water system to meet future adequate water service needs.**



Implementation Measures:

- A) An application for additional water rights on the Willamette River is in process and intended for industrial and electric generation needs, but may be further developed to meet peak day demand well past 2040.
- B) Several treatment facility elements must be replaced or repaired, including the following:
  - 1) Replace system generators to provide sufficient and reliable backup power.
  - 2) Develop an emergency response plan that defines improvements to increase protection in compliance with federal regulations.
- C) Storage capacity must be added to the current system.

Finding No. 3

The City of Canby must plan and pay for needed water facilities and services. A timeline and cost estimates should be developed for capital improvements to the water system. In addition, a number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

As the City continues to grow, the demand for different public facilities and services will grow. The City, and other related service-providing entities, will have to be creative in their approach to funding, using all possible means of assuring that adequate services are provided.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major water projects and utilize all feasible means to finance needed water system improvements in an equitable manner.

Implementation Measures:

- A) Continue to update a Water Master Plan Update that provides a capital improvement plan for the water system. The Water Master Plan Update was most recently completed in 2003. Capital improvement projects cited in the Master Plan are listed in section 3 of the Public Facilities Plan.
- B) Pay for yearly pipeline costs using user fees and, when possible, use general obligation bonds to pay for large system improvements. System Development Charges should be used to pay for system expansion needed to serve new development.

Goal 2: To assure the adequate provision of waste water services to meet the needs of the residents and property owners of Canby.

#### Finding No. 1

The City of Canby collects and treats sanitary sewage through a gravity and pressurized collection system and gravity sewer lines. A number of sewage pump stations provide pressure to the collection system. Numerous sections of sewers have been installed at relatively flat grades, including some at adverse grades. These sewers are subject to the accumulation of solids and require more frequent cleaning to prevent blockages.

Policy No. 1 - Canby shall maintain, repair or replace all current wastewater system elements to continue providing the current level of wastewater services.

#### Implementation Measures

- A) Replace or repair deteriorating collection systems.
- B) Improve or replace other existing facilities as needed in the future to ensure their reliability.

#### Finding No. 2

The City of Canby must be able to provide sewage collection and treatment to all areas within its urban growth boundary (UGB), which includes land expected to be developed over a 20 year period. Additional pump stations and system extensions will be needed to meet future needs in these developing areas.

Policy No. 2- Canby shall maintain, repair, replace or expand its wastewater system to meet future wastewater service needs.

#### Implementation Measures

- A) Construct new trunk and major sewers.
- B) Construct new pump stations, consistent with the City's Public Facilities Plan.
- C) Relocate, upgrade and/or expand pump stations in areas where additional capacity is needed.

#### Finding No. 3

The City of Canby must plan and pay for future needed wastewater facilities and services. A timeline and cost estimates should be developed for capital improvements to the wastewater system. A number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major wastewater projects and utilize all feasible means of financing needed wastewater system improvements in an equitable manner.

#### Implementation Measures

- A) Continue to update a Wastewater Master Plan that provides a capital improvement plan for the wastewater system. The current Wastewater Collection System Master Plan was adopted by the City in 1999. Capital improvement projects included in the Master Plan are listed in section 3 of the City's Public Facilities Plan.
- B) Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Private development will pay for the majority of new collection facilities through system development charges and the construction of infrastructure.

**Goal 3: To assure the adequate provision of storm drainage services to meet the needs of the residents and property owners of Canby.**

**Finding No. 1**

The City of Canby storm drainage system is comprised of conveyance pipes, open ditches, drainage ways and drywells. Smaller collection systems are located in numerous localized areas, which most frequently collect runoff for discharge in drywells common to a larger area. Canby is unique in that the majority of local drainage is derived from the impervious street and sidewalk services within the public right-of-way and that the most of the storm water is collected using drywells rather than piped disposal.

**Policy No. 1 - Canby shall maintain, repair or replace all existing storm drainage system elements to continue providing the current level of storm drainage services.**

**Implementation Measures**

- A) Purchase a regional treatment site as needed.
- B) Provide regional treatment and monitoring facilities as needed.
- C) Maintain, expand or replace existing local facilities as needed, to ensure they continue to function reliably.
- D) Develop standards and requirements for on-site storm drainage facilities; incorporate into City development, public facility and other ordinances.

**Finding No. 2**

The City of Canby will continue to use existing drywells as the primary stormwater disposal method in areas that are already developed. State regulations require pre-treatment of all stormwater and DEQ registration and rule authorization for all injection well disposal systems. The City will identify a preferred future method for storm water drainage, if necessary, in order to remain compliant with DEQ regulations.

Policy No. 2- Canby shall maintain, repair, replace or expand its storm drainage system to meet future storm drainage service needs.

Implementation Measures

- A) Decommission unacceptable drywells and water wells.
- B) Implement a catchbasin and drywell best management practices (BMP) plan.

Finding No. 3

The City of Canby must plan and pay for needed storm drainage facilities and services. A timeline and cost estimates should be developed for capital improvements to the storm drainage system. A number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major storm drainage projects and utilize all feasible means of financing needed storm drainage system improvements in an equitable manner.

Implementation Measures

- A) Develop a Storm Drainage Master Plan that provides a capital improvement plan for the storm drainage system. The Storm Drainage Master Plan was adopted by the City in 1994. Capital improvement projects cited in the Master Plan are listed in section 3 of the City's Public Facilities Plan.
- B) Storm drainage user fees will be collected monthly and systems development charges (SDCs) will be assessed on development as it occurs. SDCs will be used to fund capital improvements to serve new development. User fees also will fund system operation and maintenance.

Goal 4: To assure the adequate provision of transportation services to meet the needs of the residents and property owners of Canby.

Finding No. 1

The City of Canby has a well-planned collector and arterial street system to service existing and future land development. Most of Canby's collectors and arterials have sidewalks on at least one side of the street. The majority of street intersections within the City of Canby are controlled by stop signs. State Route 99E (Pacific Highway) runs through and provides the most direct access to the City. Territorial Road forms the major east-west arterial route to the north of the City, while S. 13<sup>th</sup> Avenue is an arterial at the southern end of the City. Ivy Street (the Canby Marquam Highway) is the major north-south arterial.

Several unsignalized intersections are currently operating at or near capacity along Highway 99E. The absence of sidewalks in some areas and lack of continuity in others creates a potential safety hazard for pedestrians. The City's bicycle lane system is not fully developed at this time, forcing cyclists to share lanes with vehicles on some of Canby's higher traffic streets.

Policy No. 1 - Canby shall maintain, repair or replace all existing transportation system elements to continue providing an adequate level of transportation services.

Implementation Measures

- A) Install new traffic signals and upgrade existing signals at intersections, where warranted by the results of traffic studies and availability of funds for design and construction.
- B) Construct or upgrade sidewalks and paths.
- C) Install bike lanes as part of future street improvements on arterial and collector streets.

Finding No. 2

Future transportation needs have been identified based on an assessment of long-range impacts of local and regional growth of the transportation system and surrounding land uses. The City's Transportation System Plan (TSP) used a planning horizon of buildout in 2015 to identify future demographic conditions, on which traffic forecasts are based. The study area includes all land within Canby's UGB.

Policy No. 2- Canby shall maintain, repair, replace or expand its transportation system to meet future transportation service needs.

Implementation Measures

- A) Construct widen or otherwise upgrade arterial streets, collector streets and neighborhood connectors.
- B) Improve the intersections identified in the Transportation System Plan.

Finding No. 3

The City of Canby must plan and pay for needed transportation facilities and services. A timeline and cost estimates should be developed for capital improvements to the transportation system. A number of funding sources should be explored to generate the necessary revenue in a fair and logical manner.

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major transportation projects and utilize all feasible means of financing needed transportation system improvements in an equitable manner.

### Implementation Measures

- A) Develop a Transportation System Plan that provides a capital improvement plan for the transportation system. The City adopted a Transportation System Plan in 2000. The plan identifies short-term and long-term transportation system improvements and includes a transportation financing plan. Capital improvement projects cited in the Plan are listed in section 3 of the City's Public Facilities Plan.
- B) Capital improvement costs will be paid for through state, regional and local gasoline taxes, user fees, property taxes, serial levies, local sales tax, debt funding, economic development funding, economic development funding and system development charges as identified in the TSP.
- C) Explore adoption of a combined street maintenance fee/gas tax.

### Goal 5: To assure the adequate provision of parks and recreation services to meet the needs of the residents and property owners of Canby.

#### Finding No. 1

The City of Canby has a variety of park and recreation facilities, as well as public spaces available to residents and visitors including two neighborhood parks, three community parks, three mini-parks, one recreation center, one swim center, one multi-use trail and two protected wetlands. The Molalla River State Park and Blue Heron Recreational District provide additional open spaces outside the city limits. There are currently 5.38 acres of city-owned parkland in Canby per 1,000 residents (developed and undeveloped parkland).

#### Policy No. 1 - Canby shall maintain, repair or replace all current parks system elements to continue providing an adequate level of park and recreational services.

- A) Improve the level of maintenance in current city parks and recreation facilities.
- B) Standardize park and recreation amenities for ease of maintenance and aesthetics.
- C) Improve park and recreation signage.
- D) Improve access to facilities to comply with the Americans with Disabilities Act.
- E) Improve the perceived level and actual safety of parks and recreation facilities.

### Implementation Measures

#### Finding No. 2

Projections for park and recreation facilities are based on an Urban Growth Boundary area to serve the City in 2020. A figure of 10 acres per 1,000 residents has been adopted as the City's overall park standard.

Policy No. 2- Canby shall maintain, repair, replace or expand its parks system to meet future park and recreation service needs.

Implementation Measures

- A) Acquire and develop land for park and recreation facilities by 2020 to meet the community standard of 10 acres of developed parkland per 1,000 residents.
- B) Allocate land needed for mini-parks and neighborhood parks in rapidly developing areas on the edges of the City.
- C) Identify potential trail connections and linkages to schools and other recreational sites in the Canby vicinity.
- D) Develop bike lanes to connect bicyclists to parks, natural areas and off-road bicycling opportunities.
- E) Develop connections between Canby parks, trails, the Molalla River State Park and the Willamette River with a hub in Wait Park.

Finding No. 3

Policy No. 3 - Canby shall adopt and periodically update a capital improvement program for major parks projects and utilize all feasible means of financing needed parks system improvements in an equitable manner.

Implementation Measures

- A) Continue to update the City's Park and Recreation Master Plan, which identifies needed capital improvements and standards for the parks system. The City of Canby adopted a Park and Recreation Master Plan Update in 2002. Capital improvement projects listed in the Master Plan are listed in section 3 of the City's Public Facilities Plan.
- B) Utilize user fees to pay for the operation and maintenance of existing facilities and to replace, upgrade and/or expand these facilities when necessary. Use bonds to acquire additional land for new park facilities and to replace the existing pool facility.
- C) Explore creation of a separate park and recreation district to help provide and pay for new park facilities.

Goal 6: To assure the provision of a full range of public facilities and services to meet the needs of the residents and property owners of Canby

### Finding No. 1

The City of Canby is only one of many entities providing essential facilities and services to the people of this community. However, as the unit of government responsible for coordinating all such activities within the corporate limits, the City must play an active part in assuring that all of the needed facilities and services are available to serve the public. This also entails a responsibility to ensure that the City's growth and development are not allowed to exceed the community's ability to provide the necessary facilities and services.

Some of the various entities providing public services and facilities in Canby include:

*Fire District #62* – The City contracts with the districts for service within the City limits. The District covers 52 square miles with a population of 32,000. In addition to fire prevention, suppression and rescue, Canby Fire provides advanced life support ambulance services and swift water rescue teams. Fire fighting and ambulance assistance is provided by local volunteers who are trained in fire suppression and emergency medical techniques.

The services provided by the Fire District appear to adequately meet Canby's needs, other than delays in response time which sometimes are caused by trains blocking City streets. As Canby continues to grow, it may be necessary to hire larger professional fire fighting and ambulance services crews with less emphasis on volunteers.

A more immediate concern is for emergency response efforts and the access problems created by trains. Due to economic constraints, it is not likely that any viable underpass or overpass will be constructed in the near future, so the possibility of constructing a fire substation on the north side of town should be seriously considered. There are no capital improvement plans at this time, with the exception of a proposed project to improve the District's Emergency Operations Facility.

*Canby Telephone Association* – The local telephone cooperative, with about 10,000 paying customers, serves an area of approximately 85 square miles in and around Canby with voice and broadband services. The Association has a franchise agreement with the City for the provision of telecommunication and cable television services. The Association plans to provide cable television service by the end of 2005. Close coordination between the City and the Association should prove to be mutually beneficial as the community continues to grow, reducing costs for each entity in the process.

*Northwest Natural Gas* – Northwest Natural Gas provides pipeline service to much of Canby and surrounding areas. Northwest Natural Gas serves more than 2,000 customers within the city limits of Canby as of 2005. It is important that the City work closely with the gas company to assure that new developments have the option of being supplied with natural gas, if such service is available.



*Canby Utility Board* – Created by City Charter Revision in 1970 and amended in 1982, the Utility Board provides electrical and water service to City customers. Control of the Water Department was formally returned to the City Council by the 1982 Charter Amendment, but the actual operation of the utility remains the responsibility of the Utility Board by agreement between the City Council and the Board.

Canby receives all of its electrical energy from the Bonneville Power Administration. User fees pay for all system maintenance and improvements, including upgrading the size of and treating transmission lines. New construction is paid for through hookup and line extension fees. The electricity system consists of utility poles, primary wire, secondary wire and associated transformers. Seventy percent of system lines are underground. The five year average for expenditures was \$1.8 million between 2000 and 2005.

*Canby Public Library* – The library is currently open seven days a week for a total of 49 hours. However, a budget shortfall of \$50,000 for 2005-2006 may force the library to cut library hours to 25 per week. The library serves more than 16,000 card carrying patrons from in and outside the city boundaries. The library moved into a new facility in 1990. A recent facility needs assessment shows that the library needs additional space.

*Canby Police Department* – The City Police Department was recognized by the State of Oregon as a fully accredited police agency in June of 2004. The Department is served by professional officers and support staff and is augmented by reserve officers who are available for back-up duty. The Police Station is located within Canby's urban renewal area and is in need of modernization, expansion and repairs.

Policy No. 1 - Canby shall work closely and cooperate with all entities and agencies providing public facilities and services and ensure that public facilities and services are provided concurrently with future development.

Implementation measures:

- A) Work with land developers, property owners and other service providers to ensure that adequate public facilities and services are in place to meet the needs of new residents and businesses prior to approval and/or construction of new development.
- B) To minimize the cost of providing public services and infrastructure, discourage urban development that lacks adequate public services and promote efficient use of urban and urbanizable land within the City's urban growth boundary.
- C) Support only development that is compatible with the City's ability to provide adequate public facilities and services.

- D) Prioritize the extension of water, sewer, and transportation infrastructure within the UGB, as needed.
- E) Require all properties that receive urban services to either annex to the City or enter into an agreement for future annexation when contiguous to City limits.

#### Finding No. 2

The City of Canby is responsible for assuring the provision of adequate services and facilities for current and future residents. In order to ensure these services and facilities, the City should review the public facilities plan on an annual basis. In particular, the City should identify project priorities and allocate necessary resources to these priorities.

Policy No. 2 - As part of its annual budgeting process, Canby will review the public facilities plan to ensure the adequate provision of public services and facilities.

#### Implementation measures:

- A) Planning, Public Works and other department directors should review the public facilities plan for consistency with annual budgets and capital improvement plans.
- B) Define annual budgets or improvement plans as needed to ensure consistency on recommended changes to the public facilities plan.

#### Finding No. 3

Financing the needed public facilities and services is expected to continue to be a challenge for the City of Canby as it implements this Comprehensive Plan. The City will have to combine all possible methods of financing in a rational and creative manner to have sufficient funds to adequately implement this Plan. This will mean not only generating a tremendous amount of revenue for public projects, but it will also mean making sure that revenue is taken from the most fair and logical sources. Where new development is to be primarily benefited by expanded facilities, it is appropriate for that development to pay the bulk of the cost. Where the whole community benefits, the whole community should share the cost of new or expanded facilities or services.

As the City is responsible for assuring the adequacy of services and facilities to new developments, it makes sense also that the City would attempt to ensure that the costs for each developer are as equitable as possible. Such equity is not only important in the interest of fairness, but can actually have beneficial impact on community growth. Effective, efficient and equitable provision and financing of such services will put all developers and citizens on a level playing field.

Policy No. 3 - Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

#### Implementation measures:

- A) Allow for the creation of Local Improvement Districts and Advanced Financing Districts as a means of financing needed improvements where supported by local residents.
- B) Continue to use SDCs to pay for the costs of public facilities and services needed to serve new development.
- C) Use general obligation and revenue bonds, as appropriate, to help finance long-term capital improvements.
- D) Consider establishing additional special districts, if needed, to cover the cost of facilities or services that cannot be financed through user fees, SDCs, tax revenues or other existing funding mechanisms.
- E) Use fees to recover the cost of services to the greatest extent possible where services or facilities directly benefit users.
- F) Incorporate additional changes to the CIP as needed as individual master plans are updated.

#### Finding No. 4

Public recreation and school sites are of special significance in a rapidly growing community. It is essential to plan ahead to provide adequate areas, at appropriate locations, for future school and associated recreational facilities. Canby has been fortunate that school and recreation sites have been generally able to keep pace with growth in the past. The City should continue to work with the school district, recreational groups and other citizens associations to identify future sites needed for schools and associated recreational facilities (i.e. playing fields).

Policy No. 4 - Canby shall coordinate with the Canby School District to help ensure that adequate sites are provided for public school and associated recreation facilities.

#### Implementation measures:

- A) Work with representatives of the school district, community school's office, and recreation-oriented groups to determine the best possible sites for future acquisition and development of schools and associated recreational facilities.
- B) Utilize the density bonus provisions of the planned unit development regulations to encourage developers to provide either public or private recreation facilities within their projects. If sufficient recreation opportunities are provided through this means, the amount of land needed for public acquisition can be reduced accordingly.



## **CITY COUNCIL MEMORANDUM**

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**DATE:** MAY 26, 2006  
**TO:** MAYOR MELODY THOMPSON AND CITY COUNCIL  
**FROM:** *my* MARGARET YOCHER, TRANSIT DIRECTOR  
**THROUGH:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** RESOLUTION #921

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**Issue:**

Ability to process federal financial assistance.

**Synopsis:**

The Federal Transit Administration has put new rules into effect starting fiscal year 2007. All grant filings and financial drawdowns are done via the internet by accessing the FTA's website "TEAM". They require that a City Resolution be passed authorizing pre-determined personnel i.e., "The Transit & General Services Director" be authorized to execute and file applications on behalf of the City of Canby and within the guidelines of the FTA.

**Recommendation:**

Staff recommends approval of Resolution #921.

**Fiscal Impact:** As of this writing staff has appropriation requests in the amount of 1.25 million.

**RESOLUTION NO. 921**

**A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23, UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.**

**WHEREAS**, the Federal Transportation Administration has been delegated authority to award Federal financial assistance for a transportation project; and

**WHEREAS**, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

**WHEREAS**, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration require for the project; now therefore

**IT IS HEREBY RESOLVED THAT**

1. The Transit and General Services Director is authorized to execute and file application for Federal assistance on behalf of the City of Canby/Canby Area Transit with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.
2. The Transit and General Services Director is authorized to execute and file with its application the annual certification and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. The Transit and General Services Director is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Canby/Canby Area Transit.

This resolution shall take effect on June 7, 2006.

ADOPTED this 7<sup>th</sup> day of June, 2006 by the Canby City Council.

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

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro Tem

**ORDINANCE NO. 1207**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COMMUNITY TRANSPORTATION CONSULTANTS OF PRINEVILLE, OREGON FOR PROVIDING A MASTER TRANSIT PLAN FOR THE CITY OF CANBY TRANSIT SYSTEM.**

**WHEREAS**, the City of Canby Transit and General Services Director heretofore requested proposals from transit consultants for a Transit Master Plan for the Canby Transit System; and

**WHEREAS**, the Canby Transit and General Services Director received proposals from four (4) potential consultants as follows:

<u>Provider</u>	<u>Address</u>
BCB Consulting	Portland, Oregon
Community Transportation Consultants	Prineville, Oregon
Tech Write, Inc.	West Linn, Oregon
Transit Consulting Services	Spokane, Washington

**WHEREAS**, the Canby City Council, acting as the City's Contract Review Board, met on May 17, 2006, and considered the quotations and the report and recommendation of the City Transit and General Services Director; and

**WHEREAS**, the Canby City Council determined that the proposal for the Transit Master Plan that best meets the needs of the Canby Transit System was that of Community Transportation Consultants of Prineville, Oregon; now therefore

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. The Mayor and the 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 Community Transportation Consultants of Prineville, Oregon to provide a Master Transit Plan for the City's Transit System.

*2nd Reading*

*93*

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Transit Department with a Master Transit Plan 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 Wednesday, May 17, 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, June 7, 2006 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

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Kimberly Scheafer  
City Recorder - Pro Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 7<sup>th</sup> day of June 2006, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

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Melody Thompson  
Mayor

**ATTEST:**

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Kimberly Scheafer  
City Recorder - Pro Tem

ORDINANCE NO: 1208

AN ORDINANCE GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE, REPEALING ORDINANCE NO. 788, AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Definitions and Explanations.

(1) As used in this ordinance:

- (a) "City" means the City of Canby and the areas within its boundaries, including its boundaries as extended in the future.
- (b) "Council" means the legislative body of the City.
- (c) "Grantee" means the corporation referred to in Section 2 of this ordinance.
- (d) "Gas mains" includes all gas transmission and distribution facilities located on or under any street, bridge or public place within the City.
- (e) "Person" includes an individual, corporation, association, firm, partnership and joint stock company.
- (f) "Public place" includes any city-owned park, place or grounds within the City that is open to the public, but does not include a right-of-way.
- (g) "Right-of-Way" includes a street, alley, avenue, road, boulevard, thoroughfare, bridge or public highway within the City, but does not include a public place.

(2) As used in this ordinance, the singular number may include the plural and the plural number may include the singular.

Section 2: Rights Granted.

Subject to the conditions and reservations contained in this ordinance, the City hereby grants to NORTHWEST NATURAL GAS COMPANY, a corporation, the right, privilege and franchise to:

*2nd Reading*

95



- (1) Construct, maintain and operate a gas utility system within the City.
- (2) Install, maintain and operate on and under the streets, bridges and rights-of-way of the City, facilities for the transmission and distribution of gas to the City and its inhabitants and to other customers and territory beyond the limits of the City; and
- (3) Transmit, distribute and sell gas.

Section 3: Use of Right-of-way by Grantee.

- (1) Before the Grantee may use or occupy any right-of-way, the Grantee shall first obtain permission from the City to do so and shall comply with any special conditions the City desires to impose on such use or occupation.
- (2) The compensation paid by the Grantee for this franchise includes all compensation for the use of rights-of-way located within the City as authorized.

Section 4. Duration.

This franchise is granted for a period of 20 years from and after the effective date of this ordinance.

Section 5. Franchise Not Exclusive.

This franchise is not exclusive, and shall not be construed as a limitation on the City in:

- (1) Granting rights, privileges and authority to other persons similar to or different from those granted by this ordinance.
- (2) Constructing, installing, maintaining or operating any City-owned public utility.

Section 6. Public Works and Improvements Not Affected by Franchise.

The City reserves the right to:

- (1) Construct, install, maintain and operate any public improvement, work or facility.
- (2) Do any work that the City may find desirable on, over or under any right-of-way or public place.
- (3) Vacate, alter or close any right-of-way or public place. Whenever the City shall vacate any street for the convenience or benefit of any person or governmental agency or instrumentality, Grantee's rights under this franchise shall be preserved as to any of its facilities then existing in the street if reasonably

practical. If not reasonably practical to preserve an easement upon vacation, the City shall make a reasonable good faith effort to make an alternative right-of-way available to Grantee for the location of its facilities.

- (4) Whenever the City shall excavate or perform any work in any of the present and future rights-of-way and public places of the City, or shall contract, or issue permits, for such excavation or work where such excavation or work may disturb Grantee's gas mains, pipes and appurtenances, the City shall, in writing, notify Grantee sufficiently in advance of such contemplated excavation or work to enable Grantee to take such measures as may be deemed necessary to protect such gas mains, pipes and appurtenances from damage and possible inconvenience or injury to the public. In any such case, the Grantee, upon request, shall furnish maps or drawings to the City or contractor, as the case may be, showing the approximate location of all its structures in the area involved in such proposed excavation or other work.

#### Section 7: Continuous Service.

The Grantee shall maintain and operate an adequate system for the distribution of gas in the City. The Grantee shall use due diligence to maintain continuous and uninterrupted 24-hour a day service which shall at all times conform at least to the standards common in the business and to the standards adopted by state authorities and to standards of the City which are not in conflict with those adopted by the state authorities. Under no circumstances shall the Grantee be liable for an interruption or failure of service caused by an act of God, unavoidable accident or other circumstances beyond the control of the Grantee through no fault of its own.

#### Section 8: Safety Standards and Work Specifications.

- (1) The facilities of the Grantee shall at all times be maintained in a safe, substantial and workmanlike manner.
- (2) For the purpose of carrying out the provisions of this section, the City may provide such specifications relating thereto as may be necessary or convenient for public safety or the orderly development of the City. The City may amend and add to such specifications from time to time.

#### Section 9: Control of Construction.

- (1) The Grantee shall file with the City maps showing the location of any construction, extension or relocation of its gas mains in the right-of-way and public places of the City and shall obtain from the City approval of the location and plans prior to commencement of the work. The City may require the Grantee to obtain a permit before commencing the construction, extension or relocation of any of its gas mains.

- (2) In all of its work authorized under this grant of franchise, Grantee shall comply with all generally applicable regulations of the City concerning work in the rights-of-way, including permitting, insurance, bonding, work scheduling and the payment of any applicable fees for permits.

#### Section 10: Right-of-Way Excavations and Restorations.

- (1) Subject to the provisions of this ordinance, the Grantee may make necessary excavations for the purpose of constructing, installing, maintaining and operating its facilities. Except in emergencies, and in the performance of routine service connections and ordinary maintenance, on private property, prior to making an excavation in the traveled portion of any right-of-way or public place, and, when required by the City, in any untraveled portion of any right-of-way or any public place, the Grantee shall obtain from the City approval of the proposed excavation and of its location. Grantee shall give notice to the City by telephone, electronic data transmittal or other appropriate means prior to the commencement of service or maintenance work and as soon as is practicable after the commencement of work performed under emergency conditions.
- (2) When any excavation is made by the Grantee, the Grantee shall promptly restore the affected portion of the right-of-way or public place to the same condition in which it was prior to the excavation. The restoration shall be in compliance with specifications, requirements and regulations of the City in effect at the time of such restoration. If the Grantee fails to restore promptly the affected portion of a right-of-way or public place to the same condition in which it was prior to the excavation, upon thirty (30) days prior written notice to Grantee, the City may make the restoration and the cost thereof shall be paid by the Grantee.

#### Section 11: Location and Relocation of Facilities.

- (1) All facilities of the Grantee shall be placed so that they do not interfere unreasonably with the use by the City and the public of the right-of-way and public places and in accordance with any specifications adopted by the City governing the location of facilities.
- (2) The City may require, in the public interest, the removal or relocation of facilities maintained by the Grantee in the rights-of-way and public places of the City, and the Grantee shall remove and relocate such facilities within a reasonable time after receiving notice to do so from the City. The cost of such removal or relocation of its facilities shall be paid by the Grantee, but when such removal or relocation is required for the convenience or benefit of any person, governmental agency or instrumentality other than the City, Grantee shall be entitled to reimbursement for the reasonable cost thereof from such person, agency or instrumentality. The City shall provide the Grantee with timely notice of any anticipated requirement to remove or relocate its facilities and shall cooperate

with the Grantee in the matter of assigning or allocating the costs of removal or relocation.

**Section 12: Compensation.**

- (1) As compensation for the franchise granted by this ordinance, the Grantee shall pay to the City an amount equal to five percent (5%) of the gross revenue collected by the Grantee from its customers for gas consumed within the City. Gross revenue shall be computed by deducting from the total billings of the Grantee, the total net write-off of uncollectible accounts, revenues derived from the sale or transportation of gas supplied under an interruptible tariff schedule, revenues paid directly by the United States of America or any of its agencies, and sales of gas at wholesale by the Grantee to any public utility or public agency where the public utility or public agency purchasing such gas is not the ultimate consumer.
- (2) The compensation required by this section shall be due for each calendar year, or fraction thereof, within sixty (60) days after the close of such calendar year, or fraction thereof. Within sixty (60) days after the termination of this franchise, compensation shall be paid for the period elapsing since the close of the last calendar year for which compensation has been paid. Interest at the rate of nine percent (9%) per annum will accrue on late payments.
- (3) The Grantee shall furnish to the City with each payment of compensation required by this section a statement showing the amount of gross revenue of the Grantee within the City for the period covered by the payment computed on the basis set out in subsection (1) of this section. The compensation for the period covered by the statement shall be computed on the basis of the gross revenue so reported. If the Grantee fails to pay the entire amount of compensation due the City through error or otherwise, the difference due to City shall be paid by the Grantee within fifteen (15) days from discovery of the error or determination of the correct amount. Any overpayment to the City through error or otherwise, shall be offset against the next payment due from the Grantee.
- (4) Acceptance by the City of any payment due under this section shall not be deemed to be a waiver by the City of any breach of this franchise occurring prior thereto, nor shall the acceptance by the City of any such payments preclude the City from later establishing that a larger amount was actually due, or from collecting any balance due to the City.
- (5) During the term of this franchise, the City may elect to receive increased compensation for the remaining term in an amount not to exceed that paid by the Grantee to any other City in Oregon. The City shall make this election by giving 90 days' written notice to Grantee.

- (6) The City specifically reserves the right to impose a fee or tax, as allowed by law, on any new business undertaking of Grantee that is operated within the City. The City may otherwise separately regulate and obtain compensation for any other use of the City's rights-of-way than those specifically authorized herein. The provisions of this franchise agreement do not impair the imposition of ad valorem taxes on the property of Grantee, as allowed by law.

#### Section 13: Expiration.

At the end of the Franchise term, if the City and Grantee are negotiating another franchise and have not concluded their negotiations, Grantee's rights and responsibilities shall be controlled by this Franchise until the City grants a new franchise and Grantee accepts it.

#### Section 14: Books of Account and Reports.

The Grantee shall keep accurate books of account at an office in Oregon for the purpose of determining the amounts due to the City under Section 12 of this ordinance. The City may inspect the books of account at any time during business hours and may audit the books from time to time. The Council may require periodic reports from the Grantee relating to its operations and revenues within the City.

#### Section 15: Supplying Maps Upon Request.

The Grantee shall maintain on file, at an office in Oregon, maps and operational data pertaining to its operations in the City. Upon reasonable notice, an authorized representative of the City may inspect the maps and data any time during business hours at an office of the Grantee. Grantee and the City may determine that the locations of certain gas facilities should be confidential as the public interest may require. In such a case, Grantee is under no obligation to provide records of the location of these facilities to the City and the City shall treat any public record disclosing the location of these facilities as confidential, subject to the provisions of state law and the Oregon Public Records Law. The City shall limit access to any such confidential record to trustworthy employees of the City with a need to know the information set out in the record. The City shall store any such confidential record in a secure and private place and avoid making and distributing copies of the record.

#### Section 16: Indemnification.

The Grantee shall indemnify and save harmless the City and its officers, agents and employees from any and all loss, cost and expense arising from damage to property and/or injury to, or death of, persons due to any wrongful or negligent act or omission of the Grantee, its agents or employees in exercising the rights, privileges and franchise hereby granted.

Section 17: Assignment of Franchise.

This franchise shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the Grantee, provided, however, that Grantee shall not, during the term of this franchise, sell assign, transfer or convey this franchise without prior written consent of the City of Canby expressed by its City Council, which consent shall not be unreasonably withheld.

Section 18: Termination of Franchise for Cause.

The City may terminate this franchise as provided in this Section, subject to Grantee's right to a court review of the reasonableness of such action, upon the willful failure of the Grantee to perform promptly and completely each and every material term, condition or obligation imposed upon it under or pursuant to this ordinance. The City shall provide the Grantee written notice of any such failure and the Grantee shall have sixty (60) days from receipt of notice to cure such failure, or if such failure cannot reasonably be cured within sixty (60) days, to commence and diligently pursue curing such failure.

Section 19: Remedies Not Exclusive, When Requirement Waived.

All remedies and penalties under this ordinance, including termination of the franchise, are cumulative, and the recovery or enforcement of one is not a bar to the recovery or enforcement of any other such remedy or penalty. The remedies and penalties contained in this ordinance, including termination of the franchise, are not exclusive and the City reserves the right to enforce the penal provisions of any ordinance or resolution and to avail itself of any and all remedies available at law or in equity. Failure to enforce shall not be construed as a waiver of a breach of any term, condition or obligation imposed upon the Grantee by or pursuant to this ordinance. A specific waiver of a particular breach of any term, condition or obligation imposed upon the Grantee by or pursuant to this ordinance shall not be a waiver of any other or subsequent or future breach of the same or of any other term, condition or obligation, or a waiver of the term, condition or obligation itself.

Section 20: Acceptance.

The Grantee shall, within thirty (30) days from the date this ordinance takes effect, file with the City its written unconditional acceptance of this franchise, and if the Grantee fails so to do, this ordinance shall be void.

Section 21: Emergency Declared.

It being necessary to update the City Ordinance on the issue and to assure seamless regulation of the City's rights-of-way and Ordinance No. 788 having expired, an

emergency is hereby declared to exist and this Ordinance shall take effect immediately upon final reading and passage by the Canby City Council.

Submitted to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, May 17, 2006; ordered posted as provided by the Canby City Charter and scheduled for the second reading and action of the City Council at a regular meeting thereof to be held on June 7, 2006, after the hour of 7:30 p.m., at the Council meeting chambers at the Canby City Hall in Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro Tem

PASSED on final reading of the Canby City Council at a regular meeting thereof on the 7<sup>th</sup> day of June, 2006, by the following vote:

YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder Pro Tem



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## CITY COUNCIL MEMORANDUM

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**DATE:** MAY 26, 2006  
**TO:** MAYOR MELODY THOMPSON AND CITY COUNCIL  
**FROM:** *[Signature]* MARGARET YOCHER, TRANSIT DIRECTOR  
**THROUGH:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** ORDINANCE #1210

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**Issue:**

The original operations contract entered into between the City and Oregon Housing and Associated Services expires June 30, 2006.

**Synopsis:**

An RFP was published and bids were received. Well in reality only one bid was received. We had one other company respond to our request by faxing back a "no bid". It appears after speaking with several of the companies that had originally requested the proposal that no one felt they could be as competitive as our current vendor. The City and Oregon Housing and Associated Services have experienced a good relationship over the past four years. It is clear that they have the city's best interest at heart with regards to public transportation and the servicing thereof.

**Recommendation:**

Staff recommends approval of Ordinance No. 1210, an Ordinance Awarding a two year contract for transit operations dated July 1 2006, Between The City of Canby, Hereinafter referred to as "City" and Oregon housing and Associated Services, Inc. (OHAS), dba Wheels Community Transportation.

**Fiscal Impact:** Projections at our current service levels for year one are \$800,000 and \$950,000 for year two. I have reviewed these figures with the Finance Department. If you have any questions, please don't hesitate to call me.

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THIS HAS BEEN REVIEWED  
BY THE FINANCE DIRECTOR  
*Chandra Seifried*  
6-1-06



## ORDINANCE NO. 1210

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH OREGON HOUSING AND ASSOCIATED SERVICES, INC., dba WHEELS COMMUNITY TRANSPORTATION OF SALEM, OREGON FOR PROVIDING TRANSIT OPERATIONS FOR THE CANBY TRANSIT SYSTEM; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby Transit and General Services Director heretofore requested proposals from transit consultants for providing Transit Operations for the Canby Transit System; and

**WHEREAS**, the Canby Transit and General Services Director received proposals from one (1) potential consultant and one (1) no bid from Laidlaw, Inc. as follows:

<u>Provider</u>	<u>Address</u>
1. Wheels Community Transportation	Salem, Oregon
2. Laidlaw, Inc.	Overland Park, KS

**WHEREAS**, the Canby City Council, acting as the City's Contract Review Board, met on June 7, 2006, and considered the quotations and the report and recommendation of the City Transit and General Services Director; and

**WHEREAS**, the Canby City Council determined that the proposal for Transit Operations that best meets the needs of the Canby Transit System was that of Oregon Housing and Associated Services, Inc., dba Wheels Community Transportation of Salem; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** The Mayor and the 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 Oregon Housing and Associated Services, Inc., dba Wheels Community Transportation of Salem, Oregon to provide transit operations for the City's Transit System. A copy of said contract is attached hereto as Exhibit "A" and by this reference incorporated herein.

**Section 2.** In so much as it is in the best interest of the citizens of the City of Canby, Oregon to implement this ordinance in order to be able to provide its transit service to local citizens without further delay, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 7, 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, June 21, 2006 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 21<sup>st</sup> day of June 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Kimberly Scheafer  
City Recorder - Pro Tem



## CITY COUNCIL MEMORANDUM

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**DATE:** MAY 26, 2006  
**TO:** MAYOR MELODY THOMPSON AND CITY COUNCIL  
**FROM:** *my* MARGARET YOCHER, TRANSIT DIRECTOR  
**THROUGH:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** ORDINANCE #1211

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**Issue:**

Purchase of one used 2002 Blue Bird Excel Bus.

**Synopsis:**

The City has been borrowing a demo bus from Western Bus over the course of the last couple years for training and licensing purposes. Staff has come to the conclusion that this specific bus would be an excellent addition to the CAT's fleet for several reasons. Most importantly, the size and capabilities of the bus. This model seats 27, stands 20 and has 2 wheelchair positions. It also kneels, which is a wonderful feature for the elderly to board and deboard. This bus has 58k miles on it and looks brand new. This bus would sell for approx. \$200,000 dollars in today's market. However, since it has been used as a demo throughout the state (and quite a bit for Canby) Western Bus has offered it to us for the incredible price of \$74,500. (ok, I know I sound like an infomercial). Our Fleet Services department has gone over it in its entirety and found a few insignificant things that Western Bus has agreed to be responsible for.

Ridership on the Canby North/South fixed route has dramatically increased over the last year, to the point of occasionally having to either deny service (due to capacity issues) or send in a back up bus to accommodate clients. This particular bus is unique to its partners due to the buses overall seating capacity and styling. It suits the goals of the transit team and advisory committee in their mission to seek ways to improve service and keep the fleet unique.

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With the addition of service to Woodburn going into effect in August, it alleviates the possibility of being left somewhat short-handed if the system experiences equipment failures.

Recommendation:

Staff recommends approval of Ordinance #1211.

Fiscal Impact: I have worked with The Finance Department to present a supplemental budget to council on June 21<sup>st</sup> to address several revenue and expense issues within the transit budget. I have confirmed another grant in the amount of \$97,500 which can be used to make this purchase.

If you have any questions, please don't hesitate to contact me.

Ordinance #1211

THIS HAS BEEN REVIEWED  
BY THE FINANCE DIRECTOR  
Chaunce Seifried  
6-1-06

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**ORDINANCE NO. 1211**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WESTERN BUS SALES, INC. OF BORING, OREGON FOR THE PURCHASE OF ONE (1) USED 2002 BLUE BIRD XCEL FOR CANBY AREA TRANSIT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to purchase one (1) used 2002 Blue Bird Xcel for the Transit Department; and

**WHEREAS**, the cost of the vehicle and equipment will be paid by the Transit Department which has budgeted said purchase for the fiscal year 2005-2006 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, the city may purchase used property without formal written quotes if it's determined that the purchase will result in cost savings to the city and will not diminish competition or encourage favoritism;

**WHEREAS**, Western Bus Sales, Inc. of Boring, Oregon submitted the quote of \$74,500.00 for one (1) used 2002 Blue Bird Xcel vehicle; 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 finds that the purchase will result in cost savings to the city and will not diminish competition or encourage favoritism and therefore that it is in the best interest of the City to purchase this vehicle from Western Bus Sales, Inc.; 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 purchase contract with Western Bus Sales, Inc. of Boring, Oregon for the purchase of one (1) used 2002 Blue Bird Xcel for the quoted amount of \$ 74,500.00.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Transit Department with this vehicle 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 7th, 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 June 21st, 2006, 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 21st day of June, 2006, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Kimberly Scheafer,  
City Recorder - Pro Tem