

# AGENDA

## CANBY CITY COUNCIL MEETING

June 21, 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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## CITY COUNCIL MEETING

### 1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Employee of the Month Presentation – May Pg. 1
- C. Certification of May 16, 2006 Measure 3-202 Proclamation Pg. 2
- D. Certification of May 16, 2006 Measure 3-203 Proclamation Pg. 4
- E. Certification of May 16, 2006 Measure 3-204 Proclamation Pg. 6

### 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 \$414,833.45
- B. Approval of Minutes of the June 7, 2006 Regular Meeting and Executive Session
- C. Reappointment to the Traffic Safety Commission
- D. Appointment to the Bike & Pedestrian Advisory Committee
- E. Appointment to the Budget Committee
- F. Reappointment to the Budget Committee
- G. Reappointment to the Parks and Recreation Advisory Board
- H. New Liquor License Application for Canby Kitchen

**7. PUBLIC HEARINGS**

- A. 2005-2006 Supplemental Budget Report
- B. 2006-2007 Fiscal Year Budget

**8. RESOLUTIONS & ORDINANCES**

- A. Res. 922, Verifying City has Met Requirements to Receive Revenues from Cigarette, Gas and Liquor Taxes Pg. 25
- B. Res. 923, Adopting Budget, Making Appropriations & Categorization for the 2006-2007 Fiscal Year Pg. 18
- C. Res. 924, Adopting a Supplemental Budget for the 2005-2006 Fiscal Year Pg. 23
- D. Ord. 1209, Declaring City's Election to Receive State Revenue for Fiscal Year 2006-2007 Pg. 28
- E. Ord. 1210, Authorizing Contract with Oregon Housing and Associated Services, Inc. for Providing Transit Operations for the Canby Transit System(2<sup>nd</sup> Reading) Pg. 29
- F. Ord. 1211, Authorizing Contract with Western Bus Sales, Inc. for the Purchase of One (1) Used 2002 Blue Bird XCEL for Canby Area Transit (2<sup>nd</sup> Reading) Pg. 31
- G. Ord. 1212, Authorizing Contract with Western Bus Sales for the Lease/Purchase of Three (3) 2006 Freightliner Champion Bluebird for Canby Area Transit Pg. 35
- H. 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 (2<sup>nd</sup> Reading) Pg. 37

**9. NEW BUSINESS**

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

- A. Discussion on EID Collections and Disbursement of Interest
- B. Parking on NW 3<sup>rd</sup> Baker to Cedar

**11. CITIZEN INPUT**

**12. ACTION REVIEW**

**13. EXECUTIVE SESSION: ORS 192.660(2)(d) Labor Negotiations, ORS 192.660(2)(h) Pending Litigation, ORS 192.660(2)(i) Performance Evaluation of Public Officer, ORS 192.660(3) Labor Negotiations and ORS 192.660 (2)(e) Real Property**

**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.

**City of Canby  
Employee of the Month  
Nomination Form**

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Name of Nominee: Darvin Tramel

Date: 5/24/06

Department: Waste Water

Nominated By: Suzan Duffy

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Which of these criteria describes the reason for your nomination of this person?

- ☐ Improved quality
- ☐ Timely completion of a project
- ☒ Demonstrates exemplary leadership and integrity
- ☐ Excellent customer service (demonstrating exceptional customer service, an on-going commitment to customers, or innovation or creativity in customer service)
- ☐ Overcame adverse obstacles or worked under unusual conditions
- ☐ Increased program effectiveness or efficiency
- ☒ Saves the City time/money
- ☒ Improved levels of cooperation
- ☐ Exceeds performance expectations

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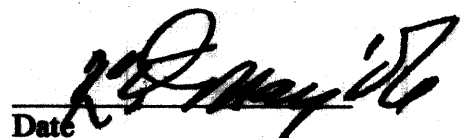
Can you please explain in 3 or 4 more detailed sentences, why you think this person should be nominated for "Employee of the Month", especially as it relates to the item(s) you checked above. Please attach an additional sheet if necessary.

*While managing the highly important and technical work of the Waste Water Treatment Plant, Darvin still always keeps up on invoices, purchase orders and other paperwork needed by the Finance Department. He carefully monitors his budget and is very prudent in the use of public funds. Darvin can easily translate explanations of sewer operations into lay terms and is admired in his field, having a major role in the Oregon Association of Clean Water Agencies. He is very pleasant to work with and while the nature of his work and his sense of responsibility require him to be demanding at times, he does have a great deal of personal concern and respect for his coworkers throughout the City.*

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Please return this form to the Department Director of the nominee.

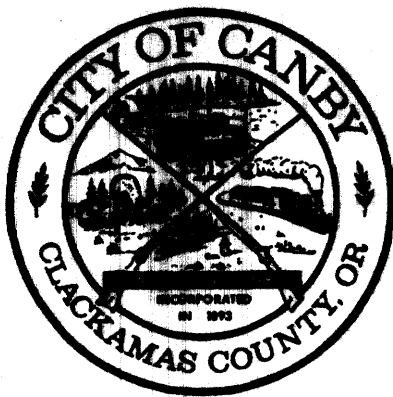
  
Department Director's Signature

  
Date



5/24/2006

1



# City of Canby

General Administration Office

## **PROCLAMATION**

**WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Primary Election on May 16, 2006 to consider the following measure:**

### **MEASURE NO. 3-202**

**Shall 4.85 acres located South of NE Territorial, West of N Pine, North of NE 16<sup>th</sup> be annexed into Canby?**

**WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 16, 2006.**

**YES - 1,148**

**NO - 1,827**

**Over Votes - 0**

**Under Votes - 101**

**NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 1, 2006.**

**Dated this 21<sup>st</sup> day of June, 2006.**

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

NUMBERED KEY CANVASS

CLACKAMAS COUNTY, OREGON

MAY 16, 2006

PRIMARY ELECTION

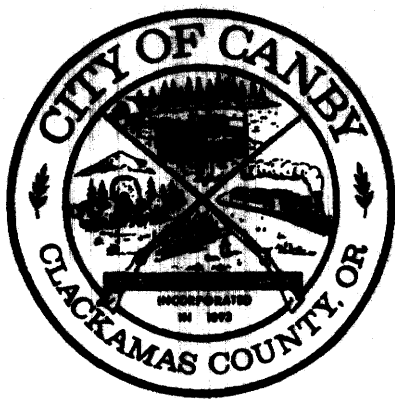
RUN DATE:05/31/06 02:17 PM

REPORT-EL52

PAGE 0136

	VOTES		PERCENT			VOTES		PERCENT	
03-202 City of Canby, Annexation of 4.85 Acres									
Vote For 1									
01 = Yes			1,148	38.59	03 = OVER VOTES			0	
02 = No			1,827	61.41	04 = UNDER VOTES			101	
	01	02	03	04					
0122 Precinct 122	314	442	0	23					
0123 Precinct 123	82	148	0	9					
0124 Precinct 124	319	520	0	28					
0125 Precinct 125	251	357	0	27					
0126 Precinct 126	182	360	0	14					

2



# City of Canby

General Administration Office

## **PROCLAMATION**

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Primary Election on May 16, 2006 to consider the following measure:

### **MEASURE NO. 3-203**

**Shall 4.5 acres located at 1732 N Pine Street, South of NE Territorial Road, be annexed into Canby?**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 16, 2006.

**YES - 1,367**

**NO - 1,621**

**Over Votes - 0**

**Under Votes - 88**

**NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 1, 2006.**

**Dated this 21<sup>st</sup> day of June, 2006.**

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

NUMBERED KEY CANVASS

RUN DATE:05/31/06 02:17 PM

CLACKAMAS COUNTY, OREGON

MAY 16, 2006

PRIMARY ELECTION

REPORT-EL52

PAGE 0137

03-203 City of Canby, Annexation of 4.5 Acres

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

1,367 45.75

1,621 54.25

03 = OVER VOTES

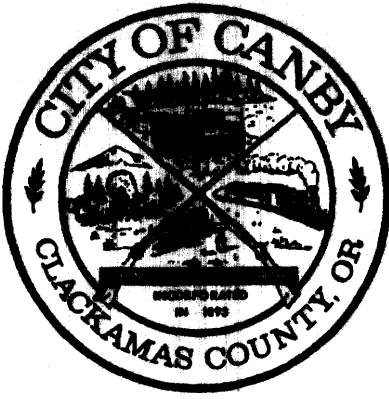
04 = UNDER VOTES

VOTES PERCENT

0

88

	01	02	03	04
0122 Precinct 122	370	390	0	19
0123 Precinct 123	105	126	0	8
0124 Precinct 124	399	442	0	26
0125 Precinct 125	283	328	0	24
0126 Precinct 126	210	335	0	11



# City of Canby

General Administration Office

## **PROCLAMATION**

**WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Primary Election on May 16, 2006 to consider the following measure:**

### **MEASURE NO. 3-204**

**Shall 1.95 acres located at 1401 S Fir Street be annexed into Canby?**

**WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Primary Election on May 16, 2006.**

**YES - 1,312**

**NO - 1,681**

**Over Votes - 0**

**Under Votes - 83**

**NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated June 1, 2006.**

**Dated this 21<sup>st</sup> day of June, 2006.**

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**Melody Thompson**  
**Mayor**



NUMBERED KEY CANVASS

RUN DATE:05/31/06 02:17 PM

CLACKAMAS COUNTY, OREGON

MAY 16, 2006

PRIMARY ELECTION

REPORT-EL52

PAGE 0138

03-204 City of Canby, Annexation of 1.95 Acres

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

1,312 43.84

1,681 56.16

03 = OVER VOTES

04 = UNDER VOTES

VOTES PERCENT

0

83

0122 Precinct 122

0123 Precinct 123

0124 Precinct 124

0125 Precinct 125

0126 Precinct 126

01 02 03 04

358 406 0 15

95 135 0 9

388 453 0 26

248 365 0 22

223 322 0 11

7.

Term to expire 6.30.09

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

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

**Date:** 6/1/06

**Name:** Marilyn Wood

**Occupation:** educator

**Home Address:**

**Employer:** Canby School District

**Position:** principal

**Daytime Phone:**

**Evening Phone:**

**E-Mail Address:** woodm@canby.k12.or.us

**For which position are you applying?** traffic commission

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

**Experience and educational background:** MA:Ed Admin

**Reason for your interest in this position:** traffic safety is a concern for me as I am responsible for the school children until they get home. My point of view could be helpful to the City.

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

**Information on any special membership requirements:**

**Referred by (if applicable):**

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

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

*Please return to:*

City of Canby  
182 N Holly Street  
PO Box 930  
Canby, OR 97013

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

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

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

**Date:** 5/27/2006

**Name:** Kevin Batridge

**Occupation:** Municipal Water Treatment

**Home Address:**

**Employer:** Veolia Water NA

**Position:** Assistant Project Manager

**Daytime Phone:**

**Evening Phone:**

**E-Mail Address:** burlbatman@canby.com

**For which position are you applying?** Bike and Pedestrian Committee

**What are your community interests (committees, organizations, special activities)?** Although not an active participant in a community committee, I often support community events as a participant and spectator. I participate regularly in blood drives and school PTA activities, and make every effort to attend many community events including Slice of Summer events, General Canby Days, Cutsforths Cruise In, and others. I have attended neighborhood association meetings and city council meetings, and I try to stay familiar with community issues via the local press and cable access

**Experience and educational background:** I have been an active bicyclist for practically my entire life, have participated in numerous long distance tours, join regular club rides and regularly commute by bicycle to my job in Wilsonville. My family and I frequently walk, bike or take the CAT bus into town to shop, visit the library, and attend community events.

**My formal education consists of college preparatory high school and a BS in Technology from Bowling Green State University in Ohio. I am also active in continuing education to support and maintain my professional certifications.**

**Reason for your interest in this position:** I have been an active bicyclist for my entire life and enjoy promoting bicycling and walking as healthy family activities. I have been considering increasing my level of community involvement and see this committee position as an ideal opportunity to promote a few of my favorite pastimes while increasing my involvement.

**RECEIVED**

**MAY 30 2006**

**CITY OF CANBY**

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

Information on any special membership requirements: N/A

Referred by (if applicable): N/A

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

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

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

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

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

9-30-05

Term to Exp. 6.30.07

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

Date: 6/3/06  
Name: Elaina Canutt, CPA Occupation: Financial Analyst  
Home Address: Canby, OR  
Employer: City of Newberg P.T. Position: Financial Analyst  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_  
E-Mail Address: elaina@canutt.net  
For which position are you applying? Budget Committee

What are your community interests (committees, organizations, special activities)?  
None at this time.

Experience and educational background: Assistant Finance Director  
City of Newberg 01-03, Financial Analyst 03-06,  
~~BSO Accountant~~ Accounting George Fox University,  
CPA Since 2001

Reason for your interest in this position: I have been involved on the  
Staff Side of preparing the City budget in Newberg.  
I would like to serve the community of  
Canby by being involved as a citizen member of  
the budget process.

List any other City or County positions on which you serve or have served: This would  
be my first experience being involved as a  
citizen member of a governmental committee

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

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

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

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

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

Phone: 503.266.4021 Fax: 503.266.7961

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

9-30-05

RECEIVED

JUN 07 2006

CITY OF CANBY

Term to exp. 6-30-07

**BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: 6/1/06

Name: Rita Rush

Occupation: Retired

RECEIVED

JUN 13 2006

Home Address: \_\_\_\_\_

CITY OF CANBY

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

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

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

Evening Phone: Same

E-Mail Address: larrita@canby.com

For which position are you applying? Budget committee member

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

Budget Committee

Experience and educational background: \_\_\_\_\_

Degree in accounting, CPA license, and  
retired as budget and accounting manager  
for a state agency.

Reason for your interest in this position: \_\_\_\_\_

Want to participate in the community  
and be a part of the direction that  
our city is heading

List any other City or County positions on which you serve or have served: None,  
except for budget committee

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

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

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

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

Please return to:

City of Canby

183 N. Main Street

P.O. Box 970

Canby, OR 97001

Phone: 503-266-1111 Fax: 503-266-1101

Term to expire 6-30-09

RECEIVED

JUN 13 2006

CITY OF CANBY

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

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

Date: 06-13-06

Name: Kenneth Schuh

Occupation: Mechanical Designer

Home Address:

Employer: Williams Controls

Position: Mechanical Designer

Daytime Phone:

Evening Phone: :

E-Mail Address: kdschuhmeister@aol.com

For which position are you applying? Parks and Rec Advisory Board

What are your community interests (committees, organizations, special activities)? I have been on the Canby Parks and Rec Board for several years, participated in multiple school district advisory committees, and serve as the President and Competition Director for the Canby Swim Club. I work closely with the Staff at the Swim Center on development and community partnership issues. I will be one of the leaders of the November 2006 Swim Center Operations Levy committee.

Experience and educational background: I have an Associates Degree in Mechanical Design, and over 25 years experience in industry. I have significant volunteer marketing and event management experience.

Reason for your interest in this position: I believe that Canby needs to have vibrant and growing Parks and needs to offer a variety of Recreation opportunities to it's citizens. We are off to a good start but have a long way to go!

List any other City or County positions on which you serve or have served: I have previously served as PTA President at Knight Elementary for 2 terms and on Site Council for Knight Elementary School

Information on any special membership requirements:

13.

**Referred by (if applicable):**

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

**Thank you for your willingness to serve Canby**

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

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

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

**9-30-05**



Chief Greg A. Kroeplin

# Memo

**To:** Mayor Thompson & City Council Members  
**From:** Chief Greg A. Kroeplin  
**CC:** Judi Christiansen, General Administration  
**Date:** June 5, 2006  
**Re:** Liquor License Application / Canby Kitchen (314 NW 1<sup>st</sup>)

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**Applicants / Ronald Toole & Mina Khamphilavong**

I have reviewed the attached liquor license application completed by the new owners of the Canby Kitchen restaurant on NW 1<sup>st</sup>. I also met with Mr. Toole on June 2<sup>nd</sup> at the business to discuss the application. Mr. Toole told me that he would be working closely with OLCC as it relates to training for their employees on laws pertinent to the sale of alcoholic beverages. He also told me that he would appreciate having law enforcement visit the business on a regular basis.

I recommend that the Canby City Council recommend approval of the application to the Oregon Liquor Control Commission.

OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION

RECEIVED

MAY 26 2006

100.00 4/12  
CL 1001  
✓

PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

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

ACTIONS

- ☐ Change Ownership  
☒ New Outlet  
☐ Greater Privilege  
☐ Additional Privilege  
☐ Other \_\_\_\_\_

CITY OR COUNTY USE ONLY

The city council or county commission:

Canby

(name of city or county)

recommends that this license be:

Granted ☐

Denied ☐

By: \_\_\_\_\_

(signature)

(date)

Name: Melody Thompson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: 22A

Date: 5/17/06

90-day authority: ☐ Yes ☒ No

Applying as:

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

1. Applicant(s): [See SECTION 1 of the Guide]

- ① ~~XXXXXXXXXXXXXXXXXXXX~~ ③ M&R Investments LLC  
② ~~XXXXXXXXXXXXXXXXXXXX~~ ④ \_\_\_\_\_

2. Trade Name (dba): CANBY KITCHEN

3. Business Location: 314 N.W. 1ST AVE. CANBY, CLATSOP OR 97013  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 822 POLK ST. ORE. CITY OR 97045  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-577-9080  
(phone) (fax)

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

7. If yes to whom: N/A Type of License: N/A

8. Former Business Name: THE COTTAGE KITCHEN

9. Will you have a manager? ☒ Yes ☐ No Name: RONALD L. TOOLE  
(manager must fill out an individual history form)

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

11. Contact person for this application: RONALD L. TOOLE 503-577-9080  
(name) (phone number(s))  
822 POLK ST. ORE. CITY, OR 97045 RONALD.TOOLE@COMCAST.NET  
(address) (fax number) (e-mail address)

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

Applicant(s) Signature(s) and Date:

- ① Ronald L. Toole Date 4-22-06 ③ \_\_\_\_\_ Date \_\_\_\_\_  
② Mimi Murphy Date 4-23-06 ④ \_\_\_\_\_ Date \_\_\_\_\_

1-800-452-OLCC (6522)  
www.olcc.state.or.us

16



## **CITY COUNCIL MEMORANDUM**

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**DATE:** JUNE 21, 2006  
**TO:** HONORABLE MAYOR THOMPSON AND CITY COUNCIL  
**FROM:** CHAUNEE SEIFRIED, FINANCE & COURT SERVICES DIRECTOR  
**CC:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND  
CATEGORIZATION FOR THE 2006-2007 FISCAL YEAR.

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### **BACKGROUND:**

The City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990. The City passed a local option levy of \$0.32 per \$1000.00 of assessed property value on May 21, 2002 to fund Swim Center Operations. The City levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1000. These taxes are hereby levied upon all taxable property within the district as of 1:00 a.m. July 1, 2003. The allocation and categorization subject to the limits of section 11, Article XI of the Oregon Constitution.

### **ISSUE:**

ORS 294.435 requires the City to hold a public hearing and adopt the budget by June 30, 2006 And ORS 294.555 requires the City to submit the Tax Certification Documents to the County Assessor.

### **RECOMMENDATION:**

We recommend City Council adopt resolution No. 923 as recommended by the budget committee.

## **RESOLUTION NO. 923**

### **A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND CATEGORIZATION FOR THE 2006-2007 FISCAL YEAR**

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

**WHEREAS**, a public hearing for the 2006-2007 City Budget was duly and regularly  
advertised and held on June 21, 2006; and be it resolved that the City Council of the City of  
Canby hereby adopts the budget approved by the Budget Committee;

**WHEREAS**, the City of Canby passed a local option levy of \$0.32 per \$1,000.00 of  
assessed property value on May 21, 2002, with an estimated \$262,000 raised in 2005-2006; this  
levy is to fund Swim Center Operations.

**RESOLVED** that the City Council of Canby hereby levies the taxes provided for in the  
adopted budget at the permanent rate of 3.4886 per \$1,000 and a local option levy of \$0.32 per  
\$1000.00 of assessed property value and that these taxes are hereby levied upon all taxable  
property within the district as of 1:00 a.m. July 1, 2006. The following allocation and  
categorization subject to the limits of section 11, Article XI of the Oregon Constitution make up  
the above aggregate levy;

	Subject to the General Government Limitation	Excluded from the Limitation
Permanent Rate Levy	3.4886	
Local Option Levy	0.3200	
Total Levy	3.8086	

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1, 2006 and for  
the purposes shown below are hereby appropriated as follows:

#### **GENERAL FUND**

ADMINISTRATION	1,515,107
COURT	447,484
PLANNING	394,989
LIBRARY	507,700
PARKS	508,320
BUILDING	832,391
POLICE	3,502,514
CEMETERY	127,510
FINANCE	435,745

**TOTAL EXPENDITURES AND REQUIREMENTS** **8,271,760**

**OTHER FUNDS**

**STREET FUND**

PERSONAL SERVICES	408,075
MATERIALS & SERVICES	272,796
TRANSFERS	166,551
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>847,422</b>

**SEWER COMBINED FUND**

PERSONAL SERVICES	771,361
MATERIALS & SERVICES	478,100
DEBT SERVICE	885,223
TRANSFERS	276,669
CAPITAL OUTLAY	3,258,435
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>5,669,788</b>

**911 EMERGENCY**

MATERIALS & SERVICES	217,982
TRANSFERS	1,000
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>218,982</b>

**PARKS DEVELOPMENT FUND**

PERSONAL SERVICES	65,400
CAPITAL OUTLAY	1,605,254
TRANSFERS	44,546
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>1,715,200</b>

**LIBRARY ENDOWMENT FUND**

MATERIALS & SERVICES	500
CAPITAL OUTLAY	119,500
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>120,000</b>

**LOGGING ROAD INDUSTRIAL**

CAPITAL OUTLAY	78,000
TRANSFERS	3,600
DEBT SERVICE	121,263
<b>TOTAL EXPENDITURES AND REQUIREMENTS</b>	<b>202,863</b>

**STREET RESERVE**

CAPITAL OUTLAY	1,569,634
TRANSFERS	23,541
TOTAL EXPENDITURES AND REQUIREMENTS	1,593,175

**CEMETERY PERPETUAL CARE**

CAPITAL OUTLAY	487,636
TRANSFERS	5,000
TOTAL EXPENDITURES AND REQUIREMENTS	492,636

**CAPITAL RESERVE**

PERSONAL SERVICES	19,900
CAPITAL OUTLAY	891,900
TRANSFERS	5,200
TOTAL EXPENDITURES AND REQUIREMENTS	917,000

**FORFEITURE FUND**

MATERIALS & SERVICES	20,000
TOTAL EXPENDITURES AND REQUIREMENTS	20,000

**FLEET SERVICES COMBINED FUND**

PERSONAL SERVICES	256,916
MATERIALS & SERVICES	192,584
TRANSFERS	1,000
CAPITAL OUTLAY	110,000
TOTAL EXPENDITURES AND REQUIREMENTS	560,500

**TECHNICAL SERVICES COMBINED FUND**

PERSONAL SERVICES	48,700
MATERIALS & SERVICES	64,890
CAPITAL OUTLAY	160,421
TOTAL EXPENDITURES AND REQUIREMENTS	274,011

**LID FUND #0100**

TRANSFERS	45,022
TOTAL EXPENDITURES AND REQUIREMENTS	45,022

**TRANSIT FUND**

PERSONAL SERVICES	175,200
MATERIALS & SERVICES	992,111
TRANSFERS	109,500
CAPITAL OUTLAY	106,000
TOTAL EXPENDITURES AND REQUIREMENTS	<b>1,382,811</b>

**SWIM CENTER LEVY FUND**

PERSONAL SERVICES	336,820
MATERIALS & SERVICES	95,713
TRANSFERS	20,600
CAPITAL OUTLAY	55,000
TOTAL EXPENDITURES AND REQUIREMENTS	<b>508,133</b>

<b>TOTAL OPERATING BUDGET</b>	<b>22,839,303</b>
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This Resolution is effective June 21, 2006.

**ADOPTED** by the Canby City Council at a regular meeting thereof on Wednesday, June 21, 2006.

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

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, City Recorder pro tem



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## CITY COUNCIL MEMORANDUM

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**DATE:** JUNE 21, 2006  
**TO:** HONORABLE MAYOR THOMPSON AND CITY COUNCIL  
**FROM:** CHAUNEE SEIFRIED, FINANCE DIRECTOR  
**CC:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** RESOLUTION NO. 924 ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2005-2006 FISCAL YEAR.

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### BACKGROUND:

The City of Canby Budget for the 2005-2006 fiscal year was approved by the voters of said City at a Tax Base Election on November 6, 1990, and a Supplemental Budget for expenditure of unanticipated cash according to ORS 294.326 will require a public hearing if more than 10% increase of any one fund.

### ISSUE:

Oregon budget law prohibits the spending of monies outside of the adopted budget. This supplemental budget will reallocate unanticipated revenues and expenditures according to ORS 294.

### RECOMMENDATION:

The Finance Department has isolated and identified the monetary requirements for all Funds in the form of a supplemental budget proposal. ORS 294 outlines a specific process that the City must complete to enact a supplemental budget.

- Hold a special hearing to discuss and adopt the supplemental. This is scheduled for the regular council meeting on June 21, 2006. The budget committee is not required to be involved.
- Five days before the hearing, a notice of the hearing is to be published in the Oregonian. This appeared in the edition on June 14, 2006.
- The City Council enacts a resolution to adopt the supplemental budget after the public hearing.

We recommend City Council adopt resolution No. 924 as written.



## **RESOLUTION NO. 924**

### **A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2005-2006 FISCAL YEAR**

**WHEREAS**, the City of Canby Budget for the 2005-2006 fiscal year was approved by the voters of said City at a Tax Base Election on November 6, 1990, and a Supplemental Budget for expenditure of unanticipated cash was approved after a Public Hearing held thereon on June 21, 2006.

**WHEREAS**, the City of Canby has now received unanticipated revenues and a Supplemental Budget is required for the expenditures of such funds according to ORS 294.326 (1). No further voter approval is required.

#### **NOW THEREFORE, BE IT RESOLVED THAT:**

Section 1. The following Supplemental Budget for the City of Canby for the 2005-2006 fiscal year is hereby adopted.

#### **2005-2006 SUPPLEMENTAL BUDGET SUMMARY**

<b>Fund/Department</b>	<b>Resources</b>	<b>Requirements</b>	
<b>TRANSIT FUND</b>			
Grant Revenue	187,863	Materials & Services	20,000
Operational Revenue	97,500	Cash Carryover	62,273
		Personal Services	(16,910)
		Capital Outlay	220,000
<b>Total Resources</b>	<b>285,363</b>	<b>Total Requirements</b>	<b>285,363</b>
<b>FLEET FUND</b>			
Operational Revenue	3,800		
Interest Revenue	910	Materials & Services	17,619
Cash Carryover	12,909		
<b>Total Resources</b>	<b>17,619</b>	<b>Total Requirements</b>	<b>17,619</b>
<b>TECH SERVICE FUND</b>			
Program Revenue	1,780	Personal Services	1,780
<b>Total Resources</b>	<b>1,780</b>	<b>Total Requirements</b>	<b>1,780</b>

**LID FUND**

Program Revenue	12,342
Cash Carryover	60,124
<b>Total Resources</b>	<b>72,466</b>

Transfers Out	72,466
<b>Total Requirements</b>	<b>72,466</b>

**GENERAL FUND**

Program Revenue	96,872
Cash Carryover	59,799

Police	117,164
Planning	6,600
Library	17,707
Parks	5,000
Cemetery	10,200

<b>Total GF Resources</b>	<b>156,671</b>
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<b>Total GF Requirements</b>	<b>156,671</b>
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<b>ALL FUNDS Total Resources</b>	<b>\$533,899</b>
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<b>Total Requirements</b>	<b>\$533,899</b>
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This Resolution is effective June 21, 2006.

**ADOPTED** by the Canby City Council at a regular meeting thereof on Wednesday, June 21, 2006.

**ATTEST:**

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

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

## **RESOLUTION NO. 922**

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

**WHEREAS, ORS 221.760 provides as follows:**

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

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

and:

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

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

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

**This Resolution is effective June 21, 2006.**

**ADOPTED by the Canby City Council at a regular meeting thereof on  
Wednesday, June 21, 2006.**

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**Melody Thompson, Mayor**

**ATTEST:**

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**Kimberly Scheafer, City Recorder – Pro Tem**

# **M E M O R A N D U M**

**DATE:** June 21, 2006  
**TO:** Honorable Mayor Thompson and City Council  
**FROM:** Chaunee Seifried, Finance and Court Services Director  
**CC:** Mark Adcock, City Administrator  
**RE:** ORDINANCE DECLARING THE CITY'S ELECTION TO  
RECEIVE REVENUE FOR FISCAL YEAR 2006-2007.

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**Issue:** An ordinance declaring the City's election to receive state revenues for fiscal year 2006-2007.

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

**Recommendation:** That council adopts ORDINANCE No. 1209 declaring the city's election to receive state revenue for fiscal year 2006-2007.

**Fiscal Impact:** The amount estimated by the city to receive is approximately \$70,000.

**Attached:** Ordinance No. 1209

**ORDINANCE NO. 1209**

**AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2006-2007.**

**WHEREAS**, a public hearing for the use of state revenue sharing funds was held before the Budget Committee on May 11, 2006, and before City Council on June 21, 2006; now therefore,

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

**Section 1** Pursuant to ORS 221.770, the City of Canby hereby elects to receive state revenues for fiscal year 2006-2007.

**SUBMITTED**, to the Canby City Council and read the first time at a regular meeting thereof on June 21, 2006, ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on July 5, 2006, commencing at the hour of 7:30 p.m. at the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.

**ENACTED** by the Canby City Council at a regular meeting thereof on July 5, 2006, by the following vote: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

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

**ATTEST:**

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

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## 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:

**Provider**

**Address**

- |                                    |                   |
|------------------------------------|-------------------|
| 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:**

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**Kimberly Scheafer**  
City Recorder - Pro Tem



**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

*2nd Reading*

*31*

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



## CITY COUNCIL MEMORANDUM

**DATE:** MAY 26, 2006  
**TO:** MAYOR MELODY THOMPSON AND CITY COUNCIL  
**FROM:** *my* MARGARET YOCHER, TRANSIT DIRECTOR  
**THROUGH:** MARK ADCOCK, CITY ADMINISTRATOR  
**RE:** ORDINANCE #1212

### Issue:

Purchase of three new Freightliner Champion Buses.

### Synopsis:

When Canby Area Transit withdrew from Trimet in January, 2002, based on the ridership and information provided to the Transit Advisory Committee and the Transit Director, it was decided that we would purchase smaller capacity buses as we grew the system. The last thing we wanted to do was run around town with the "look" of an empty bus.

To all those involved in that decision making purchase, I can't say enough good things about who they are and based on the information we had at the time, we thought we were headed in the right direction for the system growth over the next five years.

Happily we outgrew our original five year forecast within the first two years of service and we currently exceed our maximum capacities on the use of our current buses more than 50% of the time throughout the day.

Staff and The Transit Advisory Committee have come to the conclusion that in order to continue to meet the needs of our clients, in the most cost effective way, it is imperative that we acquire larger capacity buses. We have identified the 34' Champion Freightliners to be of the best capacity to serve our transit needs as well as the best value. These buses will be purchased through a piggy back contract from Western Bus Sales through the City of Wilsonville.

THIS HAS BEEN REVIEWED  
BY THE FINANCE DIRECTOR

*Chauver* 6-14-06

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**Our smaller buses will continue to be used for the CAT's "Complimentary Paratransit" program as well as special needs transportation.**

**Recommendation:**

**Staff recommends approval of Ordinance #1212.**

**Fiscal Impact: The purchase of these three buses will be done through Blue Bird Financial Services Group on a 6 year lease/purchase program. The first payment of \$100,000 is called out in the FY '06-'07 budget and future payments will continued to be called out each year.**

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

## **ORDINANCE NO. 1212**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WESTERN BUS SALES, INC OF BORING, OREGON FOR THE LEASE/PURCHASE OF THREE (3) 2006 FREIGHTLINER CHAMPION BLUEBIRD FOR CANBY AREA TRANSIT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to lease/purchase three (3) 2006 Freightliner Champion Blue Bird with full transit equipment package 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 2006-2007 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 of Canby may purchase identical goods by contract entered into by another public agency when (1) the other public agency selected the seller through a competitive process that met the requirements of the city's purchasing code, (2) the Originating Agency's contract contains a provision that allows other public agencies to make purchase under the contract and (3) the originating agency concurs with the city's use of that agency's contract, and

**WHEREAS**, Western Bus Sales, Inc. of Boring, Oregon submitted the lowest quote of \$524,856.00 for three (3) Freightliner Champion Blue Bird vehicles; 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 City of Wilsonville selected the seller, Western Bus Sales, Inc., through a competitive process, and that the City of Wilsonville's contract with Western Bus Sales, Inc. contains a provision that allows the City of Canby to make a purchase under it's contract and that the City of Wilsonville concurs with the City's use of its contract and therefore it is in the best interest of the City to purchase these vehicles 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 lease/purchase contract with Western Bus Sales, Inc. of Boring,

Oregon for the lease/purchase of three (3) 2006 Freightliner Champion Bluebird for the quoted amount of \$ 524,856.00.

**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 21st, 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 July 5th, 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 5th day of July, 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. 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 \_\_\_\_\_

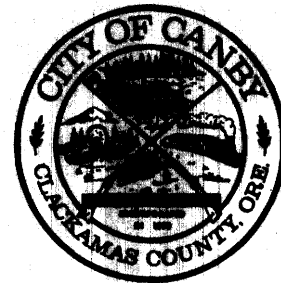
\_\_\_\_\_  
Melody Thompson, Mayor

**ATTEST:**

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

*2nd Reading*

*37*



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF CANBY**

**A REQUEST FOR APPROVAL )  
TO AMEND CANBY'S )  
COMPREHENSIVE PLAN AND )  
PUBLIC FACILITIES PLAN**

**FINDINGS, CONCLUSION & ORDER  
CPA 06-01  
(City of Canby)**

**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. The City Council held a public hearing to consider this application on June 7, 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 AND REASONS**

The City Council deliberated on all testimony presented at the public hearing and incorporates all testimony at this hearing, the June 7, 2006 staff report, Commission record and Commission deliberations as support for its decision. The City Council adopts the findings and reasons attached hereto as Exhibit A.

**ORDER**

**THE CITY COUNCIL** of the City of Canby approves CPA 06-01.

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

**DATED** this 21<sup>st</sup> day of June, 2006.

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**Melody Thompson**  
Mayor

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**Matilda Deas, AICP**  
Project Planner

**ATTEST:**

**ORAL DECISION**

**June 7, 2006**

**AYES:** Carson, Blackwell, Harris, Oliver, Daniels, Helbling

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**WRITTEN FINDINGS**

**June 21, 2006**

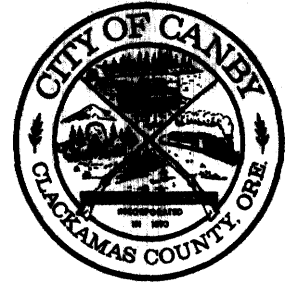
**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

# Exhibit A



## BEFORE THE PLANNING COMMISSION OF THE CITY OF CANBY

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

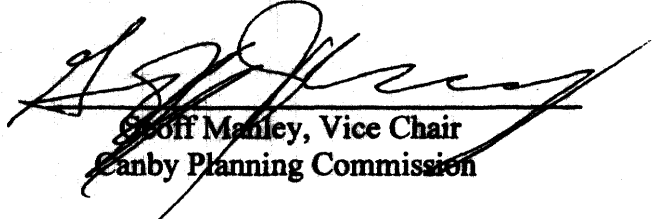
The Planning Commission of the City of Canby concludes that based on the findings and conclusions contained in the April 26, 2006 staff report, testimony at the May 8, 2006 public hearing and Commission deliberations, CPA 06-01 will comply with all applicable criteria.

**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:**