

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
April 6, 2005**

**Presiding:** Mayor Melody Thompson

**Council Present:** Roger Harris, Walt Daniels, Wayne Oliver, Teresa Blackwell and Randy Carson. Councilor Georgia Newton was absent.

**Staff Present:** City Administrator Mark Adcock, City Attorney John Kelley, Community Development & Planning Director John Williams, Finance & Court Services Director Chaunee Seifried, Library & Parks Director Beth Saul, Transit & General Services Director Margaret Yochem, Project Planner Matilda Deas, and City Recorder Pro Tem Kim Scheafer.

**Others Present:** Scott Neuberger, Jolene Campbell, Jonathon Campbell, Betty Sandsness, Lila & Curtis Gottman, Venedo Alcazar, Georgia Hoover, Lori Craig, Jeff Baker, Vicki Aguilar, Carl Harris, Phil Peterson, Vicki Mulkey, Verla Krebs, Phil Koenig, Shannon Jones, Bea Hearn, Susan & Cody Amick, Bob Hearn, Loyd Alice Lowrie, Jim Gibson, and David Howell.

**CALL TO ORDER:** Mayor Thompson called the regular meeting to order at 7:32 p.m., followed by the opening ceremonies.

Presentation by Canby Youth Corp on Community Park – Ms. Lori Craig, teacher and crew leader for the Canby Youth Corp, said that they had been working in the community to protect, conserve, rehabilitate, and improve the natural, historical, and cultural resources of the community. It helped the students in educational and work training. The students explained how the program had benefited them. Planner Matilda Deas said this group had been involved in many City projects. Ms. Craig did a PowerPoint presentation that talked about the projects that the Youth Corp had done in the community. They were hoping to keep the program at the high school. They had taken out the blackberry bushes at Community Park and planted new vegetation.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Venedo Alcazar, resident of 550 S Maple, said that he was concerned about the gang related graffiti in the community. He had seen an escalation in the last nine years. Mr. Alcazar talked about a curfew, better lighting in the areas of trouble, and cameras that might help deter the activity. They needed to be more aggressive in curtailing it. The wall that bordered Township Village had graffiti and he had reported it.

City Attorney Kelley said that the City did not have a curfew and followed the State guidelines for curfew.

Mayor Thompson said that the City had recently enacted a graffiti ordinance. The Police Department was taking a rapid and aggressive response in painting over the graffiti as soon as possible. It was something they were concerned about.

Councilor Harris said that he had ridden along with Mr. Adcock that day to tour the areas in the community that were recently tagged. He said it was good to see a response from the community to get the graffiti removed quickly.

Mr. Alcazar asked if a citizen could be fined for not getting rid of the graffiti in a timely manner. City Attorney Kelley said yes.

Councilor Daniels commended Mr. Alcazar for reporting the graffiti. Councilor Carson said the idea of a fine was to motivate them to make sure it was off in a timely manner.

Betty Sandsness, resident of 572 S Oak Place, said she was a victim of the graffiti on her fence. She had been visited by the Code Enforcement Officer twice. Her neighbors helped to take it off the first time, as well as Canby Builders who donated the paint remover. The fence was on S. Township next to the walkway. She kept the yard clean so the pathway would be clear. This was a problem area and wanted to know what the Police Department and City were going to do about it. Was the wall her responsibility?

Mr. Kelley said anyone's property that bordered a sidewalk was responsible for the care of the sidewalk and wall. There was nothing to prevent her from painting the wall. Mayor Thompson said they were trying to address the issue and it was frustrating. There was a fund through the Chamber for people to use for the cost to paint over it.

Scott Neuberger, resident of 656 SE 6<sup>th</sup> Place, spoke regarding the graffiti and the expense of closing the wall. Mr. Neuberger said the gang activity was coming from Casa Verde and apartments at the edge of town, the 13<sup>th</sup> and 14<sup>th</sup> street gangs. He said he had a problem with the \$500 fine. There were other things that he thought could be done. He said he was not going to take the graffiti off the wall as he feared the gang members would retaliate.

Councilor Harris said that it was very regulated at Casa Verde and perhaps they could give assistance.

Councilor Daniels said they needed more research to find out who was actually doing it. He said they hoped that they did not have to assess a fine. Leaving it up there was not the answer.

Mayor Thompson said she felt the Chief of Police needed to meet with this group of people and talk about their concerns. They had to do something and this was the first step.

Mr. Neuberger said perhaps they could pass an ordinance preventing kids from buying spray paint. He was disappointed that one individual on the Council said he did not want to pay for closing the wall. This was the only arterial path that was being tagged by gang members, and it was a special circumstance. Gang graffiti was also on railroad cars and the bus shelters by Thriftway, but it had not yet been removed.

Vicki Aquilar, resident of 718 S Township, said that she was the on-site manager for Casa Verde. They were very concerned with the graffiti. They had several meetings with their tenants and they talked about putting cameras up for safety. Her father had gone out yesterday and helped remove graffiti. They installed lights in their apartments where it was dark. Yesterday was the first time someone from Township Village had talked with her about this problem. They were willing to work together to stop it.

Jolene Campbell, resident of 656 SE 6<sup>th</sup> Place, asked what would happen if they did not pay the fine. Mr. Kelley said that it would be the same way they enforced any nuisance ordinance violation. They would appear in court. The maximum fine was \$500. Ms. Campbell said she did not have the money to clean it every time it got tagged. Mr. Kelley said he had not seen a time when a resident was threatened for cleaning up the graffiti. The City did not pay citizens for the damage caused by other vandalism.

Jeff Baker, resident of 551 N Knott, said that the Oregon City Recycle Center had cheap paint. Canby Youth Corp could help clean up the graffiti.

Karen Haynes, resident of 592 SE 6<sup>th</sup> Place, said that she lived down in the middle of the block and fortunately her wall wasn't getting tagged. She said she did not have money to pay for taking off graffiti and the Police Department was not catching the perpetrators. Spring was here and people would be out later, and it could become a real problem and safety concern.

Georgia Hoover, resident of 2040 N Redwood, said she was representing the Clackamas County Fairgrounds. She invited the Council to attend an Evening in Paris on Saturday, April 16<sup>th</sup>. It was a fundraiser for the Fairgrounds to purchase banquet tables and chairs and help with the all night graduation party for Canby High School.

Mayor Thompson recessed the meeting at 8:40 p.m. for a short break. Mayor Thompson reconvened the meeting at 8:48 p.m.

**MAYOR'S BUSINESS:** None.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Harris said that he and his wife had recently completed the CERT training through the Canby Fire District. This was excellent training for anyone learning emergency preparedness. Councilor Harris said that the Canby Police Department would be putting on a Citizens Police Academy.

Councilor Harris said Canby Business Revitalization and Development would be presenting their priority list to the URD Advisory Committee. He hoped that they could encourage the URD Advisory Committee to look at the Berg Parkway Project and find other funding. It was an essential project. Also there was a letter in the *Canby Herald* that talked about police officers using vehicles off duty. He had talked with the Chief about it and it was a regulated process.

Councilor Harris said this body was the group that was elected and had the final responsibility to the public. He had recently watched the video of the Planning Commission meeting with the

Canby School District application. He thought that a couple of the Planning Commissioners had made comments that were inappropriate. He thought that the City should deliver an apology to the School District. He thought they had perhaps been negligent in giving the committees guidance.

Councilor Daniels said that he hoped they would vote in favor of the bathrooms for the bus station. Also he had attended the meeting at the Library last night. There would be a meeting tomorrow night regarding the Library's financial problems due to the levy failing. They would have to cut 25 hours starting in July. The Friends of the Library were working on fundraising activities.

Councilor Oliver said that he had seen Library & Parks Director Beth Saul pruning. Everything was looking nice.

Councilor Blackwell said that the Clackamas County Coordinating Committee would be meeting tomorrow night. They would be working on coordinating economic development in Clackamas County. The Complete Communities for Clackamas County Congress would be meeting on Saturday, April 9. Bingo would be at the Canby Adult Center on April 9. The General Canby Days Committee would be having their coronation on April 21. There was a change in the parade route and sign up. There was also a new marching band contest.

Councilor Carson said the URD Agency would be keeping Berg Parkway as a priority. Last night there was a meeting of the SE Neighborhood Association meeting. They were trying to get people to volunteer as officers. He gave the boundaries of the association. Councilor Carson thought they should have a workshop with the Planning Commission.

Councilor Daniels asked if they could get a map which showed the areas of the neighborhood associations.

**CONSENT AGENDA: \*\*Councilor Blackwell moved to approve Accounts Payable of \$294,494.39 and Minutes of the March 16, 2005 City Council Workshop, Regular Meeting and Executive Session. Motion was seconded by Councilor Carson and passed 5-0.**

#### **RESOLUTIONS & ORDINANCES:**

Ordinance 1172 – **\*\*Councilor Harris moved to approve Ordinance 1172, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH CANBY COURTHOUSE SQUARE, LLC FOR THE RENTAL OF PROPERTY FOR CITY OFFICES; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

Ordinance 1173 – **\*\*Councilor Daniels moved to approve Ordinance 1173, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON FROM LIGHT INDUSTRIAL TO HEAVY COMMERCIAL/MANUFACTURING FOR A PORTION OF TWO LOTS LOCATED**



**ON THE NORTH SIDE OF S. REDWOOD STREET to come up for second reading on April 20, 2005. Motion was seconded by Councilor Harris.**

Councilor Harris said they were changing it to be uniform so they did not have two odd chunks.

**Motion passed 5-0 on first reading.**

Ordinance 1174 – Transit & General Services Director Margaret Yochem said the bathroom was prefabricated, with both male and female restrooms and on the back side would be a personnel staff lounge. They sent out to bid and \$148,000 of the price was federal grant appropriation and they had to match it by 20%. It took six weeks to receive it after ordering and a day to put it together. It already came with a foundation, they just had to hook it to City services and put pea gravel around it.

**\*\*Councilor Carson moved to approve Ordinance 1174, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE ACQUISITION OF A PRE-FABRICATED PUBLIC RESTROOM AND TRANSIT PERSONNEL BREAKROOM FOR THE CANBY TRANSIT SYSTEM; AND DECLARING AN EMERGENCY to come up for second reading on April 20, 2005. Motion was seconded by Councilor Blackwell and passed 5-0 on first reading.**

**NEW BUSINESS: ODOT Fund Exchange Agreement** – City Administrator Adcock said that this was for a fund exchange for 2004 with ODOT. This was something they did every year and allowed for federal transportation money allocated to the City to have the State serve as fiscal agent for the City at six cents on the dollar.

**\*\*Councilor Harris moved to authorize the Mayor to execute the 2004 Fund Exchange agreement with the Oregon Department of Transportation. Motion was seconded by Councilor Daniels and passed 5-0.**

Discussion on Apology Letter to Canby School District - Mayor Thompson asked if the Council wanted to have further discussion regarding an approach to address certain comments made by members of the Planning Commission that might not reflect Council's customer service and ethic with regard to how they dealt with people. There was setting a standard by using a code of conduct. It was also suggested to send an apology to the School District in some formal sense and the suggestion of a workshop to discuss the issue with the Planning Commission. There were frustrations expressed by the commission on some of the issues with regard to the application and information presented. Maybe there was something that the Planning Commission needed from staff or the process to work better. She thought they might want to look into the kinds of materials that were received and whether they were adequate.

Councilor Carson said they had been given copies of the Policies & Operating Guidelines. This should be discussed as a liaison with the each committee. He thought that they needed a workshop with the Planning Commission specifically to talk about some of those things to see where their frustrations were.

Councilor Daniels said he thought there were two issues. If they did not have enough information, that was one issue. Their conduct in dealing with the public was another issue. As a Councilor, he was embarrassed by their conduct and had called the School District and apologized. He thought a letter should be sent to them as a whole group saying that they do not condone that type of conduct. People do not separate the Planning Commission from the City Council. It reflected on them and they had been trying to build a rapport with the School District for a number of years. He would be in favor of a workshop with them, but thought a letter of reprimand should be sent.

Councilor Oliver said he agreed that they needed to send a letter of apology. A workshop was fine, but it seemed like they had one or two before and the people that needed to be there were not there. Maybe a letter saying that they would like those issues cleaned up would work.

Councilor Carson said he thought they should send a letter of apology. He was not sure if they wanted to do a reprimand letter. He had talked with several of the School Board members as well as Deborah Sommer.

Councilor Oliver said that obviously not all the Planning Commission members were at fault.

Councilor Daniels said that they should be made aware they do not condone that action.

Councilor Oliver said if they watched them then they should know.

Mayor Thompson said their approach had always been to not embarrass anyone. Part of her was reluctant to have the discussion on camera, as her personal method of working with people had been that if something was not working and they needed to get people together to talk; she would pick up the phone and call them. It was not her approach to sit on camera, because that was the approach she personally asked others to not to take.

Councilor Harris said that he agreed with the Mayor. Her approach was a very good one. The unfortunate part of this was that meeting was so very public. If they didn't have this discussion on camera, it would leave the impression with many people in the community that they had not taken any action. They did not have to beat it to death on camera, but he thought something needed to be said.

Councilor Blackwell said she was of the same thinking as the Mayor and she appreciated the insight of Councilor Harris and the rest of the councilors. She had yet to talk with anyone on the Planning Commission. She was hearing that they wanted a letter written to the School District and she wanted to know who they wanted to write that letter. She also felt that they needed to sit down as a group with the Planning Commission. She had a packet of the Policies & Operating Guidelines that needed to be delivered to the Planning Commission. She wanted some more input on what they wanted to do next.

Mayor Thompson said the packet of information was something that all of the Councilors were taking to committees. As a group they had agreed to them. It was information for committee people who might not understand how the City worked and what their rules were.

Councilor Harris said it sounded like they all agreed on a letter to the School District and he suggested that it come from the Mayor, as the ultimate representative from the City. A copy of the letter to the School District could be delivered by the Council Liaison to the Planning Commission and be enough to convey the point without some kind of formal reprimand.

Councilor Carson said he was happy with an apology going to the School District and a copy to the Planning Commission.

Councilor Daniels thought there should be something that said they do not condone this type of action. Councilor Harris agreed.

Mayor Thompson said her difficulty with a general letter to the Planning Commission was what it would convey.

Councilor Blackwell said having been on the Planning Commission in the past and having a similar situation, the Mayor and Council Liaison had talked with the individuals involved. They needed to say something, but they were volunteers and contributed a lot.

Councilor Blackwell said that everyone had agreed to a letter of apology to the School District. Now was it the will of the Council to send a letter of reprimand to the Planning Commission or have a conversation with them?

Councilor Daniels said he understood there were two individuals, but a general statement regarding the actions that took place that night, the Council did not agree with the way the public was treated. They would not condone that kind of action. Not name names, but let everyone know that they stood firm on that policy.

Councilor Carson said he went along with Councilor Daniels. It was a general letter of concern, and they wanted to make sure they were not treating their customers or citizens in a way that reflected on them.

Councilor Oliver said he would go along with a copy of the letter to the Planning Commission and he would wait until they had their conversation with the Planning Commission. If that did not go well, then they would send the letter.

Mayor Thompson said it was 3-2 for sending the letter right away to the Planning Commission.

Councilor Harris said he liked the way Councilor Daniels had phrased the generic letter instead of individually.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** None.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approving the consent agenda.
2. Meeting with Chief Pagano to address the citizens concerns about graffiti.
3. Preparing a map of the boundaries of various neighborhood associations.
4. Approving Ordinance 1172 on second reading.
5. Approving Ordinance 1173 to come up for second reading on April 20, 2005.
6. Approving Ordinance 1174 to come up for second reading on April 20, 2005.

Councilor Harris said there was a request from the public regarding a paint ordinance. Mayor Thompson said curfew and reconsidering the cost of closing the walkway also needed to be addressed. The Council consensus was to wait until a report was received from Chief Pagano.

**\*\*Councilor Blackwell moved to go into Executive Session pursuant to ORS 192.660(2)(e) real property and ORS 192.660(3) labor negotiations. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Thompson recessed the regular session at 9:44 p.m.

Mayor Thompson reconvened the regular session and immediately adjourned at 11:09 p.m.

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**CANBY CITY COUNCIL  
EXECUTIVE SESSION  
April 6, 2005**

**Presiding:** Mayor Melody Thompson

**Council Present:** Roger Harris, Walt Daniels, Wayne Oliver, Teresa Blackwell and Randy Carson. Councilor Georgia Newton was absent.

**Staff Present:** City Attorney John Kelley, Community Development & Planning Director John Williams, and Finance & Court Services Director Chauncey Seifried.

**Others Present:** None.


Mr. Williams, representative for the management team, requested an Executive Session to discuss labor negotiations. Council agreed to hold negotiations in Executive Session.

Mayor Thompson called the session to order at 8:40 p.m.

ORS 192.660(2)(e) – The Council discussed the Simnitt property and Perman property.  
ORS 192.660(3) – The Council discussed labor negotiations with the management team.

Mayor Thompson adjourned the Executive Session at 11:08 p.m.

  
Kimberly Scheafer  
City Recorder Pro Tem

  
Melody Thompson  
Mayor

Assisted in Preparation of Minutes – Valerie Kraxberger & Susan Wood

**2004 FUND EXCHANGE AGREEMENT**

**North Ivy Street Improvements: North 4<sup>th</sup> Avenue to Approximately North 6<sup>th</sup> Avenue**

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and the City of Canby, acting by and through its elected officials, hereinafter referred to as "Agency."

**RECITALS**

1. By the authority granted in ORS 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

**NOW THEREFORE**, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

**TERMS OF AGREEMENT**

1. Agency has submitted a completed and signed Part 1 of the Project Prospectus, or a similar document agreed to by State, outlining the schedule and costs associated with all phases of the improvements on North Ivy Street from North 4<sup>th</sup> Avenue to approximately North 6<sup>th</sup> Avenue, hereinafter referred to as "Project".
2. To assist in funding the Project, Agency has requested State to exchange 2004 Federal funds, which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$117,593 Federal Funds for \$110,537 State funds.

3. State has reviewed Agency's prospectus, considered Agency's request for the Fund Exchange, and has determined that Agency's Project is eligible for the exchange funds.
4. This Agreement shall be for two years beginning on the date all required signatures are obtained and shall terminate two calendar years later on the same month and day, unless otherwise extended or renewed by formal agreement of the parties.



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CITY OF CANBY

5. The parties agree that the exchange is subject to the following conditions:

- A. The Federal Funds transferred to State may be used by State at its discretion.
- B. State dollars transferred to Agency must be used for the North Ivy Street from North 4<sup>th</sup> Avenue to North 6<sup>th</sup> Avenue Project. This Fund Exchange is to provide funding for specific roadway projects and is not intended for maintenance.
- C. State funds may be used for all phases of the Project, including preliminary engineering, right of way, utility relocations and construction. Said use shall be consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). Agency shall be responsible to account for expenditure of State funds.
- D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$110,537. All costs incurred in excess of the Fund Exchange amount will be the sole responsibility of Agency.
- E. State certifies at the time this Agreement is written that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation. Funds available for reimbursement on or after July 1, 2005, are contingent upon the legislatively approved budget of State.
- F. Agency shall be responsible for all costs and expenses related to its employment of individuals to perform the work under this Agreement, including but not limited to retirement contributions, workers' compensation, unemployment taxes, and State and Federal income tax withholding.
- G. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof; Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the

foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

- H. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; purchase all necessary right of way in accordance with current State and Federal laws and regulations; obtain all required permits; be responsible for all utility relocations; advertise for bid proposals; award all contracts; perform all construction engineering; and make all contractor payments required to complete the Project.
- I. Agency shall compile accurate cost accounting records. Agency shall bill State in a form acceptable to State no more than once a month for costs incurred on the Project. State will reimburse Agency at 100 percent of the billing amount not to exceed \$110,537. The cost records and accounts pertaining to the work covered by this Agreement shall be retained for inspection by representatives of State for a period of three years following final payment. Copies shall be made available upon request.
- J. Agency shall, upon completion of Project, maintain and operate the Project at its own cost and expense.
- K. All employers, including Agency, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Agency shall ensure that each of its subcontractors complies with these requirements.
- L. This Agreement may be terminated by mutual written consent of both parties.
  - 1. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:
    - a. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
    - b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and

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after receipt of written notice from State fails to correct such failures within 10 days or such longer period as State may authorize.

2. Either party may terminate this Agreement effective upon delivery of written notice to the other party, or at such later date as may be established by the terminating party, under any of the following conditions:
  - a. If either party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either party, in the exercise of their reasonable administrative discretion, to continue to make payments for performance of this Agreement.
  - b. If Federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or either party is prohibited from paying for such work from the planned funding source.
3. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.
- M. State and Agency hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
6. Agency shall enter into and execute this Agreement during a duly authorized session of its City Council.
7. This Agreement and attached exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

[illegible]

The Program and Funding Services Manager approved the Fund Exchange on October 26, 2004.

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**CITY OF CANBY**

On November 10, 2004, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director delegates to the Deputy Director, Highways the authority to approve and sign agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

**CITY OF CANBY, by and through its  
elected officials**

By Melody Thompson  
Mayor

Date 4-6-05

By Kimberly Scheaffer  
City Recorder

Date 4-6-05

**APPROVED AS TO LEGAL  
SUFFICIENCY**

By [Signature]  
Agency Counsel

Date 3/10/05

Agency Contact:

John Williams  
P.O. Box 930  
Canby, OR 97013

**STATE OF OREGON, by and through  
its Department of Transportation**

By \_\_\_\_\_  
Deputy Director, Highways

Date \_\_\_\_\_

**APPROVAL RECOMMENDED**

By \_\_\_\_\_  
Technical Services Manager/Chief  
Engineer

Date \_\_\_\_\_

By [Signature]  
Region 1 Manager

Date 3-5-05

**APPROVED AS TO LEGAL  
SUFFICIENCY**

By \_\_\_\_\_  
Assistant Attorney General

Date \_\_\_\_\_