

CANBY CITY COUNCIL
REGULAR SESSION
JUNE 6, 2001

Mayor Terry Prince presiding. Council members present Walt Daniels, Corey Parks, Patrick Johnson, Shirley Strong, and Randy Carson. Also present: City Administrator Mark Adcock, City Attorney John Kelley, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Police Chief Jerry Giger, Planning Director John Williams, Marty Moretty, David Howell, Darvin Tramel, Joe Witt, Jeff Snyder, Ron Tatone, Lyle Read, Lynn Kadwell, Roy Hester, Donna and Leonard Walker, Curtis and Lila Gottman, Randy Tessman, Linda Runyan-Finden, Craig Finden, Bob Trappe, Ben Settecase, Dave Kadwell, Brian Ashby, Harry LeeKwai, and Nancy Wilmes.

Mayor Prince called the regular session to order at 7:33 p.m., followed by the opening ceremonies.

PROCLAMATIONS: Certification of May 15, 2001 Annexation 3-35 - Mayor Prince read the election results approving that 14.49 acres on the west side of N. Redwood Street be annexed into the City of Canby.

Certification of May 15, 2001 Annexation 3-36 - Mayor Prince read the election results approving that 1.66 acres located at 1773 N. Redwood Street be annexed into the City of Canby.

Certification of May 15, 2001 Annexation 3-37 - Mayor Prince read the election results approving that 4.47 acres located on the east side of N. Pine Street near NE 19th Court be annexed into the City of Canby.

CITIZEN INPUT ON NON-AGENDA ITEMS: Ron Tatone residing at 1127 NW 12th Avenue, Canby, spoke to the Mayor and Council representing five property owners of a thirty acre parcel of land located in the NW section of Canby which is affected by Senate Bill 929, now in the Ways and Means Committee. SB 929 was initiated by Associated Oregon Industries and presented to the Senate Committee on Natural Resources in early April. The bill, as initially submitted, required that urban growth boundary include all area within city limits or all area within boundaries of Metropolitan Service Districts. This bill was later amended to delete the MSD boundary. The bill was approved unanimously by the Senate subcommittee with no opposition from the Department of Land Conservation and Development. The bill, as amended, requires all area within the City limits to be included in the Urban Growth Boundary and as a result, affects only the City of Canby. The bill is presently in the Ways and Means Committee to be reviewed and then sent to the House of Representatives for approval.

The site is bounded on the north by Territorial Road, the south boundary is contiguous to the Catholic Church, and the east and west boundaries are fully urbanized with single family dwellings including a ten acre parcel purchased from the School District which is now being reviewed by the City for development. The site is composed of seven separate tax lots with six fully developed streets with dedicated sixty foot right-of-way dead ending at the perimeter of the site. NW 10th, 12th and 13th Avenues on the west boundary were approved by the Planning Commission in the mid-1960's. NW 10th and 12th Avenues on the east boundary were approved

by the Planning Commission as well as N. Douglas on the south in the early 1970's. Each of these dead end streets were required by the Planning Commission to have a one foot parcel to prevent construction of structures that may prevent the future extension of these streets.

There should be no question that the 30 acre tract of land is committed to urban uses and should be included in the urban growth boundary of the City. It was Mr. Tatone's and the other property owners' request for the Council to agree not to oppose SB 929 and to support, or at a minimum to be neutral, in its passage by the State legislature. Also, he requested that the Council confirm this action in the form of a letter to Rep. Kurt Schrader and the House Ways and Means Committee.

Councilor Parks asked why LCDC had not brought this in, why they had not done this on their own and why this was requiring State legislative action to do? If LCDC were not opposing this, why didn't they do it before when they had a chance? Mr. Parks stated that they had an opportunity to hold public hearings.

City Attorney John Kelley explained that the last time, the Council approved the application for an amendment to expand our urban growth boundary to include this property. The matter was appealed by some local property owners to the Land Use Board of Appeals and LUBA determined that there wasn't sufficient showing of "need" for the property to be within the City's urban growth boundary. They stated that if the City was running out of space, the City should use upzone, infill or other techniques to take care the need. This was determined to be the legal posture of the case. So the Land Use Board of Appeals opinion stated that the City couldn't amend the urban growth boundary to include this property because of the "need" issue at that time. It was determined that this had taken place around 1993-94.

Mayor Prince also recalled that there was the possibility if someone wanted to go out of the urban growth boundary then there could be a land swap so the property being discussed could come in. Mr. Kelley recalled that it was discussed as being one of the solutions but wasn't sure if it was one that the Land Use Board of Appeals said but would probably be one that the LCDC would get behind. LCDC had been behind the City's position but that LUBA said that the City had not made sufficient showing.

****Councilor Carson moved to notify Rep. Kurt Schrader and the House Ways and Means Committee in the form of a letter that the majority of Canby City Council does not oppose Senate Bill 929. Motion was seconded by Councilor Daniels.**

Councilor Johnson clarified that the governing body of the State that looks at land use stated that they were supporting the City in its efforts to bring in this land. Then the Court process, said that it was a bad idea. So basically, the State on both sides said "yes" and "no" at the same time.

Attorney Kelley was not sure that LCDC stated that they supported it as much as they did not object when the plan was submitted.

Mayor Prince stated that the change that has occurred since has been that Canby has become a voter approved annexation city.

Attorney Kelley agreed but stated that this property is already within the city limits, so that annexation is not an issue. They are not asking to annex into the City because they are already within the city limits. If the property owners were to initiate an action, it would go as an amendment to the City urban growth boundary.

Councilor Parks stated that in light of the difficulties with space, circumstances have changed significantly in the six years since and why would we not doing this, outside of this State action.

Mayor Prince said that during periodic review, this group did submit a letter to look at this issue and according to conversations with Dr. Kadwell, their group didn't initiate this bill, but rather the Legislature. The Mayor stated that if this were to go through our process, it would go periodic review; there is also a buildable lands survey that says there is an excess of residential property now. The "need" cannot be shown right now.

Councilor Daniels said that the Buildable Lands Committee tried to bring this property in because of the benefits indicated by the City, Canby Utility, Fire Board due to the advantage of putting the utilities through. Utilities are stubbed off at this property and the infill process was being looked at, not knowing that the Legislature was pursuing their own action. A suggestion of trading land or "swapping" had been discussed at the Buildable Lands level, but never pursued. His understanding was that this would be brought in as agricultural until a zone change took place.

The Mayor stated that he wasn't clear on those issues, but that the bill states that the property needs to be brought into the City by May 2002.

Mr. Tatone said that when this property came into the urban growth boundary and in order for any development to occur, it would still need to go before the Planning Commission for review and public hearing, and a zone change created so there would be plenty of notice of changes to the property. At this point, it is a piece of property within the City limits that is completely surrounded by the urban growth boundary and the State is saying that it is urbanized and should be within that boundary. It is not a "need" issue, but an "urbanization" issue.

Councilor Carson stated he supported this and that things have changed through the years. The property is getting harder to farm, the dust and pesticides have caused complaints. Some do want it to remain open, but they are not the property owners. The streets, water, and sewer come up to this area and there are even some septic tanks on the north side. He had checked with Canby Utility and there is a well in that area that puts out 700 gal/minute that could potentially be used for irrigation at a park or tie into the City system down the road. He feels it would be a good asset to bring into the City.

Councilor Johnson asked if it were brought into the City, would 30 acres be required to come out from somewhere else, and Attorney Kelley stated the way the bill is worded that a City that has property within its limits must bring that property within the urban growth boundary. He wasn't aware of a procedure associated with it.

Mayor Prince felt that this bill was directed at only Canby, no other jurisdictions have this situation. Mr. Kelley agreed that the bill didn't start with just Canby but that the others worked out their arrangements and pulled their requests out of the Bill and now only Canby is left.

Councilor Johnson reaffirmed that this property was zoned agricultural and public hearings would be required for any zone changes or other land use issues. He was also in support of this action. Traffic issues at Territorial and 99E would not be impacted; Trost would not be affected; and the possibility of a well sometime in the future. This is unique to the State and something that needs to be taken care of.

Councilor Parks was also in favor of this but would have preferred to have done this as a Council and not a State action. His problem with how it's being presented is that there is no opportunity for public input and is being discussed under Citizen Input and not New Business as an agenda item. The vote is coming up as early as the end of this week.

Councilor Johnson's response was that any citizen could go down to Salem and speak in front of the legislature if they feel strongly about this and that there are going to be public hearings on zone changes connected to this property. Until there is an impact, which he feels will be a zone change, there is really no point and is in favor of this tonight.

Councilor Parks felt that in absence of due process in front of the Council, his position would be to neither oppose nor support; he was neutral. His sense was that it would pass in the Legislature.

Councilor Daniels felt that Rep. Schrader was representing this district and if the Council were opposed to it, he would probably oppose it and would support it if the Council were to support it. Mr. Daniels thought the written word would carry more weight.

Councilor Strong was not going to oppose it and would be considered "neutral".

Mayor Prince mentioned public input and said that a letter had been received knowing that this was now before the legislature.

Councilor Parks stated that he would support this but wanted the motion to be amended to reflect that the Council's support is without the benefit of public input.

Mayor Prince read the letter in opposition from Ed Montecucco feeling that it needed to be read into the record. The letter reflected that the Bill was side stepping Canby's comprehensive plan without the benefit of Planning Commission, Council or citizen approval. The State shouldn't mandate how the City of Canby will be developed. The Mayor again stated that if an area is being brought in from outside the urban growth boundary, it does fall under the voter annexation category. There was a letter in opposition at the legislature signed by Councilor Strong and Councilor Blackwell stating that this was side stepping what hopefully should be a Canby process.

Councilor Daniels objected that the letter had not been available to all Councilors and gave the impression that all of the Council was opposed and that was not the case. Mayor Prince stated

that it was not written as a Council position, and not presented that way. Councilor Daniels felt that they would not have known how many councilors Canby had and thought that it should have represented the whole Council. Councilor Johnson stated for the record that he did not sign that letter.

Councilor Johnson thought that Council needed to work on a process on how to handle letters that come before the City Council because it seems to be very "spotty" on how they are handled as public input. In the future he would like to see all letters treated fairly.

****The motion was amended to add that there had been no scheduled public input. Motion passed 5-0.**

****There was consensus that because of the short time line that City Administrator Mark Adcock would prepare and sign the letters.**

Leonard Walker 1526 N. Plum Court, Canby, asked the question of Council regarding Sequoia Parkway, why the City would use tax dollars to develop private property. In Section 300 of the Urban Renewal Plan "*Purpose of the Plan*" is to rid of "blighted areas" and he does not believe that area to be blighted. He doesn't think it conforms to the intent and purpose of urban renewal. The key word is *renewal* and doesn't believe it to be a renewal project. It would set a precedent of other developers coming before Council and asking to have their roads developed. The Urban Renewal Plan is quoted as being a twenty year plan but the way he reads it, the Agency can accumulate up to \$51 million debt but if the debt isn't paid off in the twenty year period, the Agency continues until it is paid off.

Mayor Prince responded to his last statement by saying that debt could be incurred in the fifteenth year of urban renewal. Councilor Parks stated that you could take debt in the nineteenth year but that you would need to be scheduled to pay it off in the twentieth year. The reason the plan is written that way is that it is possible to incur debt to cover "x" development and then there is a downturn in the economy and you can't meet the debt payment, you can extend the payment past twenty years. You cannot borrow money past the twentieth year even though you could still continue to make debt payments past that year. Mr. Walker stated that if there is a debt, it will need to continue until it's paid off.

CONSENT AGENDA: **Councilor Strong moved to adopt the consent agenda: minutes of the workshop and regular meeting, May 16, 2001 and accounts payable in the amount of \$152,228.45. Motion seconded by Councilor Carson and passed 5-0.

Councilor Johnson complimented staff again on the minutes.

PUBLIC HEARING:

System Development Charges Review Continuation - Mayor Prince continued the public hearing at 8:12 p.m.

Administrator Adcock stated that at the last Council meeting, it was decided to continue the public hearing and directed staff to develop some alternatives and options that had arisen after public testimony.

STAFF REPORT: Planning Director John Williams reviewed that at the last meeting the project lists and the impacts for the four SDC's - Parks, Sanitary Sewer, Storm Sewer, and Transportation - were discussed. The result of an immediate increase would approximately double the system development charges for applications received immediately after adoption. Council requested several options to reduce the impact and he has proposed three scenarios: phasing, delayed start, and grandfathering.

Phasing would increase the SDC over time. There could be an infinite number of percentages and length of time in which to phase in the increases. In order to give the Council an estimate, he had proposed a 25% immediate increase with 6.25% increases monthly after that to reach 100% within one year. Other scenarios would also result in some revenue loss to the SDC since the full impact would not be achieved each reached 100%. The range of revenue loss went from \$160,000 to \$110,000 depending on the scenario. It is difficult to compute what the exact loss would be because if an increase were proposed in six months, application "packing" would result in trying to beat an increase. He based his numbers on what would happen using averages at the normal rate now. In reality, the revenue losses could be greater than reflected due to potential "packing". There were twenty building permits the day of the last Council meeting as people anticipated the rates increasing as a result of that meeting which equates to a month's worth of permits. The resolution that was in the packet tonight for potential adoption, followed the scenario of 25% immediate increase with the 6.25% monthly increase after that until the 100% was reached.

Delayed Start was another option proposed. This option would delay the effective date of the increase and give some warning of the increase, allowing some projects currently in the works to finish up before the increase would take effect. In this scenario, the farther out the delay started, the more projects would be able to beat the dead line and get in. An October 1st deadline would result in \$107,00 loss in revenue but in reality that long of a delay would allow many additional applications to hurry up and beat the deadline.

Grandfathering was the third option that was looked at; things that are currently in the land use process - how could those be grandfathered in? One would be to set an effective date far enough in advance so that everything that is currently in the planning office now could go through the planning commission and building permit process. Four months is usually enough time to get through the Planning Commission process and make an application for a building permit. That would work for things like a design review i.e., the Denny's application. They would probably have enough time to get through the process and make an application for a building permit in four months. The things that wouldn't be able to work under that scenario would be a subdivision, which could get through the land use process but houses would come in over time.

If the desire was to grandfather everything that is currently existing, staff worked up scenarios of what the impact would be. If all the existing subdivisions were grandfathered, there would be a \$266,000 loss in SDC revenue; in design review another \$200, 000; in annexations \$200,000;

and in unbuilt lots in existing subdivisions and Hope Village that have already been through the process, another \$1,000,000 for a total of nearly \$2,000,000 in revenue loss.

There was some testimony at the last Council meeting that indicated that any increases could potentially kill some of the current projects that are already in the door. The impact in our instance is great because four SDC's are being increased at the same time. Other cities have done their increases in every conceivable way, some have set a three to four month beginning date, some into the next fiscal year, and some have done a phasing such as Corvallis. It does take staff some time in implementing if the preference is to do the increases on a monthly basis, but it is very possible. These revenue estimates should be taken as an estimate, not what will actually happen and take into consideration that any phasing or grandfathering will reduce the amount of revenue.

Mayor Prince thanked Mr. Williams for the comprehensive plan and all the alternatives.

Mr. Williams also stated that it had been discussed at the staff level, that a gradual increase might reduce the amount of "packing". If the increases went up at a rate of 6.25%, it would not create the rush that might otherwise happen with a larger increase all at once. The rush would also burden staff to process the volume that would be created.

Mayor Prince remembered that four years ago when there were SDC increases made, it was hoped that this situation wouldn't occur again. Is there something built into these rates that will prevent this from happening again?

Mr. Williams stated that there is now a section included in Resolution 748 that will look annually at the effects of inflation on construction costs. If changes are needed, they would come before Council with a new resolution. More broadly, the SDC's are individually looked at whenever the master plans are done and there could possibly be a schedule set for that. It was the goal in the past, but it didn't happen. At this time, it came about during the periodic review and capital improvement plan process.

Mayor Prince again stated that there would now be a mechanism in place so that this would be done every year. Part of the problem was also that there have been many planning directors in a short amount of time.

Councilor Parks added that there could be a small fixed increase in the rate so that every January 1, for instance, the rates went up 2% and then over the course of several years there could be a study done to adjust the rate. This would ensure that they would never fall as far behind.

Councilor Johnson understood that the rates were raised four years ago and now they are being raised again. Mr. Williams stated that usually they are not all done at once and the hope would be to do one a year so that they would be done gradually. Mr. Johnson stated that during that time there are master plans and project lists that SDC revenue is used for and as those costs go up, and if our SDC rates stay the same, we end up being able to buy less. Mr. Williams gave the example when the value of land goes up and the Parks SDC remains the same, we end up being able to buy less acreage every year.

Councilor Johnson said that it then comes down to how bad it will be for developers vs. how much "bang" the community gets for their SDCs. The resolution that is before them appears to be more equitable for everyone. He is not pleased with the amount that they are behind and we will lose by not going to 100% immediately but, this plan does seem to be a balanced one and he would support it.

Councilor Carson asked if the annexations that just came in and the subdivisions that have crossed through the Planning Department in the last few weeks, would they need to pay the higher amount? Mr. Williams felt that they would because they would not be able to stay under the four month window. The SDC's are collected at the building permit level which takes place after subdivision design review.

Councilor Carson also asked if the rates were raised all at once, many people would not be able to build and that would also affect the SDC revenue - if no one builds, there are no SDC monies. Mr. Williams said that was correct, that if the rates were raised too high and the building went down, you don't get the revenue under that scenario either. The assumption is that you eventually end up getting it at the right rate, but there is an economic point that is passed to make it unprofitable to develop. It has been mentioned that there are some applications that may go away.

Councilor Parks asked if it could be tiered to whom it applies so that those who were at a certain category as of a certain date have an immediate increase, and those who were at another level in the process would be at another payment schedule. For example, those at the annexation stage would have the full 100% increase applied, but those past the public hearing stage, would be at another percentage plus the steps.

Attorney Kelley said that legally it could be done that way but that it is a question about how much detail they want to put into it. Mr. Williams wasn't sure about the equity issues that would result, billing one type of development more than another. For instance, if they were to grandfather an apartment complex and not a subdivision could there be basis for legal challenge?

Mr. Kelley stated that if they were picking the type of building they were doing, "yes" but if it's just based on timing or where they are in the process, "no". As long as everyone is being treated equal and it just depends where they are in the process, there would not be legal issues.

Mr. Johnson thought that the proposal before them was based upon where they were in the process as to how much they would pay. Mr. Williams felt that this was a compromise that it does some grandfathering but not fully.

Councilor Parks's concern was that if we accept the statement that we acknowledge that we are considerably behind in our SDCs and are going to take a full year to implement them, it's fair to have a low number early on in the process but would want to be at 100% implementation by January of 2002. SDCs are how we pay for services and he wants to see a more accelerated plan.

Councilor Carson would like to see something similar to Councilor Parks's plan but would like to see 50% implemented through the end of the year with a two month period of no increase and then accelerate the second 50% so that it would reach 100% by one year. He felt that Mr. Parks's

plan was too aggressive. Few of the current annexations would be able to come in under six months, so would not be able to take advantage of this at all.

Mr. Williams stated that 40 public hearing notifications have been sent to commercial and industrial owners.

PUBLIC TESTIMONY: Ben Settecase with Mountain West Investment at 245 Commercial St. SE, Salem restated that any increases to the SDC would probably eliminate them; their contribution to the SDCs from their project would amount to \$200,000 as well as half street projects and parks development which they would have contributed to. As a result, would the City be getting \$400,000 or losing \$200,000 if they withdrew their project. He appreciated the work that had been done since the last Council meeting and acknowledged the difficulty in coming to an equitable solution. They are about to enter into the public hearing design review process which can take up to four months so that at a minimum, they would be facing a 25% increase. If there would be any way to grandfather in larger projects, he would like Council to consider. They entered the process last fall and going with the schedule that the City laid before them and there was no way they could have accelerated it.

Rodney Rose residing at 1420 SE Township Road, Canby stated that he was not a professional developer but had bought a piece of land hoping to put some buildings on it and make some money intending to own the property for the rest of his life. He felt that the SDCs could be referred to as a "big hole in the pocket" and would also like to have his property grandfathered in.

Mayor Prince closed the public hearing at 8:38 p.m.

DISCUSSION:

Councilor Carson said that someone needs to pay for the roads and improvements everyone wants, and the SDC process seems to be an equitable way to do it rather than going back and billing everyone in town. Without them, the City cannot continue to add to the road system so that the new as well as long time residents can enjoy them. SDCs to a developer are a lot of money and most of them will get passed on, in the case of residential. It is hard to change it for one group and still be equitable to the others and this seems to be the best solution.

Councilor Johnson stated that in observing what happened in Beaverton with two lane roads and too many cars trying to use them, this solution is how the roads can be widened when new development occurs; it is how the City gets capacity for growth. If the SDCs stay low, the streets and sewers stay the same and no improvements to the infrastructure occur. It becomes a vicious cycle, do you on one hand turn away development because we are raising SDCs, or do you not raise SDCs and end up having to ask everyone to pay for the improvements. He feels that what staff has come up with is fair and equitable and something that doesn't penalize everyone and is in support of the measure.

Administrator Adcock restated that the fact of the City's ability to maintain and upgrade the infrastructure and now being through a difficult budget deliberation have heard what the capital and street improvements are limited to. He sees this adjustment to the SDCs as a benefit to the

City. From the management perspective, this will provide revenue to do some of the capital improvements which need to be done and would urge Council to move forward.

Councilor Parks would like to see the process move forward faster to get to the six month or nine month mark starting at 25% and then with 6% steps, be at 100% by adding the balance in March, 2002. Then those revenues can be evaluated, analyzed and possibly adjusted by the beginning of next year's budget process.

Councilor Strong agrees with Councilor Parks but would like to see the implementation accelerated but would also like to see the set amount more defined in the Resolution. She wasn't sure how the ENR Index worked.

Mr. Williams responded that he wasn't sure of the exact amount of the index but that it was supposed to pay its inflation for construction costs.

Mr. Kelley stated that it is one measure of inflation especially on heavy goods, such as asphalt. Another measure is the Consumer Price Index; City Engineer prefers the ENR Index for construction. Mr. Kelley's recollection was that it was around 2-3% when calculations were being done on AFDs. Mr. Kelley would want to make sure that the index used would have the ability to move down as well as up, so that when the index went down, the SDC charges would concurrently be lowered also.

Councilor Johnson wanted to make it as equitable as possible and thought that Mr. Williams's proposal was faster than what he was originally considering, but moves gradually enough to be a good compromise position. Everyone will know that they have twelve months to get their projects done before 100% is achieved.

Councilor Carson set a plan to start with the 25%, then give two months grace with no increase, and starting in September through December add 6.25% which will put implementation at 50% by the end of the year. On February 1st add another 25% and on April 1st another 25% bringing the rate to the 100%. Other grandfathering options would result in upwards of a \$500,000 loss in revenue.

Councilor Johnson preferred the staff recommendation.

Councilor Daniels sympathized with the developers who got caught in the middle of this situation but would go with the staff recommendation.

Councilor Parks felt that his objective would be to get to 100% faster and would prefer Councilor Carson's plan which gets to 100% earlier.

Councilor Strong agrees with Carson's plan because it gives relief to those who are in the process. This plan would also allow them to review this at next year's budget time.

Resolution 748 -

****Councilor Carson moved to adopt Resolution 748, A RESOLUTION AMENDING THE METHODOLOGIES FOR A SANITARY SEWER SYSTEM DEVELOPMENT CHARGE, A TRANSPORTATION SYSTEM DEVELOPMENT CHARGE, A STORM DRAINAGE SYSTEM DEVELOPMENT CHARGE, AND A PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGE with the recommendation of twenty-five percent (25%) effective immediately on June 7, 2001, with increases of an additional six and one-quarter percent (6.25%) of the total taking effect on the first days of September, October, November, and December 2001, and additional increases of twenty-five percent (25%) of the total on the first days of February and April 2002. Motion was seconded by Councilor Strong.**

Councilor Johnson felt that it was fundamentally wrong to change the numbers on developers once they had started the process and he put everyone on notice that he would be watching these charges "like a hawk" over the next four years he was in office and this time next year would be bringing it up.

Motion passed 5-0.

Mayor Prince felt that this was a very equitable decision and should help the ease the blow to the developers in the area.

City Attorney John Kelley said that after a brief discussion with Planning Director Williams it has been decided to leave the ENR Index as it is in the Resolution unless it is determined there is a problem with it not going into the negative. If there is a problem, an amendment could be brought to Council for consideration. Councilor Parks said that it could conceivably wait for a while to be done within the year.

Mayor Prince recessed the session for a short break at 9:01 p.m.

The regular meeting was reconvened at 9:10 p.m.

PUBLIC HEARING:

2001-2002 Fiscal Year Budget - Mayor Prince opened the public hearing at 9:11 p.m.

Administrator Mark Adcock stated that this was the public hearing that is required under Oregon Budget Law. On April 23, 2001, the Budget Committee completed deliberations on the City Administrator's Proposed 2001-2002 Budget and voted to forward the document as modified to City Council and stated that Finance Director Chaunee Seifried had created a summary sheet of those recommendations by the Budget Committee and are also budget changes that have occurred subsequently. These are revenue changes based on newer estimate information received since the Budget Committee completed their work. Also, additional savings in technical services have resulted due to contracting out. According to information from the State, the gas tax revenues will be lower than originally presented.

STAFF REPORT: Finance Director Chaunee Seifried briefly summarized the Service Agency reductions: Canby Kids \$25,000, Canby Community School \$25,000, Canby Historical Society

\$3,000, CBR Grant \$18,000, OCTS \$15,686, Centro de Canby \$17,000, and General Canby Day \$1,000. There was a reduction in force to Planning \$16,745 and an offset from Planning to Building of <\$8,395>, Library part time \$5,750, Swim Center part time \$39,400, CSO \$28,870, and Police Records OS2 \$43,000. Other recommendations and changes by the Budget Committee were to add \$14,000 in additional Court part time and additional Court revenue projected at \$78,000 of which \$32,000 was transferred to Capital Reserve; a Finance Assistant was added for \$64,000 and reduced Finance Professional Services by \$32,000; replaced a Sergeant with a Senior Officer for \$1,250; Telecommunity was cut for a savings of \$10,890 and the balance of \$20,640 went into Contingency; the Fire District revenue in the Motor Pool Department was reduced by \$10,000 and Material and Services was cut by \$10,000.

The changes that have occurred after approval from the Budget Committee are Technical Services contracting which have resulted in a reduction of \$39,140; a decrease in cigarette tax of \$4,000; an increase in OLCC tax of \$12,000; and the balance of \$47,140 put into Contingency; a Street Department revenue decrease in estimated gas taxes by \$23,500. Roy Hester, Street Department Supervisor's recommendation is to eliminate one Public Works 3 position totaling a \$53,610 savings putting \$10,850 towards street lighting which did not receive additional funding when the utilities line item was increased, with the remaining monies to be put into Street Contingency. The City Engineer had just notified her that there was an additional grant awarded to the City on the fund exchange program of almost \$55,000 which will be put into the budget as an income and expense in the Fund Exchange portion; it will bring that project up to \$120,242.

The streetscape project will need to be held off until Spring, 2002 or whenever there are enough funds accumulated from Transportation SDC's since there is not enough money left in cash carry over for cash flow.

If all of these changes are approved, or anything else that is recommended by Council, Finance Director Seifried will bring back a resolution on June 20, 2001. If any changes are made on the 20th, there will need to be a special meeting scheduled. Administrator Adcock noted that there is \$210,000 anticipated in SDC revenue, but the bid for the project will not be called until the money is in the fund.

Mayor Prince restated that the intention was to have one less person in the Street Department and Ms. Seifried confirmed. After conferring with Mr. Adcock and Roy Hester, Public Works Supervisor all other scenarios and revenues were explored, and this was where the cut would come from. Mayor Prince added that this was a dedicated fund and the funding comes solely from the State revenue so the shortfall would impact that department. There were no monies transferred to Street Reserves from the Street Department so there no projects that can be reduced to balance the State Operating Budget.

Roy Hester, Public Works Supervisor stated that he knew that the Street Department budget was already so "bare-boned" that no money could be found to cover this shortfall. The decision became apparent that one employee would have to be laid off. The newest employee has been with the City for eleven years so the person lost is well-trained. The City has a lot of money invested in him, but there was no choice.

Councilor Johnson wanted to make sure that the people who were to be laid off would be given the resources they needed to facilitate finding another job to make sure they have every opportunity to land on their feet.

Councilor Parks asked if it were being stated that this was the only option and Mr. Adcock stated that with the shortfall in gas tax revenue another possibility would be to transfer that person to the General Fund but they are all aware of the condition of that fund. He is not aware of any other operating fund that is available and in good enough condition to absorb another employee or even split funding. Mr. Parks asked about transferring funds into the Street Fund and Mr. Adcock responded that it was not something that could be done. General fund money cannot be transferred into the Street Fund since it is a proprietary fund. Councilor Parks knew you couldn't go one way with it but considered that it might be able to go the other way. Mr. Adcock restated that eleven positions were already being lost in the General Fund because of lack of revenue so this is a last resort action.

Councilor Johnson questioned how roads were built in the Urban Renewal District projects, were those large projects contracted out or did our street crew do those? Mr. Adcock responded that those projects are typically new construction projects and that the City crew does not do those jobs but they are usually contracted out.

Councilor Parks asked about the potential impact of the recently passed SDC increase and Mr. Adcock stated that salaries could not come out of SDC revenue, those were used for capital improvements.

When Mr. Adcock went over the budget message this past February, he indicated then that if there were any additional increases in expenses or any decreases in revenue and gas taxes, they would be forced to reduce expenditures to offset. Mr. Hester is at the point in his materials and services portion of the Street budget that if he cuts much further, he won't have adequate materials to undertake a level of maintenance of City streets. There is a certain threshold that you cannot cross if a certain level of service is to be maintained. Now when the resolution is prepared, it will show the reduced gas tax revenue amount. All possibilities will continue to be explored. At this time, this is Mr. Hester's recommendation to balance his portion of the street operating budget.

Councilor Carson asked if there were any projects in the URD area that are being funded out of street money this year and the response was that there were not. Mr. Adcock reminded Council that the only projects were Knights Bridge Road and SW 2nd through a contractual arrangement with the County and that work has been completed. The City will then reimburse the County for the City share. Mr. Adcock believed that those projects were not in the Urban Renewal District and there are no other capital projects budgeted. The Street Reserve has \$59,000 in capital projects in the budget which is very meager but reflects what is going on throughout Clackamas County and the State in transportation funding. Voter decision on the gas tax also has an impact and prolonging the service life of our streets is becoming more and more difficult to do. The street fund is now in the same situation as the general fund.

Councilor Strong asked about the money set aside to do the streetscape and Mr. Adcock said the project couldn't be done until the money was collected from the SDCs.

Councilor Johnson asked if money could be found in the general fund by perhaps cutting other service agencies, could the position be saved or would it be more difficult under the general fund cap. Mr. Adcock restated that if this person could be funded by the general fund but still operate in the street department, it would be a legal question he would have to defer. Mr. Kelley stated he did not have the answer to that question either. Mr. Adcock stated that they would get an answer to Mr. Johnson's request.

Mayor Prince said he knew there were lots of projects that required three men and appreciated the difficulties that Mr. Hester would be facing. Mr. Hester said that as the budget reflects, there are not a lot of things they can do but will stretch every dollar as they always have. He hates to lose the employee after these years of investment.

Mr. Kelley stated that there would be no reason to continue the public hearing until the next meeting unless they wanted to continue to accept public testimony.

Mayor Prince again asked if there were anyone in the audience who wished to testify and seeing none, asked the Council if they wished to accept public testimony at the next meeting.

Mr. Adcock stated the implications of continuing the public testimony at the next meeting; they would not be able to adopt the budget resolution if there are any changes subsequent to public testimony on the June 20 meeting. Council would then need to hold a special meeting to adopt.

Councilor Johnson asked if Council wanted staff to look into funding the position out of the general fund, or do other continued research in saving that position. If they would not be able to get that information back until the 20th, it would require a special meeting.

Mr. Adcock stated that they were dedicated funds in the sense that a person funded by gas tax money and assign them to a general fund activity; there needs to be a transportation nexus. Now, the question is, does it work the other way - to find money in the general fund through expenditure reduction and fund it the other way and that is what would require research under budget law. If it were permissible and something that the Council wanted to pursue, then they would be compelled to find the \$23,000 out of the general fund.

Councilor Johnson did not want to be responsible for cutting even more staff when the streets and their maintenance are so critical to the City. Maybe there would be a way in the future to have something similar to Woodburn, a city gas tax. Certainly, there needs to be a way to salvage some of this, pretty soon there will be an empty City Hall.

Mr. Adcock wanted to remind Council of the other general fund positions that had already been rifted and are also critical. The street position would need to be evaluated against those positions that were already rifted or subject to the hiring freeze.

Councilor Strong felt that they should defer to the expertise of the staff and wanted to go with the current proposal rather than continuing this. It was a point well taken, that the other cut and frozen positions need to be weighed against the street position and that there are a minimal amount of street projects.

Councilor Johnson appreciated Mr. Adcock's clarification. As a City, they will need to address what types of things they will be able to support. If voters want to support measures such as 47 and 50, then they will have to determine which programs the City will be able to continue through funding.

Councilor Parks stated they even if they continued the budget public hearing, Council would not be precluded from making decisions past June 20th and he would be willing to have Mr. Kelley research the matter. Mr. Adcock stated that they could continue it until the 20th and with the volatility of the situation, other revenue and expense changes could still be occurring. The answer to the legal question can be found by then, but the more complicated issue from a policy perspective is do you want to find additional general fund money to save this street position and how to view it in the total picture.

Ms. Seifried said that on June 20th if there is a resolution and there is a change made, Council can adopt a changed resolution without continuing the budget public hearing.

If the public hearing were continued and there was a change made, then there would need to be a special meeting after the 20th stated Councilor Parks. If the research were done and it was determined that general fund money could be move into the street department, would Council do that and if they wouldn't, then why continue the public hearing? Would they be willing to re-evaluate all the lost positions?

Councilor Carson felt that they would then need to go back to the other department heads and determine how critical their lost positions have been, and compare to the street position in question.

Councilor Strong felt that they had already been through the budget process through the Budget Committee and doesn't want to have to reopen that process and their decisions.

PUBLIC TESTIMONY: None.

****There was consensus to close the public hearing and not continue it to the June 20, 2001 meeting.**

Mayor Prince closed the public hearing at 9:40 p.m. and immediately reconvened the regular session.

Councilor Daniels excused himself for another engagement at 9:41 p.m.

City Administrator Adcock restated that on June 20th, staff would bring a resolution to adopt the budget as amended, and if Council chooses to make any change, the resolution could be adopted with those changes on that night.

Attorney Kelley added a special meeting might need to happen in the case if additional information were asked for that couldn't be answered that night.

Councilor Johnson felt that he heard several of the Councilors say that if the street position were to be reconsidered through general fund money, then all the other positions should be considered. In that case, he didn't see the need to research his consideration.

COMMUNICATIONS: None.

UNFINISHED BUSINESS: None.

ORDINANCES & RESOLUTIONS:

Ordinance 1071 -

****Councilor Johnson moved to adopt Ordinance 1071, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR CONTRACT WITH INTEGRATED MANAGEMENT RESOURCES, INC., SUBJECT TO CITY COUNCIL FISCAL YEAR APPROPRIATIONS, TO PROVIDE COMPUTER TECHNICAL SERVICES FOR THE CITY OF CANBY; AND DECLARING AN EMERGENCY on second reading. Motion seconded by Councilor Strong and passed by roll call vote 4-0.**

Ordinance 1072 -

City Administrator clarified that this is an Ordinance done every year which declares the City's eligibility to receive those State revenues.

****Councilor Carson moved to adopt Ordinance 1072, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR 2001-2002 FISCAL YEAR be posted and come up for second reading on June 20, 2001. Motion was seconded by Councilor Johnson and passed 4-0.**

Ordinance 1074 -

****Councilor Johnson moved to adopt Ordinance 1074, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FCS GROUP TO CONDUCT A COST OF SERVICES/USER FEE ANALYSIS WITHIN THE ADMINISTRATIVE DEPARTMENTS OF THE CITY OF CANBY; AND DECLARING AN EMERGENCY on second reading. Motion seconded by Councilor Strong and passed by roll call vote 4-0.**

Ordinance 1075 -

****Councilor Carson moved to adopt Ordinance 1075, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COMMUNITY PLANNING WORKSHOP (CPW) FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A PARKS ACQUISITION PLAN; AND DECLARING AN EMERGENCY on second reading. Motion seconded by Councilor Strong.**

Councilor Strong indicated that in the packet there was letter from a citizen regarding this Ordinance and Ms. Strong wanted to make it clear that these are dedicated funds that are being used for this professional services contract and not coming out of the general fund. City Administrator Adcock responded that there was already a response prepared for the Mayor to sign tonight.

The motion passed by roll call vote 4-0.

Resolution 751 -

****Councilor Johnson moved to adopt Resolution 751, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES. Motion was seconded by Councilor Strong and passed 4-0.**

Mayor Prince noted that the cigarette tax revenue is \$131,000 and gas tax revenue is \$526,500.

Resolution 753 -

**** Councilor Carson moved to adopt Resolution 753, A RESOLUTION ACCEPTING THE RESULTS OF MAY 15, 2001 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 14.49 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion was seconded by Councilor Strong and passed 4-0.**

Resolution 754 -

****Councilor Johnson moved to adopt Resolution 754, A RESOLUTION ACCEPTING THE RESULTS OF MAY 15, 2001 ELECTION PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 1.66 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion seconded by Councilor Strong and passed 4-0.**

Resolution 755 -

****Councilor Parks moved to adopt Resolution 755, A RESOLUTION ACCEPTING THE RESULTS OF MAY 15, 2001 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 4.47 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS. Motion was seconded by Councilor Carson and passed 4-0.**

MANAGERS' REPORT: Status Report re: Canby Public Transportation System - Director John Williams announced that the TriMet petition has been submitted by TriMet to Clackamas County Elections Division who intends to expedite the process. TriMet has tentatively scheduled a public hearing to be held in Canby on Tuesday, July 31, 2001 with a hearings officer who will then make a recommendation to the TriMet Board who in turn, will then consider the issue.

Hopefully, as many as possible will come to testify before the hearings officer to demonstrate support for the Canby plan. As mentioned at the Task Force meeting, Sandy went through the same process and although the hearings officer recommended denial, the Board reversed it.

Mr. Williams will be publicizing that public hearing. In the meantime, he has been talking with contractors, preparing job descriptions, and working on a tax ordinance. Once TriMet gets their decision from Clackamas County, they will be putting together a full time line and then Canby will know and be able to make reasonable decisions about how to proceed.

Mayor Prince appreciated all the time put into this project and the professional report by Mr. Williams.

Mr. Williams also stated that letters have been prepared for the Mayor's signature to all the dedicated members of the task force in appreciation for their involvement in the process.

Mayor Prince stated that there will be a committee formed and will be asking citizens to be on.

Councilor Parks asked if this is TriMet's public hearing that they will be noticing it as well, and Mr. Williams affirmed that was correct. The TriMet Board does not hold a public hearing, they take the recommendation of the hearings officer. While the expense for the hearing will be TriMet's, Mr. Williams will be doing the organization to make sure it gets done here in Canby. It will be held at the Adult Center and it is hoped to be well publicized and well attended.

City Administrator Mark Adcock reported on a meeting that staff and Council had been invited to attend on the planning of the Community Service Day to learn more about the preparations. Out of that meeting, they are asking to use a portion of the railroad parking lot on July 21, 2001 from N. Holly to N. Ivy to use as a drop off and distribution point for some of the other neighborhood projects running concurrently that day.

Councilor Johnson asked if that would interfere with any portion of the Growers' Market and Mr. Adcock stated that it would be at the opposite end of the parking lot.

****There was consensus by Council to grant permission for the Community Service Day organizers to use the railroad parking lot on July 21, 2001 from N. Holly to N. Ivy as a drop off and distribution point for concurrent projects.**

Administrator Adcock mentioned the Clackamas Cities Association Dinner on June 28, 2001 which will be hosted by Canby at Canby Grove Conference Center and Projects Planner Matilda Deas is putting together the program with a guest speaker knowledgeable on downtown redevelopment. Please RSVP to Marty for your attendance.

Administrator Adcock introduced his selection for the new interim Community Development Director, Mike Swanson, who is currently interim City Manager at Milwaukie and will be finishing that position shortly as they are in the final selection process. Mr. Swanson has a management consulting practice and his qualifications are very impressive. For ten years, he was the County Administrator of Clackamas County. Prior to that, he served for two years as a loan officer in the municipal finance department for First Interstate Bank in Denver, Colorado; five

years as County Manager of Adams County, Colorado which is in the Denver metro area and Assistant District Attorney and County Counsel. He is currently involved with Canby's labor negotiations and Council is aware of his abilities and Mr. Adcock has full confidence in him to guide through this transition period.

Mr. Swanson said that he is glad to be joining this team for a while and would be focusing the recruitment search for a new development director, and dealing with urban renewal. He looks forward in working with the staff and welcomes the challenge. He feels he has become very practiced getting in and out of organizations.

Administrator Adcock referred to an e-mail from the League of Oregon Cities regarding Senate Bill 134, the bill that addresses some of the League's concerns with the Oregon Public Employees Retirement System (PERS). They would like the Council's stand on this and to convey them to Rep. Kurt Schrader.

Councilor Johnson felt he did not know enough about this to make a decision tonight unlike the IFA property which he had been able to research.

Mr. Adcock said that this is going to be voted on Friday.

Mayor Prince stated that if they would all take time to look over it and get back to him with their comments and stand on this issue, he would refer those on to Rep. Schrader; Mr. Adcock felt that process would suffice the League's need.

****Council concurred to pass on comments to the Mayor on SB 134 who in turn, would pass those comments on to Rep. Schrader.**

CITIZEN INPUT: None.

COUNCILORS' ISSUES:

Mayor Prince announced the "Kiss a Pig" contest sponsored by the Canby Educational Foundation to support and enhance the education of Canby School District. Citizens can buy a ballot for \$1 and vote for one of five people, the winner will have to kiss a pig; Councilor Johnson offered up \$10 for the Mayor. Canby businesses will soon have the ballots available and the contest will wrap up on General Canby Day.

Councilor Johnson wanted Council to consider any cost savings or freeing up of staff time in light of the budget, for the Bike & Pedestrian Advisory Committee to be rolled into the Traffic Safety Committee and any other committees that could be consolidated as a cost cutting measure.

Councilor Parks asked if there was a policy for staff attendance at advisory committee meetings and how much staff time was involved.

Mr. Adcock responded that for some of the committees there was a staff liaison, i.e., Chief Giger assisted the Traffic Safety Committee and other staff would attend if there needed to be technical

expertise on certain issues, such as Mr. Hester on sign and street issues. The City tries to offer assistance and staff liaison as much as possible. Typically, Mr. Adcock attends the CBR meetings as time allows with no set or firm policy, but rather past practice to assist in whatever way staff can.

Councilor Strong agreed that it would be good to look into this and that there could be a need to have less committees.

As pure staff time goes, Councilor Johnson mentioned the Blue Heron District and the Parks and Recreation Committee could possibly hold their meetings on the same night. Mr. Adcock stated that staff did not attend the Blue Heron meetings. Councilor Johnson is considering this from the standpoint of staff time involved. The goal is to get as much public input as possible, but to do it more efficiently. This would free up some hours to do other things and be money ahead.

****Council directed staff to look into staff time involved and cost savings with committees and possible consolidation.**

Councilor Johnson mentioned the article in the *Canby Herald* about the meeting some business leaders had held talking about the Council and their positions. He had not received any phone calls from anyone in that group and he would be willing to talk or meet with them about issues.

Councilor Strong said that she also would be willing to attend, another meeting was to be either on Friday or possibly Thursday at 6pm at Jarboes.

Councilor Carson referred to Mr. Walker who had used the podium earlier in the evening when he expressed his feelings about the Urban Renewal District and encouraged him to attend the advisory committee in that setting and explain his position. The next committee meeting will be on June 14, 2001 at 7 p.m. at the Adult Center.

The Canby Business Revitalization annual meeting will be held Thursday, June 7, 2001 at 7:30 p.m. in the Cutsforths' Old Town Hall and invited everyone to attend.

ACTION REVIEW:

1. Approving the Consent Agenda.
2. Approving Ordinance 1071.
3. Approving Ordinance 1072 for second reading on June 20, 2001.
4. Approving Ordinance 1074.
5. Approving Ordinance 1075.
6. Adopting Resolution 748 as amended with implementation schedule.
7. Adopting Resolution 751.
8. Adopting Resolution 753.
9. Adopting resolution 754.
10. Adopting Resolution 755.
11. Bringing resolution adopting FY 2001-2002 budget to June 20, 2001 meeting.
12. Forwarding letters of support on SB 929 to Rep. Schrader and House Ways and Means Committee.

13. Granting permission for use of railroad parking lot for Community Service Day of July 21, 2001 between N. Holly and N. Ivy.
14. Directing staff to look into staff time and consolidation for City committees.

****Council President Strong moved to go into Executive Session under ORS 192.660 1(d) labor negotiations. Motion seconded by Councilor Carson and passed 4-0.**

Mayor Prince recessed the regular session at 10:17 p.m.

Mayor Prince reconvened the regular session at 11:35 p.m. and immediately adjourned.

EXECUTIVE SESSION
JUNE 6, 2001

Present: Mayor Terry Prince, Councilors Corey Parks, Patrick Johnson, Shirley Strong, and Randy Carson, City Administrator Mark Adcock, City Attorney John Kelley, Finance Director Chauncey Seifried, and Mike Swanson.

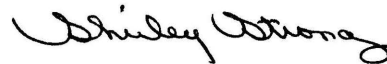
Mayor Prince called the session to order at 10:23 p.m.

ORS 192.660 1(d) - The Council discussed labor negotiations.

Mayor Prince adjourned the session at 11:30 p.m.



Chauncey F. Seifried
City Recorder pro tem



Shirley Strong
Council President



Prepared by Marty Moretti
Office Specialist

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special Election on May 15, 2001, to consider the following measure:

MEASURE NO. 3-35

Shall 14.49 acres located on the west side of N. Redwood Street be annexed into Canby?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election as of MAY 16, 2001.

YES - 1275
NO - 955
Blank - 19
Overvotes - 1

NOW, THEREFORE, I, Terry L Prince, 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 May 23, 2001.

Dated this 6th day of June, 2001.


Terry L Prince, Mayor

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special on May 15, 2001, to consider the following measure:

MEASURE NO. 3-36

Shall 1.66 acres located at 1773 N. Redwood Street be annexed into Canby?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election as of MAY 16, 2001.

YES - 1301

NO - 932

Blanks - 17

Overvotes - 0

NOW, THEREFORE, I, Terry L Prince, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas Election Division dated May 23, 2001.

Dated this 6th day of June, 2001.

A handwritten signature in black ink that reads "Terry L Prince". The signature is written in a cursive, flowing style.

Terry L Prince, Mayor

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a Special on May 15, 2001, to consider the following measure:

MEASURE NO. 3-37

Shall 4.47 acres located on the east side of N. Pine Street near NE 19th Court be annexed into Canby?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the Special Election as of MAY 16, 2001.

YES - 1093

NO - 1041

Blank - 116

Overvotes - 0

NOW, THEREFORE, I, Terry L Prince, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas Election Division dated May 23, 2001.

Dated this 6th day of June, 2001.


Terry L Prince, Mayor

State of Vote - Clackamas County Special Electric May 15, 2001
 ** Canby City - Meas. 3-35/36/37 **

Page Number 13.013.001

	REGISTERED VOTERS	TURNOUT	Meas. 3-35/ Annex 49/ Canby City - YES	Meas. 3-35/ Annex 49/ Canby City - NO	BLANKS	OVERVOTES	Meas. 3-36/ Annex 66/ Canby City - YES	Meas. 3-36/ Annex 66/ Canby City - NO	BLANKS	OVERVOTES	Meas. 3-37/ Annex 47/ Canby City - YES	Meas. 3-37/ Annex 47/ Canby City - NO	BLANKS	OVERVOTES
CONSOL PREC NO 122	1770	458	283	167	8	0	289	163	6	0	255	179	24	0
CONSOL PREC NO 123	671	206	112	92	2	0	114	91	1	0	100	101	5	0
CONSOL PREC NO 124	1714	710	369	339	1	1	381	328	1	0	278	392	40	0
CONSOL PREC NO 125	1402	396	263	131	2	0	263	130	3	0	236	138	22	0
CONSOL PREC NO 126	1330	480	248	226	6	0	254	220	6	0	224	231	25	0
**** TOTALS ****	6887	2250	1275	955	19	1	1301	932	17	0	1093	1041	116	0

RECEIVED
 MAY 25 2001
 CITY OF CANBY

CERTIFIED COPY OF THE ORIGINAL
 JOHN F. KAUFMAN, COUNTY CLERK
 BY: *[Signature]*
 MAY 23 2001