

City of Sherwood
City Council Meeting

February 27, 1996

1. **Call to Order:**

Mayor Hitchcock called the Council meeting to order at 7:35 p.m.

Mayor Hitchcock requested that all stand for the pledge of allegiance led by Boy Scout Troop 224. After the presentation of the flag, scouts introduced themselves. Mayor Hitchcock stated that the Boy Scouts were in attendance to complete assignments required to obtain badges or to complete civic class assignments. He pointed out that the Boy Scouts had recently improved the lawn area around the library.

2. **Roll Call:**

Council Members Present:

Walt Hitchcock, Mayor
Jane Aamold
Mark Cottle
Barry Kennedy

Staff Present:

Jon Bormet, City Manager
Sue Engels, Assistant to City Manger
Carole Connell, Planning Director
Kathy Cary, Deputy City Recorder

Council Members Absent:

Bill Boyle

3. **Consent Agenda:**

A. **Approval: City Council Minutes February 13, 1996:**

Mr. Cottle moved, seconded by Mrs. Aamold, that the consent agenda be approved.

Vote for passage of motion: Yes: 4 No: 0

4. **Announcements:**

Mr. Bormet read the announcements on the agenda.

5. Community Comments:

Richard Ransom, 174 NE Nottingham, Sherwood, addressed the Council. Mr. Ransom stated that he is concerned about the noise emanating from Billett.

Mr. Bormet responded that staff is aware of the problems and is working with Billett. He advised Mr. Ransom that he would respond to his request within 30 days.

J. Robert Claus, 22211 SW Pacific Highway, Sherwood, addressed the Council. Mr. Claus cautioned staff to be item specific when discussing issue with the Ethics Commission. He also raised concerns about the Centex Development, stating that the developer overlooked the basic infrastructure control and changed the drainage problem. He requested that staff look at potential drainage problems before allowing SDC credits. Mr. Claus commented that the drainage in the area is 18 inches below his farm and three to five inches below the neighbor's property, and that he will not take water when someone changes drainage.

Chris Corrado, 2160 SW Fairoaks Drive, Sherwood, addressed the Council. Mr. Corrado stated that after the last City Council meeting, wherein Mr. Claus indicated that he was pursuing a potential conflict of interest charge because he (Mr. Corrado) serves on the Planning Commission and is the owner of a local newspaper, he developed a statement which he read. A copy of the statement is attached as part of these minutes.

Mr. Cottle advised that he had written a letter to the Mayor and other Council members expressing the need to set a written policy defining when an elected or appointed official might have a potential or real conflict of interest. A copy of Mr. Cottle's letter is attached as part of these minutes.

Mr. Kennedy requested that a written standard be developed, and that a training session be held for members of the Planning Commission and City Council.

J. Robert Claus, 22211 SW Pacific Highway, Sherwood, again addressed Council. Mr. Claus referred to and cautioned interpretation of ORS 244.

6. Public Hearings:

**PUD 95-2 Arbor Lane Preliminary Development Plan and Preliminary Plat:
request by West Hills Homes for a 113-Residential Development on Sunset
Boulevard and Willow Drive, Tax Lots 600, 700, 503 and 504, Map 2S1 31D:**

Mayor Hitchcock advised that the public hearing will begin with a staff report, testimony from proponents and opponents, rebuttal by the applicant, after which the public hearing will be closed for discussion among Council members. Mayor Hitchcock read the hearings disclosure statement and requested that Council members reveal any ex parte contact, bias or conflict of interest.

Mr. Cottle advised that he had called Councilman Kennedy to discuss the lot size; however, he did not reach Mr. Kennedy. Mr. Kennedy stated that he received Mr. Cottle's message, but did not return the call.

Mayor Hitchcock stated that he has a potential conflict of interest because he is an immediate neighbor or the project; further he has done work for and has known James Griffith for a number of years. He next called for a staff report.

Planning Director Carole Connell provided an extensive review of the Staff report dated February 13, and the Commission's Decision Notice dated February 21, 1996, including the conditions of approval. Ms. Connell recommended that Council adopt the recommendation of the Commission to approve Arbor Lane PUD 95-2.

Mayor Hitchcock opened the public hearing for comments from the applicant or other proponents.

Wally Remmers, West Hills Homes, 14237 NW Science Park Drive, Portland, addressed the Council. He discussed the layout of the subdivision, and the desire for a 54-foot right-of-way, including planter strips, and with parking on both sides of streets.

Ryan O'Brien, Land Development Consultants, Inc., 233 SE Washington, Hillsboro, addressed the Council. Mr. O'Brien discussed the significant features which he believes justifies the trade-offs for a planned unit development, primarily the creek and floodplains. Mr. O'Brien provided a slide presentation of other projects which the applicant developed.

David Bantz, Genstar Land Company Northwest, 11515 SW Durham Road, Suite E-9, Tigard, addressed the Council. Mr. Bantz stated that he is in favor of the project, but is requesting that Council impose the same conditions on Arbor Lane as was imposed on Woodhaven; e.g., 6,500-square foot corner lots. He also asked that Arbor Lane be required to pay a fair-share portion, approximately \$14,000, of the traffic signal at Sunset and Pacific Highway.

J. Robert Claus, 22211 SW Pacific Highway, Sherwood, addressed the Council. Mr. Claus questioned whether the Arbor Lane developers expect SDC paybacks? Mr. Bormet responded that there will be no credit for parkland, as the developer will be compensated by the density allowed on the site. Mr. Claus stated that SDCs and TIFS must be pinned down, and that this had not been done in the past. Mr. Claus suggested that Mr. Bormet be very careful in determining how SDCs are credited.

Wally Remmers, West Hills Homes, 14237 NW Science Park Drive, Portland, again addressed the Council. Mr. Remmers stated that he did not know about the traffic numbers, referenced by Mr. Bantz; an independent consultant had been hired to do the study and his report was submitted to staff. He noted that a traffic signal was a marketing tool for Woodhaven. Mr. Remmers also noted that he would not be asking for parkland credits for the donation of the open space at the site.

There being no further testimony, Mayor Hitchcock closed the public hearing and opened the meeting for discussion among Council members.

During discussion, Council raised and requested that the following issues be resolved:

1. Clarify access to Tax Lot No. 800.
2. Require a footprint of a structure on the lot prior to issuance of a building permit.
3. Include model language for this and future subdivision that gives the City assessment rights to maintain common space, including wetlands.
4. Street paving width to be 24 to 28 feet.
5. Average lot size to be 5,000 square feet with 6,500 to 7,000 square foot lots buffering the urban growth boundary.
6. Develop a master development plan for Tax Lot 800 considering the possibility of future building to meet over-all density of entire site.

Council concurred that PUD 95-2 be tabled pending clarification and/or implementation of the foregoing. Staff was directed to develop an ordinance authorizing PUD 95-2.

7. Presentations:

None.

8. City Manager's Report:

Mr. Bormet advised that Garth Shull has been hired as the new City Engineer, and will begin employment on Monday, March 4.

9. Unfinished Business:

a. Discussion: Report on Sherwood Peddler's Liquor License:

Council review Chief Middleton's memorandum of February 15, 1996, and noted that during January two driving under the influence arrests were attributed to the Peddler. Council directed that the approval of the Sherwood Peddler's liquor license renewal be tabled pending an investigation of the management history of the new owner, Mrs. Tidwell. Staff was also directed to request that OLCC grant an extension to Sherwood Peddler to avoid late fees.

b. Discussion: Approval of Ordinance Granting franchise to Northwest Natural Gas:

This item was tabled pending development of an Ordinance.

c. Discussion: Request from Genstar to name park in Woodhaven after a retiring Genstar Executive:

David Bantz, Genstar Land Company Northwest, 11515 SW Durham Road, Suite E-9, Tigard, addressed the Council. Mr. Bantz requested Council's approval to name a park in the Woodhaven project after a retiring Genstar Executive, Les Cosman. He pointed out that the Parks Advisory Board had approved his request.

Mayor Hitchcock responded that the City set in motion a standard for naming streets that takes choices away from developers, and the policy should also apply to names of parks: names should be based on something or someone in Sherwood. Council concurred and denied Mr. Bantz's request.

10. New Business:

None.

11. Other Business:

None.

12. Council Member Comments:

None

13. Adjournment:

There being no further business before Council, the meeting adjourned at approximately 10:55 p.m.

Respectfully submitted,

Kathy Cary
Deputy City Recorder



City of Sherwood, Oregon
Regular City Council Meeting
February 27, 1996
7:30 p.m.

Stewart Senior/Community Center
855 North Sherwood Boulevard

20 N.W. Washington Street
Sherwood, Oregon 97140
503/625-5522 □ FAX 503/625-5524

1. Call to Order

Pledge of Allegiance - Boy Scout Troop 224

2. Roll Call

3. Consent Agenda

a. Approval: City Council Minutes February 13, 1996

4. Announcements

- a. Public Hearing 6:30 p.m., to Discuss Changes to WestComp's Hazardous Materials Handling, Waste Analysis Plan for the Facility. Hearing Will Be Held at 11330 SW Clay, Sherwood.
- b. Members of the Council and Planning Commission Must File the Statements of Economic Interest (SEI) With the Oregon Government Standards and Practices Commission by April 15, 1996.
- c. Ballots for the Washington County Library Services Operating Levy, Measure 34-43 Will be Mailed next. This is a mail in ballot and a drop box will be again be placed at City Hall.

5. Community Comments

*Community comments are limited to items **NOT** on the printed agenda. Anyone may address the City Council on the subject(s) of their choice. Please don't hesitate to step up to the podium if you have something to say.*

6. Public Hearings:

PUD 95-2 Arbor Lane Preliminary Development Plan and Preliminary Plat: request by West Hills Homes for a 121-residential development on Sunset Boulevard and Willow Drive, Tax Lots 600, 700, 503, and 504, Map 2S1 31D.

7. Presentations:

None scheduled

8. City Manager's Report
9. Unfinished Business
 - a. Discussion: Report on Sherwood Peddler's Liquor License Renewal.
 - b. Discussion: Approval of Ordinance Granting Franchise to Northwest Natural Gas (Ordinance to be assigned next consecutive number.)
 - c. Discussion: Request from Genstar to name park in Woodhaven after a retiring Genstar Executive
10. New Business
11. Other Business
12. Council Member Comments
13. Adjournment

CONSENT AGENDA

City of Sherwood, Oregon
Board and Commission Representation

January 1, 1996

The following individuals currently represent the City on various Boards. Board representatives noted with an * are subject to direct selection by the City Council.

A. City Board Liaisons:

- | | | | |
|----|--------------------------------------|---|---------------|
| 1. | Planning Commission* | - | Mark Cottle |
| 2. | Landmarks Advisory Board* | - | Bill Boyle |
| 3. | City Parks Advisory Board* | - | Barry Kennedy |
| 4. | City Library Advisory Board* | - | Jane Aamold |
| 5. | Friends of the Sherwood Library* | - | Jane Aamold |
| 6. | Sherwood Seniors Board of Directors* | - | Jack Harper |

B. County Boards:

- | | | |
|----|--|----------------|
| 1. | Washington County Coordinating Committee, Transportation Advisory Committee (WCCCTAC)* | |
| | Primary: | Jon Bormet |
| | Alternate: | Lee Weislogel |
| 2. | Washington County Coordinating Committee, Policy Advisory Committee (WCCCPAC)* | |
| | Primary: | Walt Hitchcock |
| | Alternate: | Jon Bormet |
| 3. | Washington County Housing Plan Advisory Committee* - Mark Cottle | |
| 4. | Washington County CDBG Policy Advisory Board*: | |
| | Primary: | Mark Cottle |
| | Alternate: | Rick Hohnbaum |
| 5. | Washington County Consolidated Communication Agency (WCCCA)*: | |
| | Primary: | Bill Boyle |
| | Alternate: | Bill Middleton |
| 6. | Washington County Corrections Advisory Committee (WCCAC)*: | |
| | Bill Boyle | |

7. EMT - Mark Cottle
8. Washington County Cooperative Library Advisory Board (CLAB)*:

Primary:	Jane Aamold
Alternate:	Barry Kennedy

9. USA/City Committee - Jon Bormet
10. USA Stormwater Management (SWM) Committee:

Primary:	Jon Bormet
Alternate:	Lee Weislogel

C. Regional Boards:

1. Forum on Cooperative Urban Services (FOCUS)*:

Elected Official:	Walt Hitchcock
Appointed Official:	Jon Bormet

2. Metro Greenspaces Technical Committee: Jon Bormet
3. Regional Water Purveyors Advisory Group (RPAG):

Primary:	Jon Bormet
Alternate:	Lee Weislogel

4. Metropolitan Area Communications Commission (MACC):

Primary:	Bill Boyle
Alternate:	Walt Hitchcock

D. Nonprofit and Statewide Boards:

1. Washington County Community Action Agency: Walt Hitchcock
2. ODEQ Environmental Partnerships Committee: Jon Bormet

"96"

STAFF REPORTS

February 9, 1996

Dear Mayor and City Council

For Tuesday night...

- I will be introducing Council to the new Assistant to the City Manager, Sue Engels. Sue began working with the City on February 5.
- * One of the first duties which I assigned Sue was to help me understand what needs to be done regarding budget authorization for the hotel. I am now prepared to offer you a resolution prepared by Polly which will "balance the books." (New Business.)
- You may remember that we planned on an expenditure of about \$3.5 million to connect to Bull Run water in Tualatin. I am pleased to report to you that the low bid is for slightly over \$2.2 million. The project is scheduled to be completed by November 1, 1996.

Because of our concerns about water supply this summer, we also offered a \$100,000 incentive to have the project completed by August 1. We are currently reviewing whether or not the expediting of the pipeline is necessary, and we will be prepared to discuss this further with you on Tuesday night.

- - Related to the pipe line installation, you will find a \$197,000 contract with David Evans Associates. While I will ask you to approve that for contract management, it is my intent to actively pursue whether there are other options that will allow us to save a significant amount of money for contract administration.
- Also on the Agenda (New Business) is a resolution which will adopt job descriptions for Assistant to the City Manager, City Engineer, and Public Works Director. This is the paper work following up Council's previous discussion about filling these positions.

- It is my understanding that Jim Claus appeared at the Planning Commission, and has filed a complaint alleging conflict of interest on part of Chris Corrado. I believe he will be appearing again on Tuesday night to bring these allegations directly to Council's attention.

Other:

- There will be a meeting at the Robin Hood Theater on Monday night, February 12, to discuss the future of the Theater. We have gotten a very nice response from the note that we had in the Sherwood Bulletin, and I expect that 10 to 20 people will be there. So that I am in sync with Council's wishes, it is my assumption that the City of Sherwood does not want to own the Theater, under any circumstances (short of a gift). However, I assume that we do want to facilitate the maintenance of that Theater, possibly in some other form -- such as a community play house/presentation hall/ family theater. If you have some further thoughts on this, please let me know.
- We did not receive the Brownfields grant for cleaning up the Tannery.

Respectfully submitted,



Jon Bormet
City Manager

JB:kc

CONSOLIDATED EXPENSE REPORT--(Extended)
THRU JANUARY 31, 1996

	Budgeted Balance	Actual Beginning	Add'l Available	Net Budgeted Expense	Jan YTD Expense	Percent Y-T-D	Contingency & Not Budgeted
UNRESTRICTED							
General-Regular	1 470,516	576,435	105,919	1,584,667	988,433	62%	167,386
Water	278,954	288,440	9,486	622,767	434,362	70%	384,732
Sewer	237,190	265,433	28,243	638,040	486,757	76%	285,095
Street	438,934	519,601	80,667	874,794	456,159	52%	218,694
Eqt Rental	92,784	58,815	(33,969)	197,087	119,511	61%	80,720
Storm Water	167,178	178,358	11,180	297,291	228,975	77%	219,005
Bldg Rental	35,208	26,932	(8,276)	402,195	340,500	85%	61,548
Revenue Sharing	36,893	56,240	19,347	81,788	11,518	14%	23,755
SUBTOTAL	1,757,657	1,970,254	212,597	4,698,629	3,066,215	65%	1,440,935
DEDICATED							
Library	73,056	73,614	558	225,103	100,822	45%	63,692
Police	84,001	122,215	38,214	351,005	213,649	61%	112,212
Bancroft	393,294	394,034	740	2,200	752	34%	411,094
Bonded Debt	23,238	26,545	3,307	77,255	16,127	21%	16,942
Water Sys Repl Res		0	0	2,888	1,788	62%	54,612
SUBTOTAL	573,589	616,408	42,819	658,451	333,138	51%	658,552
SYSTEM DEVLP CHR							
Parks SIF	243,771	329,245	85,474	524,951	155,982	30%	50,520
Sewer Reim SRF	132,006	134,930	2,924	191	191	100%	151,135
Water Reim SRF	178,023	190,847	12,824	151,426	426	0%	72,197
Regl Sewer Reim SRF	266,715	375,157	108,442	821,567	839,866	102%	115,148
Regl St Imp SIF	934,858	939,182	4,324	1,020,323	150,635	15%	250,535
Regl Storm SIF	135,078	144,250	9,172	172,981	81,785	47%	50,097
City Sewer Imp	76,650	83,804	7,154	341	341	100%	114,809
City Water Imp SIF	1,060,700	1,191,147	130,447	487,264	140,270	29%	1,391,936
City Minor Coll SDC	39,438	49,586	10,148	74,531	835	1%	12,067
Regl Sewer Imp	202,398	222,778	20,380	275,136	5,136	2%	224,262
City Storm Water Imp	29,512	38,953	9,441	30,175	7,665	25%	25,337
SUBTOTAL	3,299,149	3,699,879	400,730	3,558,886	1,383,132	39%	2,458,043
GRAND TOTAL	5,630,395	6,286,541	656,146	8,915,966	4,782,485	54%	4,557,530

jon-revenue

CONSOLIDATED REVENUE REPORT
THRU JANUARY 31, 1996

	Budgeted Balance	Actual Beginning	Add'l Available	Budgeted Revenue	Jan YTD Revenue	Percent Y-T-D
Unrestricted						
General-Regular	470,516	576,435	105,919	1,095,956	941,852	86%
General-Transfers				185,581	185,581	100%
Water	278,954	288,440	9,486	728,535	630,251	87%
Sewer	237,190	265,433	28,243	657,702	577,536	88%
Street	438,934	519,601	80,667	654,554	355,753	54%
Eqt Rental	92,784	58,815	(33,969)	185,023	114,280	62%
Storm Water	167,178	178,358	11,180	349,118	280,064	80%
Bldg Rental	35,208	26,932	(8,276)	428,535	245,607	57%
Revenue Sharing	36,893	56,240	19,347	68,650	37,403	54%
Subtotal	1,757,657	1,970,254	212,597	4,353,654	3,368,327	77%
Dedicated						
Library	73,056	73,614	558	215,739	171,798	80%
Police	84,001	122,215	38,214	379,216	335,998	89%
Bancroft	393,294	394,034	740	20,000	64,543	323%
Bonded Debt	23,238	26,545	3,307	70,959	66,987	94%
Water Sys Repl Res	0	0	0	57,500	45,803	80%
**Subtotal	573,589	616,408	42,819	743,414	685,129	92%
System Devlpt Chrg						
Parks SIF	243,771	329,245	85,474	331,700	167,945	51%
Sewer Reim SRF	132,006	134,930	2,924	19,320	19,536	101%
Water Reim SRF	178,023	190,847	12,824	45,600	58,086	127%
Regl Sewer Reim SRF	266,715	375,157	108,442	670,000	913,182	136%
Regl St Imp SIF	934,858	939,182	4,324	336,000	524,130	156%
Regl Storm SIF	135,078	144,250	9,172	88,000	111,995	127%
City Sewer Imp	76,650	83,804	7,154	38,500	37,160	97%
City Water Imp SIF	1,060,700	1,191,147	130,447	818,500	737,357	90%
City Minor Coll SDC	39,438	49,586	10,148	47,160	64,877	138%
Regl Sewer Imp	202,398	222,778	20,380	297,000	98,630	33%
City Storm Water Imp	29,512	38,953	9,441	26,000	51,692	199%
Subtotal	3,299,149	3,699,879	400,730	2,717,780	2,784,590	102%
GRAND TOTAL	5,630,395	6,286,541	656,146	7,814,848	6,838,046	88%

SUMMARY OF YTD REVENUES/EXPENSES

January, 1996

	Budgeted Revenue	Jan YTD Revenue	Percent Y-T-D	Net Budgete Expense	Jan YTD Expense	Percent Y-T-D
UNRESTRICTED						
General-Regular	1,095,956	941,852	86%	1,584,667	988,433	62%
General-Transfers	185,581	185,581	100%			
Water	728,535	630,251	87%	622,767	434,362	70%
Sewer	657,702	577,536	88%	638,040	486,757	76%
Street	654,554	355,753	54%	874,794	456,159	52%
Eqt Rental	185,023	114,280	62%	197,087	119,511	61%
Storm Water	349,118	280,064	80%	297,291	228,975	77%
Bldg Rental	428,535	245,607	57%	402,195	340,500	85%
Revenue Sharing	68,650	37,403	54%	81,788	11,518	14%
SUBTOTAL	4,353,654	3,368,327	77%	4,698,629	3,066,215	65%
DEDICATED						
Library	215,739	171,798	80%	225,103	100,822	45%
Police	379,216	335,998	89%	351,005	213,649	61%
Bancroft	20,000	64,543	323%	2,200	752	34%
Bonded Debt	70,959	66,987	94%	77,255	16,127	21%
Water Sys Repl Res	57,500	45,803	80%	2,888	1,788	62%
SUBTOTAL	743,414	685,129	92%	658,451	333,138	51%
SYSTEM DEVL P CHR						
Parks SIF	331,700	167,945	51%	524,951	155,982	30%
Sewer Reim SRF	19,320	19,536	101%	191	191	100%
Water Reim SRF	45,600	58,086	127%	151,426	426	0%
Regl Sewer Reim SRF	670,000	913,182	136%	821,567	839,866	102%
Regl St Imp SIF	336,000	524,130	156%	1,020,323	150,635	15%
Regl Storm SIF	88,000	111,995	127%	172,981	81,785	47%
City Sewer Imp	38,500	37,160	97%	341	341	100%
City Water Imp SIF	818,500	737,357	90%	487,264	140,270	29%
City Minor Coll SDC	47,160	64,877	138%	74,531	835	1%
Regl Sewer Imp	297,000	98,630	33%	275,136	5,136	2%
City Storm Water Imp	26,000	51,692	199%	30,175	7,665	25%
SUBTOTAL	2,717,780	2,784,590	102%	3,558,886	1,383,132	39%
GRAND TOTAL	7,814,848	6,838,046	88%	8,915,966	4,782,485	54%

CONSOLIDATED EXPENSE REPORT
Thru January 31, 1996

	Net Budgeted Expense	Jan YTD Expense	Percent Y-T-D
UNRESTRICTED			
General-Regular	1584667	988433	62%
Water	622767	434362	70%
Sewer	638040	486757	76%
Street	874794	456159	52%
Eqt Rental	197087	119511	61%
Storm Water	297291	228975	77%
Bldg Rental	402195	340500	85%
Revenue Sharing	81788	11518	14%
SUBTOTAL	4698629	3066215	65%
DEDICATED			
Library	225103	100822	45%
Police	351005	213649	61%
Bancroft	2200	752	34%
Bonded Debt	77255	16127	21%
Water Sys Repl Res	2888	1788	62%
SUBTOTAL	658451	333138	51%
SYSTEM DEVL P CHR			
Parks SIF	524951	155982	30%
Sewer Reim SRF	191	191	100%
Water Reim SRF	151426	426	0%
Regl Sewer Reim SRF	821567	839866	102%
Regl St Imp SIF	1020323	150635	15%
Regl Storm SIF	172981	81785	47%
City Sewer Imp	341	341	100%
City Water Imp SIF	487264	140270	29%
City Minor Coll SDC	74531	835	1%
Regl Sewer Imp	275136	5136	2%
City Storm Water Imp	30175	7665	25%
SUBTOTAL	3558886	1383132	39%
GRAND TOTAL	8915966	4782485	54%

*Note--This spreadsheet does not reflect contingency,
unappropriated, or additional balances forward.

February 5, 1996

TO: Jon Bormet, City Manager
FROM: Polly Blankenbaker, Finance Director
SUBJECT: January, 1996 Monthly Report

Polly

January receipts totaled \$966,932.51 which included the Bank of America loan proceeds of \$367,225. Checks totaling \$473,834.28 were written.

38 new utility accounts were established and 46 accounts were transferred in January. 2,101 accounts were billed which includes 246 accounts receiving shut-off notices. Thirty two customers were disconnected for non-payment with two remaining off. Lien searches were conducted on 197 properties. Business licenses were issued for 65 renewals and 11 new businesses.

Municipal Court conducted 1 arraignment and 1 trial session in January. 96 citations were docketed into Municipal Court, 25 into District Court, and 2 into Justice Court. 48 Failure-to-Appear/Failure-to-Comply notices and 17 reinstatement notices were mailed to Oregon DMV. 114 payment plan statements were mailed. Traffic school option was allowed in 3 cases.

Department Heads were provided with budget sheets to verify my guess at year end figures which is the first step in preparation of next year's budget.

February 6, 1996

TO: Jon Bormet, City Manager
FROM: Carole W. Connell, Planning Director
RE: Monthly Planning Dept. Report for January, 1996

PLANNING COMMISSION

The Commission met on January 16, 1996 to consider the following:

1. **Approved MLP 95-10 Edy:** a three-lot Minor Land Partition on Division, Pine and Lincoln Streets.
2. **Approved SP 95-13 Tercek:** a Site Plan for an automotive center on Tualatin-Sherwood Road.
3. **Continued PUD 95-2 Arbor Lane:** Preliminary Development Plan and Plat for a 121-lot residential development on Sunset Blvd. adjoining Cedar Creek.

LANDMARKS ADVISORY BOARD

The Board met on January 29 with the City Manager to discuss goals..

PUBLIC WORKS MONTHLY REPORT
JANUARY 1996

Projects

1. Bull Run Connection - Bid opening held 2-2-96 and 15 bids received
Award approval recommended
2. Sherwood Village Phase III - Completed
3. Whistler (Abney-Revard/Brookside) - Completed
4. Columbia Street Sanitary Sewer - in progress

Building

		<u>YTD</u>
1. Permits	69	69
2. Valuation	\$6,597,106	\$6,597,106
3. Inspections	1335	1335

Operations & Maintenance

1. New City Hall - Lobby remodeling in progress
2. Willamette River water treatment plant study - in progress



Lee D. Weislogel
Public Works Director

MONTH END REPORT JANUARY 1996

SHERWOOD POLICE DEPARTMENT

TO: City Manager, Jon Bormet
THRU: Chief of Police, William Middleton
FROM: Susan Philips

INCIDENT AND CUSTODY

PART 1 INDEX

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TO: Jon Bormet, City Manager

FROM: Claudia Eide, Library Director, Sherwood Public Library

SUBJECT: Library Status Report January, 1996

Date February 1, 1996

				<u>Increase/Decrease</u>
<u>CHECKOUTS</u>				
Jan. 1996	4,284	Jan. 1995	2,075	106.5%
FYTD	29,054	Last FYTD	15,013	93.5%
<u>CHECK-INS</u>				
Jan. 1996	5,347	Jan. 1995	2,448	118.4%
FYTD	38,787	Last FYTD	18,151	113.7%
Open hours	122			
Volunteer hours	92			
<u>New Patrons</u>				
Jan. 1996	43	Jan. 1995	22	95.5%
FYTD	336	Last FYTD	168	100%
<u>Holds Placed</u>				
Jan. 1996	252	Jan. 1995	185	36.2%
FYTD	1,691	Last FYTD	859	96.9%
Reference questions	238			
Referred	21			
<u>Out of System Loans</u>				
Jan. 1996	13	Jan. 1995	26	
FYTD	164	Last FYTD	164	
Inter/intra library loans	<u>To other libraries:</u>		<u>From other libraries:</u>	
	Jan. 1996-405		Jan. 1996-371	
	Jan. 1995-174		Jan. 1995-195	
	FYTD-1871		FYTD-2205	

Meetings attended:

City Employees: Jan. 5

Youth Services at WCCLS: Jan .5

Department heads: Jan. 9, 16, 23, 30

PAB at WCCLS Jan. 25

Oregon Young Adult Network at Salem Public Library: Jan. 12

Tri-County Children's Librarians at Lake Oswego Public Library: Jan. 26

The **Smith Farms Estates Home Owner's Association** donated \$100 to the Library.

Sherwood Rotary Club continues to have its members donate a book on their birthdays. This wonderful practice has been going on for almost **three years**.

Teresa Bonar donated two beautiful framed watercolors.

"Russian Folktales" presented by Kathryn Hurd, acclaimed storyteller, has been re-scheduled due to the weather to Thursday, March 7, 1:15 p.m. to 1:45 p.m. at the Stewart Senior Community Center. This program is made possible by a grant to the Sherwood Public Library from the Ezra Jack Keats Foundation, Inc.

Chet Clark

Navajo Dance & Drum Instructor,

Singer & Storyteller

will lead

Singing, Dancing, Drumming & Storytelling

Thursday, February 22

1:15-2:00 p.m.

Stewart Senior Community Center

This program is made possible by a grant to the Sherwood Public Library from the Ezra Jack Keats Foundation, Inc.

The ballots for the proposed Washington County Cooperative Library Services three-year operating levy will be mailed at the end of this month. This levy would replace the current levy and would provide \$77,936 in the first year for the Library. Last year money from the county-wide levy funded 71% of the Library's budget. The election deadline is March 12. Vote!

February 23, 1996

TO: Jon Bormet, City Manager
FROM: Sue Engels, Assistant to City Manager
RE: Resolution Transferring Funds



After consultation with Finance Director Polly Blankenbaker and Roy Rogers, the City's auditor, I have concluded that it is most accurate to record all transactions related to the purchase of the hotel in the Building Rental Fund. The loan proceeds will go there, and the purchase will be recorded as a capital outlay item from there.

It is the unanimous recommendation of Polly, Roy, and me that we simply reconcile this account as part of the supplemental budget process. Therefore, we will not be presenting a resolution for your consideration at this time.

COPY

ANDERSON & DITTMAN
ATTORNEYS AT LAW
TIGARD PROFESSIONAL CENTER
8865 S.W. CENTER STREET
TIGARD, OREGON 97223

P.O. BOX 23006
TIGARD, OREGON 97261-3006

TELEPHONE (503) 639-1121

FAX (503) 639-4097

DERRYCK H. DITTMAN
ROGER F. ANDERSON
DELORES B.N. WARD

FRED A. ANDERSON, DECEASED
(1910-1991)

February 20, 1996

Chris Corrado
2160 S.W. Fair Oaks Drive
Sherwood, OR 97140

Dear Chris:

This is just a follow-up to our prior telephone conversation. The question you presented at the invitation of Jon Bormet was whether or not the circumstance that some development applications approved by the planning commission have resulted in increased advertising business for your paper, should disqualify you from serving as a planning commission member.

More specifically, you wondered whether the fact that a subdivision approval resulted in lots for sale, and that a broker with a listing on those lots ran advertisements in your paper, would be a conflict of interest. The answer I gave you on the telephone was "no." After further review of the Oregon law regarding bias, prejudgment and conflict of interest, that is still the answer I would give.

I don't see that there is any direct substantial pecuniary benefit flowing to you from the decisions the commission makes on such applications. There is no certainty that the persons who later market and sell property will use your paper to your benefit.

While one can speculate that everyone, business persons and non-business persons, may well experience general, indirect economic benefits from community development (or, depending on one's view of growth and development, detriment), that is not such a conflict of interest that results in disqualification for conflict of interest.

By way of analogy, the local attorney is not disqualified just because buyers of the houses may become future clients; the theater owner is not disqualified because the buyers may become patrons; the grocery store owner or restaurant owner is not disqualified because the developers, contractors, subcontractors and employees probably will come in to buy beer, lunch, or whatever. If such tenuous and indirect pecuniary "benefit" would disqualify a

Chris Corrado
February 20, 1996
Page 2

planning commission member, it would be very difficult to maintain a qualified quorum to decide any application.

ORS 244.020(4) defines "potential conflict of interest" as including a transaction in which a public official "takes any action or makes any decision or recommendation", the effect of which could create private pecuniary benefit or detriment to the public official or his or her household. While that is quite broadly worded, the statute also has a very broad exception or exclusion for pecuniary benefit or detriment arising out of action that would affect, "to the same degree", a class consisting of all inhabitants of the state or of an industry, occupation, or other group with which the public official is associated or engaged. ORS 244.020(7)(b).

So long as you do not exact an agreement from applicants that they will advertise with you, or hint that their doing so in the future is the price of your vote (i.e., solicit a bribe), the fact that you are in the newspaper business should not disqualify you from sitting on the planning commission.

Very truly yours,

ANDERSON & DITTMAN

Derryck H. Dittman

DHD:sr



20 N.W. Washington Street
Sherwood, Oregon 97140
503/625-5522 □ FAX 503/625-5524

February 23, 1997

Mr. Pat Hearn, Executive Director
Oregon Government Standards and
Practices Commission
100 High Street, SE
Salem, OR 97310

VIA FAX (503) 373-1456

Dear Mr. Hearn:

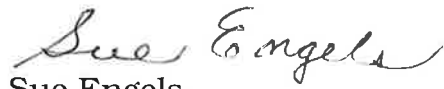
The City of Sherwood is requesting some clarification on what constitutes a potential conflict of interest. It seems clear from a reading of ORS 244.020(7), 244.120(c), and 244.135, that if a Planning Commission member (or his family or his business) could have a direct financial interest in a matter before the Commission, the Planning Commission member must announce a potential of conflict of interest.

What does not seem to be addressed in the ORS sections cited above is the concept of a potential conflict of interest arising from the fact that an applicant with a matter before the Planning Commission may have been, is now, or may be in the future a customer or client of a Planning Commission member. In our particular instance, the owner of the local newspaper receives advertising revenues for business in the community. Must he recuse himself on issues involving those businesses? Another Planning Commission member works for an overnight delivery service. Must he recuse himself from reviewing plans involving businesses which he serves? Or if a Planning Commission member owns a restaurant and the applicant eats there often and sometimes schedules large business luncheons there, should the Planning Commission member declare a potential conflict of interest? And what is the line that delineates the difference between recusal do to a conflict and the simple declaration of a potential conflict? What does potential mean?

We have also enclosed a letter from our City Attorney for your review that outlines his review of this issue.

We would appreciate any light you can shed on this question. Thanks for your help.

Sincerely,

A handwritten signature in cursive script that reads "Sue Engels". The signature is written in dark ink and is positioned above the printed name and title.

Sue Engels
Assistant to City Manager

SE:kc
Enclosure

CITY OF SHERWOOD, STATE OF OREGON, PLANNING COMMISSION
COMMISSIONER, CHRIS CORRADO'S DISCLOSURE STATEMENT
UNDER ORS CHAPTER 244 GOVERNMENT STANDARDS AND PRACTICES

R E C I T A L S

At the Planning Commission meeting of February 7, 1996, at a subsequent Sherwood City Council Meeting of February 14, 1996, and at the subsequent Planning Commission meetings beginning February 21, 1996, and thereafter, Mr. James Claus falsely accused me of acting in my position as a Commissioner with an "actual conflict of interest", or a "potential conflict of interest".

It is common knowledge in this community of Sherwood that, subsequent to my commencement of services of Planning Commissioner, I acquired the Sherwood Gazette in which various persons and entities purchase advertising. Mr. Claus falsely accuses me of having a "potential conflict" of interest because persons who appear before this Commission may have advertised in the Sherwood Gazette either prior to my ownership or during my ownership, or may in the future advertise in the Sherwood Gazette and be potential advertisers. Mr. Claus' false accusations are that that is an actual or potential conflict of interest. Not only are the accusations false, but they are slanderous, spurious, sinister, and malicious.

They are the same type of accusations that could be made against a Planning Commissioner who owns a local gas station, supermarket, or movie theater which may be frequented by various

persons who appear before this Commission. However, Mr. Claus demands that any person sitting on this Commission disclose anything that he, Mr. Claus, deems to be a "potential conflict of interest". His actions make it necessary to subject on all of you to this time consuming and pointless disclosure process pursuant to ORS 244.120(2).

1.

I am a Planning Commissioner and I am the owner of the Sherwood Gazette. Acting in my capacity as a Planning Commissioner, I take no action, make no decision, and make no recommendations the effect of which would be to the private pecuniary benefit or detriment of myself, my relatives, or any business with which I or a relative is associated, including any advertisers in the Sherwood Gazette. In short, I have no "actual conflict of interest" with any of the applications that I have handled, or will continue to handle.

2.

I have no "potential conflict of interest" between my position as a Planning Commissioner, and as the owner of the Sherwood Gazette. I take no action, make no decision or recommendation in my capacity as a Planning Commissioner, the effect of which action, decision, or recommendation could be to the private pecuniary benefit or detriment of myself, my relatives, or any businesses which I or my relatives are associated. Furthermore, any action I take as a Planning Commissioner that may involve any advertisers in the Sherwood Gazette have the same effect and are to the same


degree as all other inhabitants and applicants before the City of Sherwood Planning Commission.

Nevertheless, each applicant before this Planning Commission at this meeting may have been an advertiser in the Sherwood Gazette, may be an advertiser in the Sherwood Gazette, or may be a potential advertiser in the future in the Sherwood Gazette. Any persons speaking by or on behalf of such applicant, or any persons speaking out against the application, may also have been an advertiser, be an advertiser, or may be a potential advertiser in the future in the Sherwood Gazette.

I apologize that we have to go through this cumbersome, vexatious, and annoying ritual at each Planning Commission meeting, however, it is now necessary because of the slanderous and absurd allegations that have been previously made by Mr. Claus at the prior meetings.

I further request of the City Council, pursuant to ORS 244.120(1)(c), if it applies in this case, that if the Council determines that there is an actual or potential conflict of interest, they immediately designate an official or specify a manner of disposing of the matter.

DATED this 27 day of February, 1996.


CHRIS CORRADO

MARK O. COTTLE
1220 SE MORBACK CT.
SHERWOOD, OREGON 97140

February 19, 1996

Walt Hitchcock - Mayor & City Council
16990 SW Sunset Blvd.
Sherwood, OR 97140

RE: *Chris Corrado*

Dear Walt:

After reading the Newberg Graphic, with regards to Mr. Corrado, a couple of things became apparent to me. First, in my opinion, based upon the quotes attributable to Mr. Corrado, that there is a question of whether he has firm grasp of what a potential or actual conflict of interest is, which is somewhat understandable as it is, at times a difficult thing to pin down. However, it does raise a broader problem which is, what about the other members of our boards, committees and commissions? We need to develop a regiment of training, (a pamphlet may be all we need to distribute to them) so that all our volunteers who sit on boards and commissions understand what their duty and responsibilities are with regards to the conflict of interest requirements.

Second, again, based upon what was in the newspaper, the Gazzette and my recollection of Mr. Corrado's and Mr. Claus' comments, there is certainly a battle going on between these two individuals. While Mr. Claus has means, knowledge and the ability to protect himself, Mr. Corrado has made several comments which could lead a reasonable person to believe that he does not like Mr. Claus. He as a right to his feelings, however, he is also in a position which may make it impossible for Mr. Claus to have, at least, the appearance of a fair hearing. (Remember, several of our Commissioner's signed a petition against the City having any business dealings with Mr. Claus). I understand some of the sentiment in the City, Mr. Claus has made his bed and now he has to lie in it. We can allow personal feelings to guide us in personal business and social settings but not when we act in a quasi-judicial setting.

I like and respect Mr. Corrado, Chris is a hard working, likeable individual. We need some guidance from an attorney. The question that I have is does a City have the obligation to provide the **appearance** of a fair and impartial hearing? This is a substantially different question than the right to a fair and impartial hearing. We need to ensure that all that come before us (the City) have a fair and impartial hearing. I do not know if there is a problem. It appears that there is some personal bias on both sides at work. The issue of whether or not there is an appearance of impartiality is beginning to loom larger than what I am comfortable with. We need to take the necessary steps to ensure all receive the same treatment regardless of our likes and dislikes.

In this particular case, we need to do one of two things; either we accept Mr. Corrado's invitation and initiate an investigation through the Standard's and Practices Commission or we tell Mr. Claus that he can file a complaint with the Standard's and Practices Commission. It is not fair to Mr. Corrado, Mr. Claus or the community for us to have one foot in and one foot out. Such a position will only drag this out longer than what is needful. However, this would only

Page 2

February 27, 1996

RE: *Chris Corrado*

resolve the conflict question, it does not resolve the issue of whether Mr. Claus has been receiving fair and impartial hearings from the Planning Commission, which is what I believe Mr. Claus is really asserting. If this is the problem, we should ask an attorney about our obligation with regards to resolving or investigating this problem.

Having been where Mr. Corrado is, I truly sympathize with Mr. Corrado's concern that his name will be tarnished as a result of this situation. It is in everyone's best interest to have this resolved as quickly as possible.

We have also talked about the changes we need to make as a City. It is time to have written guidelines so that when a citizen makes a complaint against us or a board or commission member we have a standard course of conduct to follow. That guideline may be as simple as giving the complaining citizen the telephone number and address of the Government Standard's and Practices Commission.

Also, after thinking about Mr. Kennedy's suggestion, I believe he is correct and that we need, as soon as possible, to have a presentation made to all our volunteers regards our ethical obligations.

As a whole, I believe our board and commission members are doing a good job. I believe the City Council is doing a good job. With the new City Manager on board, the City is really moving long. Things have never looked so good for Sherwood.

Very truly yours,

Mark O. Cottle

cc: Bill Boyle, Jane Aamold, Barry Kennedy

Sign-In Sheet



20 N.W. Washington Street
Sherwood, Oregon 97140
503/625-5522 □ FAX 503/625-5524

February 23, 1996

Dear Mayor and City Council

We're moving today. Since a lot of other things are happening, I will keep my report very brief at this time.

For Tuesday night...

- Please note that Boy Scout Troop No. 224 will be at the Council meeting to lead us in the Pledge of Allegiance. This will help them with their citizenship project for the month of February.
- You requested us to review the Peddler's Liquor License Renewal Application. As you will see from Chief Middleton's memo, there have been significant problems in the past; however, this proposal includes new management. It is our hope that the new management will be able to resolve these problems.
- Also enclosed is a memo from Lee Weislogel, which outlines the Northwest Natural Gas Franchise.
- We have removed the resolution regarding the budget adjustment. Again, I will enclose a staff memo that will explain this to you further.
- David Bantz will appear to ask you to name a park in Woodhaven after a retiring Genstar executive. Mr. Bantz appeared before the Parks Advisory Board, and this proposal comes to you with a unanimous recommendation for approval.

If you need anything further, please let me know.

Respectfully submitted,

Jon Bormet
City Manager

JB:kc

NEW BUSINESS

City of Sherwood, Oregon
Board and Commission Representation

January 1, 1996

The following individuals currently represent the City on various Boards. Board representatives noted with an * are subject to direct selection by the City Council.

A. City Board Liaisons:

- | | | | |
|----|--------------------------------------|---|---------------|
| 1. | Planning Commission* | - | Mark Cottle |
| 2. | Landmarks Advisory Board* | - | Bill Boyle |
| 3. | City Parks Advisory Board* | - | Barry Kennedy |
| 4. | City Library Advisory Board* | - | Jane Aamold |
| 5. | Friends of the Sherwood Library* | - | Jane Aamold |
| 6. | Sherwood Seniors Board of Directors* | - | Jack Harper |

B. County Boards:

1. Washington County Coordinating Committee, Transportation Advisory Committee (WCCCTAC)*

Primary:	Jon Bormet
Alternate:	Lee Weislogel

2. Washington County Coordinating Committee, Policy Advisory Committee (WCCCPAC)*

Primary:	Walt Hitchcock
Alterante:	Jon Bormet

3. Washington County Housing Plan Advisory Committee* - Mark Cottle

4. Washington County CDBG Policy Advisory Board*:

Primary:	Rick Hohnbaum (elected official ??)
Alternate:	Mark Cottle

5. Washington County Consolidated Communication Agency (WCCCA)*:

Primary:	Bill Boyle
Alternate	Bill Middleton

6. Washington County Corrections Advisory Committee (WCCAC)*:

Bill Boyle

7. EMT - Mark Cottle
8. Washington County Cooperative Library Advisory Board (CLAB)*:

Primary:	Jane Aamold
Alternate:	Barry Kennedy

9. USA/City Committee - Jon Bormet
10. USA Stormwater Management (SWM) Committee:

Primary:	Jon Bormet
Alternate:	Lee Weislogel

C. Regional Boards:

1. Forum on Cooperative Urban Services (FOCUS)*:

Elected Official:	Walt Hitchcock
Appointed Official:	Jon Bormet

2. Metro Policy Advisory Committee - Walt Hitchcock
3. Western Bypass Steering Committee:

Primary:	Walt Hitchcock
Alternate:	Barry Kennedy

4. Western Bypass Steering Committee*: Jon Bormet
5. Metro Greenspaces Technical Committee: Jon Bormet
6. Regional Water Purveyors Advisory Group (RPAG):

Primary:	Jon Bormet
Alternate:	Lee Weislogel

7. Metropolitan Area Communications Commission (MACC):

Primary:	Bill Boyle
Alternate:	_____

D. Nonprofit and Statewide Boards:

1. Washington County Community Action Agency: Walt Hitchcock
2. Friends of the Refuge Board*: Mark Cottle
3. ODEQ Environmental Partnerships Committee: Jon Bormet

February 7, 1996

TO: Jon Bormet, City Manager

FROM: Lee Weislogel, Public Works Director



RE: NORTHWEST NATURAL GAS (NWNG) FRANCHISE AGREEMENT

We have reviewed the agreement and recommend approval. A change was made, at our request, for the City to be paid quarterly rather than annually [page 5, Section 12 Compensation; paragraph (2)]. Further, I have requested NWNG system maps for the City which should be of help to us.

The total tax is 5%, 2% of which will show on customer's bills as a City franchise tax.

Attachment

cc: Polly Blankenbaker

DRAFT

NORTHWEST



NATURAL GAS COMPANY

220 N.W. SECOND AVENUE

PORTLAND, OREGON 97209 - 3991

RONALD K. OPITZ
Manager, Risk & Land
Management
(503) 226-4211 Ext. 2440

February 9, 1996

Mr. Lee Weislogel
Public Works Director
City of Sherwood
540 NW Washington Street
Sherwood, Oregon 97140

Dear Lee:

Attached you will find the franchise agreement, which contains the revisions we recently discussed.

Should you have any questions, Lee, please feel free to call me at (503) 721-2440.

Best regards,

Ronald K. Opitz, Manager
Risk & Land Management

RKO:dg

Enclosures

STANDARD CITY FRANCHISE
PROPOSAL
(FOR USE IN THE STATE OF OREGON)

DRAFT

ORDINANCE NO. _____

AN ORDINANCE GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE.

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: Definitions and Explanations.

- (1) As used in this ordinance.
 - (a) "Bridge" includes a structure erected within the City to facilitate the crossing of a river, stream, ditch, ravine or other place, but does not include a culvert.
 - (b) "City" means the City of Sherwood and the area within its boundaries, including its boundaries as extended in the future.
 - (c) "Council" means the legislative body of the City.
 - (d) "Grantee" means the corporation referred to in Section 2 of this ordinance.
 - (e) "Gas mains" includes all gas transmission and distribution facilities located on or under any street, bridge or public place within the City.
 - (f) "Person" includes an individual, corporation, association, firm, partnership and joint stock company.
 - (g) "Public place" includes any city-owned park, place or grounds within the City that is open to the public but does not include a street or bridge.
 - (h) "Street" includes a street, alley, avenue, road, boulevard, thoroughfare or public highway within the City, but does not include a bridge.
- (2) As used in this ordinance, the singular number may include the plural and the plural number may include the singular.

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- (3) Unless otherwise specified in this ordinance, any action authorized or required to be taken by the City may be taken by the Council or by an official or agent designated by the Council.

Section 2: Rights Granted.

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

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

Section 3: Use of Streets, Bridges and Public Places by Grantee.

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

Section 4. Duration.

This franchise is granted for a period of 10 years from and after the effective date of this ordinance.

Section 5. Franchise Not Exclusive.

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

- (1) Granting rights, privileges and authority to other persons similar to or different from those granted by this ordinance.

- (2) Constructing, installing, maintaining or operating any City-owned public utility.

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

The City reserves the right to:

- (1) Construct, install, maintain and operate any public improvement, work or facility;
- (2) Do any work that the City may find desirable on, over or under any street, bridge or public place.
- (3) Vacate, alter or close any street, bridge or public place.
- (4) Whenever the City shall excavate or perform any work in any of the present and future streets, alleys and public places of the City, or shall contract, or issue permits, for such excavation or work where such excavation or work may disturb Grantee's gas mains, pipes and appurtenances, the City shall, in writing, notify Grantee sufficiently in advance of such contemplated excavation or work to enable Grantee to take such measures as may be deemed necessary to protect such gas mains, pipes and appurtenances from damage and possible inconvenience or injury to the public. In any such case, the Grantee, upon request, shall furnish maps or drawings to the City or contractor, as the case may be, showing the approximate location of all its structures in the area involved in such proposed excavation or other work.
- (5) Whenever the City shall vacate any street or public place for the convenience or benefit of any person or governmental agency and instrumentality other than the City, Grantee's rights shall be preserved as to any of its facilities then existing in such street or public place.

Section 7: Continuous Service.

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

DRAFT**Section 8: Safety Standards and Work Specifications.**

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

Section 9: Control of Construction.

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

Section 10: Street Excavations and Restorations.

- (1) Subject to the provisions of this ordinance, the Grantee may make necessary excavations for the purpose of constructing, installing, maintaining and operating its facilities. Except in emergencies, the Grantee shall obtain the permission of the City prior to the commencement of any construction, installation or maintenance of its underground facilities. Such notification to the City, which may be by telephone, electronic data transmittal or other appropriate means, shall include all hard surface cuts in the public right-of-way.

Upon notification to the Grantee, by the City, of any new street improvement projects, the Grantee shall assist the City in coordinating the installation of the Grantee's facilities with the City Engineer so as to prevent the cutting of newly paved streets.

Furthermore, the Grantee shall give notice to the City by telephone, electronic data transmittal or other appropriate means as soon as is practicable after the commencement of work performed under emergency conditions.

- (2) When any excavation is made by the Grantee, the Grantee shall promptly restore the affected portion of the street, bridge or public place to the same condition in which it was prior to the excavation. The restoration shall be in compliance with specifications, requirements and regulations of the City in effect at the time of such restoration. If the Grantee fails to restore promptly the affected portion of a street, bridge or public place to the same

condition in which it was prior to the excavation, the City may make the restoration, and the cost thereof shall be paid by the Grantee.

Section 11: Location and Relocation of Facilities.

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

Section 12: Compensation.

- (1) As compensation for the franchise granted by this ordinance, the grantee shall pay to the City an amount equal to five percent (5%) of the gross revenue collected by the Grantee from its customers for gas consumed within the City. Gross revenue shall be computed by deducting from the total billings of the Grantee the total net write-off of uncollectible accounts, revenues paid directly by the United States of America or any of its agencies, and sales of gas at wholesale by the Grantee to any public utility or public agency where the public utility or public agency purchasing such gas is not the ultimate consumer.
- (2) The compensation required by this section shall be due within thirty (30) days after the end of each quarter. Within sixty (60) days after the termination of this franchise agreement, compensation shall be paid for the period elapsing since the close of the last quarter for which compensation has been paid.
- (3) The Grantee shall furnish to the City with each payment of compensation required by this section a written statement, under oath, executed by an officer of Grantee showing the amount of gross revenue of the Grantee within the City for the period covered by the payment computed on the basis set out in subsection (1) of this section. The compensation for the period covered by the statement shall be computed on the basis of the gross revenue so reported. If the Grantee fails to pay the entire amount of compensation due the City through error or otherwise, the difference due

the City shall be paid by the Grantee within fifteen (15) days from discovery of the error or determination of the correct amount. Any overpayment to the City through error or otherwise, shall be offset against the next payment due from the Grantee.

- (4) Acceptance by the City of any payment due under this section shall not be deemed to be a waiver by the City of any breach of this franchise occurring prior thereto, nor shall the acceptance by the City of any such payments preclude the City from later establishing that a larger amount was actually due, or from collecting any balance due to the City.

Section 13: Books of Account and Reports.

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

Section 14: Collection Facilities.

The Grantee shall maintain a facility in the City where its customers may pay their bills for gas service during normal business hours.

Section 15: Supplying Maps Upon Request.

The Grantee shall maintain on file, at an office in Oregon, maps and operational data pertaining to its operations in the City. The City may inspect the maps and data at any time during business hours. Upon request of the City, the Grantee shall furnish to the City, without charge and on a current basis, maps showing the location of the gas mains of the Grantee in the City.

Section 16. Indemnification.

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

Section 17: Assignment of Franchise.

This franchise shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the Grantee.

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Section 18: Termination of Franchise for Cause.

Upon the willful failure of the Grantee, after sixty (60) days' notice and demand in writing, to perform promptly and completely each and every term, condition or obligation imposed upon it under or pursuant to this ordinance, the City may terminate this franchise, subject to Grantee's right to a court review of the reasonableness of such action.

Section 19: Remedies Not Exclusive, When Requirement Waived.

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

Section 20: Acceptance.

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

PASSED by the Common Council this _____ day of _____, 19____.

Signed and approved by the Mayor this _____ day of _____, 19____.

Mayor

ATTEST:

Recorder

City of Sherwood, Oregon
Resolution No. _____

A RESOLUTION AMENDING THE CITY OF SHERWOOD PERSONNEL RULES AND EMPLOYEE HANDBOOK, ADDING THREE JOB DESCRIPTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the current City Personnel Rules and Employee Handbook (hereinafter called ("Rules")) were established by Resolution 93-547, effective July 1, 1993; and

WHEREAS, in the course of reviewing work loads in the Administration and Public Works-Engineering Departments, management has determined additional staffing is critical to properly conduct City business.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1. Job Descriptions: The City's Job Descriptions, attached hereto as Exhibit "A", are hereby approved and adopted.

Section 2. Effective Date. This Resolution shall become effective February 13, 1996.

Duly passed by the City Council this 13th day of February 1996.

Walter Hitchcock, Mayor

ATTEST:

Jon Bormet, City Manager-Recorder

City of Sherwood, Oregon
Administrative Department

ASSISTANT TO THE CITY MANAGER

BASIC FUNCTION: Assists the City Manager in tasks related to the supervision and control of administrative and business affairs of the City.

ESSENTIAL DUTIES:

1. Assists in the general supervision of all City employees, except for municipal court judges, with particular emphasis in the areas of personnel policies, employee training, risk management, administrative and customer service.
2. Assists in the preparation of the annual budget.
3. Attends, in lieu of the City Manager, all meetings and conferences that he or she is unable to attend.
4. Carries out special projects and assignments at the direction of the City Manager.

AUXILIARY DUTIES:

1. Participates in the development of goals, operational policies, and programs for the entire City government.
2. Performs similar and incidental duties as required.

RESPONSIBILITIES: The goal of the City of Sherwood Administration Department is to provide for the efficient overall management and coordination of City services. The Assistant to the City Manager is responsible to assist the City Manager in meeting this goal. The Assistant to the City Manager must perform his or her duties in a manner that reflects positively on the City.

SUPERVISION: Reports to the City Manager. Assists in general supervision of all employees. Directs work of City Hall office staff who deal with the general public in regard to customer relations.

CONDITIONS: Normally works in an office setting on a flexible schedule. Regularly required to work evenings and extended hours. Must be able to use sound judgment, make independent decisions, and produce positive results with limited resources. Physical demands typically involve the mobility and manual dexterity related to usual office tasks including the use of computer equipment, and moving of office materials up to ten (10) pounds.

EXTERNAL CONTACTS: Frequent opportunity and requirement to interact with City employees, elected and appointed officials, the general public, all levels of government agencies, developers, consultants, and other individuals and groups doing business with the City. Contacts are frequently

complex and may be of an adversarial and stressful nature. Must be able to communicate effectively, both orally and in writing, work effectively in a community of diverse interests, respond to rapid changes in priorities and community needs, and deal patiently, courteously, accurately, and conscientiously with all parties.

EDUCATION/LICENSES: Bachelors degree required. MPA, MBA or CPA preferred.

EXPERIENCE/SKILLS: Public sector experience especially in the areas of personnel, budgeting risk management, and administrative services desirable.

COMPENSATION: Class 7, FTE \$2,445 to 2,699 monthly (FY 95-96)

City of Sherwood, Oregon
Public Works Department

(DOCNAME: PWDIR.JD)

PUBLIC WORKS DIRECTOR

BASIC FUNCTION: Coordinates, supervises and administers the promotion, planning, implementation and evaluation of all Public Works Department services.

ESSENTIAL DUTIES

1. Coordinates and supervises all regular department activities directed towards operating and maintaining municipal parks, municipal buildings, water, sanitary sewer, street, and storm water facilities, and associated equipment.
2. Selects, trains, supervises, evaluates, disciplines, and discharges department staff as per City Personnel Rules.
3. Develops and implements goals, operational policies, and programs for the department, including preparation of an annual department budget.
4. Promotes department and City activities directed toward improving public knowledge, confidence and understanding of local government utilities and public works.

AUXILIARY DUTIES:

1. Coordinates the establishment, maintenance and updating of public works project files, City mapping, and associated records.
2. Participates in the development of goals, operational policies and programs for the entire City government.
3. Performs similar and incidental duties as required.

RESPONSIBILITIES: The goal of the City of Sherwood Public Works Department is to safely and efficiently maintain and operate City utilities, parks, buildings, streets, and other public facilities. The Public Works Director is responsible for administering a department operating and capital budget and nine functional divisions (Streets, Water, Sewer, Storm Drainage, Equipment Rental, Parks, Building Inspection, Building Rental, and Building Maintenance), and for managing a permanent staff of eleven. The Public Works Director must perform his or her duties in a manner that reflects positively on the City and the department and is responsible for maintaining a level of professional expertise and image that promotes efficient use of the resources available to the department.

SUPERVISION: Reports to the City Manager. Regularly supervises Public Works Operations Manager, and may supervise other Public Works employees. Works closely with City Planning Director and City Engineer.

JOB CONDITIONS: Normally works a 40-50 hour week in both office and field settings. Subject to call-out at all times. Frequently required to work extended hours and to inspect or participate in department activities in the field involving exposure to normal construction site hazards and to all weather conditions. Must be able to use sound judgement, make independent decisions and produce positive results with limited resources. Physical demands typically involve the mobility and manual dexterity to participate in a full range of construction activities, including entering and exiting construction excavations, moving around multi-story structures under construction, and moving various materials up to forty pounds.

EXTERNAL CONTACTS: Frequent opportunity and requirement to interact with other City employees, elected and appointed officials, other public works and governmental agencies, contractors, builders, engineers, planners and related professional, public and private utility companies, vendors, local businesses, residents, and visitors. Contacts are frequently complex and of an adversarial and stressful nature. Must be able to communicate effectively, both orally and in writing, work effectively in a community of diverse interests, respond to rapid changes in priorities and community needs, and deal patiently, courteously, accurately, and conscientiously with all parties.

EDUCATION/LICENSES: Education in civil engineering and/or public administration considered. Must possess a valid Oregon drivers license.

EXPERIENCE/SKILLS: Level of experience typified by five years employment as a Public Works Director or Supervisor including extended employment in a senior and independent supervisory capacity required. Prior employment with a local government agency preferred. Must be able to accurately and effectively interpret engineered plans, be able to effectively prepare and implement complex budgets and capital plans, and have strong personnel management skills. Additional experience may be substituted for education at the City's discretion.

COMPENSATION: Class 11, FTE \$4,085 to \$4,509 monthly (FY 95-96)

City of Sherwood, Oregon
Community Development Department
(DOCNAME: PWENG.JD)

CITY ENGINEER

BASIC FUNCTION: Coordinates, supervises and administers the promotion, planning, implementation and evaluation of all Engineering Department services.

ESSENTIAL DUTIES

1. Coordinates and supervises all regular department activities directed towards designing and constructing municipal parks, municipal buildings, water, sanitary sewer, street, and storm water facilities.
2. Provides for, or obtains, all typical municipal civil engineering services, including capital project design, plan reviews and project inspections, both for public and private projects.
3. Coordinates functions of department with municipal, county, State and federal agencies; Fire District officials, advisory committees, builders, engineers, and planners for building code enforcement and infrastructure projects.
4. Selects, trains, supervises, evaluates, disciplines, and discharges department staff as per City Personnel Rules.
5. Develops and implements goals, operational policies, and programs for the department, including preparation of an annual department budget.
6. Promotes department and City activities directed toward improving public knowledge, confidence and understanding of local government utilities and public works.

AUXILIARY DUTIES:

1. Works with the Public Works Director with the establishment, maintenance and updating of public works project files, City mapping, and associated records.
2. Participates in the development of goals, operational policies and programs for the entire City government.
3. Performs similar and incidental duties as required.

RESPONSIBILITIES: The goal of the City of Sherwood Engineering Department is to professionally and efficiently design and construct City utilities, parks, buildings, streets, and other public facilities. The City Engineer is responsible for administering a department operating and capital budget, and for managing a permanent staff of seven including inspection staff. The City Engineer must perform his or her duties in a manner that reflects positively on the City and the department and is responsible for maintaining a level of professional expertise and

image that promotes efficient use of the resources available to the department.

SUPERVISION: Reports to the City Manager. Regularly supervises Building Official, and Project Inspectors. May supervise other employees. Works closely with City Planning Director and Public Works Director.

JOB CONDITIONS: Normally works a 40-50 hour week in both office and field settings. Subject to call-out at all times. Frequently required to work extended hours and to inspect or participate in department activities in the field involving exposure to normal construction site hazards and to all weather conditions. Must be able to use sound judgement, make independent decisions and produce positive results with limited resources. Physical demands typically involve the mobility and manual dexterity to participate in a full range of construction activities, including entering and exiting construction excavations, moving around multi-story structures under construction.

EXTERNAL CONTACTS: Frequent opportunity and requirement to interact with other City employees, elected and appointed officials, other public works and governmental agencies, contractors, builders, engineers, planners and related professional, public and private utility companies, vendors, local businesses, residents, and visitors. Contacts are frequently complex and of an adversarial and stressful nature. Must be able to communicate effectively, both orally and in writing, work effectively in a community of diverse interests, respond to rapid changes in priorities and community needs, and deal patiently, courteously, accurately, and conscientiously with all parties.

EDUCATION/LICENSES: Equivalent to a bachelors degree in civil engineering required. Additional education in civil engineering and public administration preferred.

EXPERIENCE/SKILLS: Level of experience typified by five years employment as a civil engineer including extended employment in a senior and independent supervisory capacity required. Prior employment with a local government agency preferred. Must be able to accurately and effectively prepare, interpret, and revise engineered plans, be able to effectively prepare and implement complex budgets and capital plans, and have strong personnel management skills. Additional experience may be substituted for education at the City's discretion.

COMPENSATION: Class 11, FTE \$4,085 to \$4,509 monthly (FY 95-96)

CITY OF SHERWOOD, OREGON

Resolution No. _____

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE GENERAL FUND, WATER FUND, SEWER FUND, STREET FUND, EQUIPMENT RENTAL FUND, STORM WATER FUND, AND BUILDING RENTAL FUND.

WHEREAS, a need exists to transfer appropriations totaling \$113,400 from the Contingency category of the General Fund with \$6,800 being transferred to the Personal Services category, and \$2,600 being transferred to the Capital Outlay category of the Administration Department; \$3,000 being transferred to the Personal Services category of the Finance Department; \$63,000 being transferred to the Materials & Services category of the City Council Department; \$3,000 being transferred to the Materials and Services category of the Park & Recreation Department; \$34,000 being transferred to the Personal Services category and \$1,000 being transferred to the Capital Outlay category of the Building Inspection and Enforcement Department; and

WHEREAS, a need exists to transfer appropriations totaling \$100,000 from the Contingency category to the Capital Outlay category of the Water Fund, and

WHEREAS, a need exists to transfer appropriations totaling \$128,000 from the Contingency category to the Capital Outlay category of the Sewer Fund, and

WHEREAS, a need exists to transfer appropriations totaling \$160,955 from the Contingency category to the Capital Outlay category of the Street Fund, and

WHEREAS, a need exists to transfer appropriations totaling \$6,000 from the Contingency category to the Materials & Services category of the Equipment Rental Fund, and

WHEREAS, a need exists to transfer appropriations totaling \$65,000 from the Contingency category to the Capital Outlay category of the Storm Water Fund.

WHEREAS, a need exists to transfer appropriations totaling \$45,000 from the Materials & Services category to the Capital Outlay category and \$42,000 from the Contingency category to the Capital Outlay category within the Building Rental Fund.

NOW THEREFORE BE IT RESOLVED:

The total appropriation to be transferred within the General Fund is \$113,400, and the General Fund is hereby appropriated as follows:

General Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
<u>Administration</u>			
Personal Services	159,061	6,800	165,861
Materials and Services	19,100		19,100
Capital Outlay	3,827	2,600	6,427
Transfer to Other Funds	21,260		21,260
	<u>203,248</u>	<u>9,400</u>	<u>212,648</u>
 <u>Planning</u>			
Personal Services	111,066		111,066
Materials and Services	28,500		28,500
Capital Outlay	2,500		2,500
Transfer to Other Funds	7,540		7,540
	<u>149,606</u>	<u>—————</u>	<u>149,606</u>
 <u>Finance</u>			
Personal Services	178,806	3,000	181,806
Materials and Services	62,900		62,900
Capital Outlay	3,000		3,000
Transfer to Other Funds	14,880		14,880
	<u>259,586</u>	<u>3,000</u>	<u>262,586</u>
 <u>Police</u>			
Personal Services	382,958		382,958
Materials and Services	71,700		71,700
Capital Outlay	12,500		12,500
Transfer to Other Funds	99,163		99,163
	<u>566,321</u>	<u>—————</u>	<u>566,321</u>
 <u>City Council</u>			
Materials & Services	37,220	63,000	100,220
 <u>Park & Recreation</u>			
Personal Services	15,201		15,201
Materials and Services	3,000	3,000	6,000
Capital Outlay	1,000		1,000
Transfer to Other Funds	5,306		5,306
	<u>24,507</u>	<u>3,000</u>	<u>27,507</u>

	Budget	Budget Change	Revised Budget
<u>Building Inspection & Enforcement</u>			
Personal Services	252,058	34,000	286,058
Materials and Services	16,800		16,800
Capital Outlay	5,750	1,000	6,750
Transfer to Other Funds	<u>21,471</u>		<u>21,471</u>
	296,079	<u>35,000</u>	331,079
 <u>Non-Departmental Special</u>			
<u>Appropriations</u>			
Materials and Services	<u>48,100</u>		<u>48,100</u>
Total General Fund			
Appropriations	1,584,667	113,400	1,698,067
General Operating Contingency	167,386	(113,400)	53,986

The total appropriation to be transferred within the Water Fund is \$100,000, and the Water Fund is hereby appropriated as follows:

Water Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	181,827		181,827
Materials and Services	244,995		244,995
Capital Outlay	10,250	100,000	110,250
Transfers to Other Funds	<u>185,695</u>		<u>185,695</u>
Total Water Fund Appropriations	622,767	100,000	722,767
General Operating Contingency	151,125	(100,000)	51,125
Unappropriated Ending Fund Balance	233,607		233,607

The total appropriation to be transferred within the Sewer Fund is \$128,000, and the Sewer Fund is hereby appropriated as follows:

Sewer Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	81,288		81,288
Materials and Services	472,030		472,030
Capital Outlay	11,750	128,000	139,750
Transfers to Other Funds	72,972		72,972
Total Sewer Fund Appropriations	638,040	128,000	766,040
General Operating Contingency	138,470	(128,000)	10,470
Unappropriated Ending Fund Balance	146,625		146,625

The total appropriation to be transferred within the Street Fund is \$160,955, and the Street Fund is hereby appropriated as follows:

Street Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	111,699		111,699
Materials and Services	149,404		149,404
Capital Outlay	531,650	160,955	692,605
Transfers to Other Funds	82,041		82,041
Total Street Fund Appropriations	874,794	160,955	1,035,749
General Operating Contingency	164,023	(160,955)	3,068
Unappropriated Ending Fund Balance	54,671		54,671

The total appropriation to be transferred within the Equipment Rental Fund is \$6,000, and the Equipment Rental Fund is hereby appropriated as follows:

Equipment Rental Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	32,174		32,174
Materials and Services	40,800	6,000	46,800
Capital Outlay	76,000		76,000
Transfers to Other Funds	<u>48,113</u>	<u> </u>	<u>48,113</u>
Total Equipment Rental Fund Appropriations	197,087	6,000	203,087
General Operating Contingency	41,671	(6,000)	35,671
Unappropriated Ending Fund Balance	39,049		39,049

The total appropriation to be transferred within the Storm Water Fund is \$65,000, and the Storm Water Fund is hereby appropriated as follows:

Storm Water Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	81,807		81,807
Materials and Services	129,164		129,164
Capital Outlay	8,200	65,000	73,200
Transfers to Other Funds	<u>78,120</u>	<u> </u>	<u>78,120</u>
Total Storm Water Fund Appropriations	297,291	65,000	362,291
General Operating Contingency	77,444	(65,000)	12,444
Unappropriated Ending Fund Balance	141,561		141,561

The total appropriation to be transferred within the Building Rental Fund is \$42,000, and the Building Rental Fund is hereby appropriated as follows:

Building Rental Fund Appropriation and Transfer

	Budget	Budget Change	Revised Budget
Personal Services	12,307		12,307
Materials and Services	130,600	(45,000)	85,600
Capital Outlay	256,500	87,000	343,500
Transfers to Other Funds	<u>2,788</u>		<u>2,788</u>
Total Building Rental Fund Appropriation	402,195	42,000	444,195
General Operating Contingency	61,548	(42,000)	19,548

Duly passed by the City Council February 13, 1996.

Walter Hitchcock, Mayor

Attest:

Jon Bormet, City Manager/Recorder