



AGENDA
CANBY CITY COUNCIL
SPECIAL MEETING – 5:30 PM
REGULAR MEETING – 7:30 PM
October 6, 2021

Virtual Meeting/ Council Chambers - 222 NE 2nd Avenue, 1st Floor

Register here to attend the meetings virtually:

https://us06web.zoom.us/webinar/register/WN_seRLQViRSCugbfm1MzX_Dw

The City Council Regular meeting can be viewed on CTV Channel 5 and YouTube:

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

Mayor Brian Hodson

Councilor Christopher Bangs
Council President Traci Hensley
Councilor Sarah Spoon

Councilor Greg Parker
Councilor Shawn Varwig

Special Meeting – 5:30 PM

- 1. CALL TO ORDER**
- 2. INTERVIEWS FOR CITY COUNCIL VACANCY**
- 3. SELECTION OF CITY COUNCILOR**
- 4. ADJOURN**

Pg 1

Regular Meeting – 7:30 PM

- 1. CALL TO ORDER**
- 2. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** This is an opportunity for audience members to address the City Council on items not on the agenda. Each person will be given 3 minutes to speak. Staff and the City Council will make every effort to respond to questions raised during citizens input before the meeting ends or as quickly as possible thereafter. *****If you would like to speak please email or call the City Recorder by 7:30 pm on October 6, 2021 with your name, the topic you'd like to speak on and contact information: bissetm@canbyoregon.gov or call 503-266-0733. Once your information is received, you will be sent instructions to speak. Please note that Council will be attending this meeting virtually.**

3. **CONSENT AGENDA:** This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.
 - a. Appointment of Rhonda Shechtman to the Heritage and Landmark Commission. Pg. 26
 4. **ORDINANCES & RESOLUTION**
 - a. Consider **Ordinance No. 1560**: An Ordinance authorizing the City of Canby to enter into a purchase agreement with Columbia Western Machinery to buy a new Front-End Loader. *(First Reading)* Pg. 29
 - b. Consider **Ordinance No. 1561**: An Ordinance amending Canby Municipal Code (CMC) Chapter 220 to include the Library Advisory Board High School Member as a voting member with additional changes to Library Board Secretary. *(First Reading)* Pg. 44
 - c. Consider **Resolution No. 1359**: A Resolution approving an Intergovernmental Agreement between the City of Canby and Canby Utility for the undergrounding of utilities for the future Ivy Street Improvement Project. Pg 47
 5. **NEW BUSINESS** Pg. 53
 - a. Letter of support for Economic Opportunity Analysis (EOA).
 6. **MAYOR'S BUSINESS**
 7. **COUNCILOR COMMENTS & LIAISON REPORTS**
 8. **CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**
 9. **CITIZEN INPUT**
 10. **ACTION REVIEW**
 11. **ADJOURN**
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*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Melissa Bisset at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov. **City Council and Planning Commission Meetings are typically broadcast live and can be viewed on CTV Channel 5.** For a schedule of the playback times, please call 503.263.6287.

****We are requesting that rather than attending in person you view the meeting on CTV Channel 5 or on YouTube: <https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>**

If you do not have access virtually, there are a small number of chairs provided inside to allow for distancing.



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: October 6, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Melissa Bisset, City Recorder
ITEM: Interviews for City Council Vacancy

Summary

Jordan Tibbals resigned from the City Council on September 2, 2021 creating a vacancy on the City Council. Interviews will be taking place during the meeting on October 6, 2021 and the Council will have the opportunity to discuss and appoint a candidate to fill the vacancy.

Background

[Canby Charter Chapter VII](#), states "Vacant elective offices in the City shall be filled by appointment by a majority vote of the Council. The appointee's term shall begin immediately upon the appointment and shall continue until the beginning of the year following the next general biennial election and until a successor is elected and qualified. The successor for the unexpired term shall be elected at the next general biennial election after said appointment. During the temporary disability of any elected officer or during their absence temporarily from the City for any cause, the offices may be filled pro tem in the manner provided for the filling of vacancies in office permanently."

Discussion

The vacancy was advertised and 12 applications were received. Canby Charter Chapter VI Elections, Section 2 Qualifications (a) states "Qualified applicants must must be a qualified elector under state law, and reside within the City for at least one year immediately before election or appointment to office." The Clackamas County Elections Office has confirmed that all 12 applicants are current registered voters.

Attached are draft interview questions that have been used in the past for Council Interviews.

Attachments

Notice of Council Vacancy
Draft Interview Questions
Applications of:

- David Bajorin
- Bri Condon
- Brad Clark
- Alan Gallagher
- Mac Garrison
- James Hieb

- Mark Johnson
- Cindy Lang
- Daniel Owczarzak
- Jason Padden
- Bryan Peterson
- Amanda Short

Fiscal Impact

None.

Options

1. Appoint _____ to Council Councilor until beginning of the year following the next general biennial election in November of 2022.
2. Continue the appointment to the next Council Meeting.
3. Take no action.

Recommendation

Interview candidates and select candidate to fill the vacancy.

Proposed Motion

I move to appoint _____ to fill the Council Vacancy of Jordan Tibbals for a term ending the beginning of the year following the next general biennial election (December 31, 2022).



CITY COUNCIL VACANCY NOTICE

The City of Canby is accepting applications to fill the remaining term of a vacant position on the Canby City Council. Per Canby Charter Chapter VII, candidates will be interviewed and the person selected will be appointed to serve until December 31, 2022. Qualified applicants must have been a resident of the City of Canby for the twelve months immediately preceding the appointment and be a current registered Oregon voter.

Applications are available on the City of Canby webpage at <https://www.canbyoregon.gov/bc/page/committee-openings> or can be picked up at City of Canby Administration Office, 222 NE 2nd Avenue between 9 AM - 4 PM Monday through Friday. Applications should be returned to the City of Canby, Attn: City Recorder, PO Box 930, Canby, Oregon. For further information, contact the City Recorder at 503-266-0733.

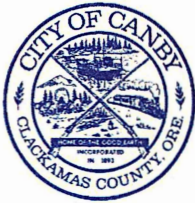
- **Deadline for applications is September 30th at 5:00 pm.**
- **Applications will be forwarded to the Mayor and Councilors on October 1st.**
- **Interviews will be held the evening of October 6th.**
- **The new City Councilor will be sworn in on October 20th at 7:30 pm.**



Councilor Applicant Interview

(Each applicant will have ____ minutes to answer the questions below)

1. Please tell us a little bit about yourself.
2. What appeals to you about serving as a City Councilor for the City of Canby?
3. If you are appointed to the current City Council vacancy, would you consider running for the seat in November 2022?
4. What do you think is the most pressing problem in the City of Canby today?
5. Tell us about a situation in which you may have had to deal with a very upset customer or co-worker, or solve a conflict with a customer or co-worker.
6. Do you have some specific goal or improvement you would like to make in Canby as a result of serving as a City Councilor?
7. Give us an example of how you have worked or participated as part of a team.
8. Tell us about a time when you were forced to make an unpopular decision.
9. The City Council meets for two regular business meetings per month on Wednesday evenings. The Council also serves as the Urban Renewal Agency which meets as needed. In addition, Councilors are appointed to serve as liaisons to various City committees or community organizations and attend many of these meetings as well. Would you be able to make the time commitment to participating on the City Council?



**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/28/2021 Position Applying For: City Council
Name: Alan L. Gallagher Occupation: Professor/Teacher
Home Address: [REDACTED]
Employer: [REDACTED] Position: Teacher
Daytime Phone: [REDACTED]
E-Mail: [REDACTED]

What are your community interests (committees, organizations, special activities)? [REDACTED]
Law/Police/Courts, Development

What are your major interests or concerns in the City's programs? [REDACTED]
Law/Police/Courts, Development. Economic development.

Reason for your interest in this position: Time and willingness to serve

Experience and educational background: See attached resume.
Fluent Spanish (DELE C-2).

List any other City or County positions on which you serve or have served: [REDACTED]
City and County Attorney. Prosecutor. Municipal Judge. School Board Committees.
Former President/Board: Canby Chamber of Commerce.

Referred by (if applicable): n/a

Please return to:

***City of Canby - Attn: City Recorder
PO Box 930, 222 NE 2nd Avenue, Canby, OR 97013
Phone: 503.266.0733 Fax: 503.266.7961 Email: bissetm@canbyoregon.gov***

Note: Information on this form may be available to anyone upon a Public Records Request and may be viewable on the City's web page. 10/2019

Date Received: [REDACTED] Date Appointed: [REDACTED] Term Expires: [REDACTED]
Date Resigned: [REDACTED] Destruction Date: [REDACTED]

Education

2014-2019. Capella University (online). Ph.D.(abd). Program in Criminal Justice. 137+ cr. @ 3.833 GPA. **Phi Alpha Sigma** (National Criminal Justice Honor Society).
Dissertation: **Subjects' Experiences of Collateral Consequences of Criminal Convictions.**
2015. University of Salamanca/Cervantes Institute/Spain. DELE C-2. Nivel Superior. Spanish
2015. Reid & Assoc. Certificates in Basic/Advanced Police Interviewing & Interrogation.
2009. CLEP Spanish (12 cr). PRAXIS II: Spanish, Social Sciences. Berlitz Spanish.
2008. Pioneer Pacific College. Ph.D.(Hon). Irish Literature:
Sna dha Ean [At Swim-Two Birds]: An Irish Conversation.
1990. **University of Washington. Ph.D.(abd) 3.94 GPA. Honors** Exams. Published writings.
William Pemberton: The Fighting Judge.
1987. Certified Manager: **CM.** ICPM @ James Madison University.
Texas A&M University. **MA.** 4.0 GPA. **Phi Alpha Theta** (Nat'l History Honor Society).
Thesis: **The Oregon School Bill: A Reevaluation.** Published writings.
1986. Portland State University. **MA.** 4.0 GPA.
Thesis. **Each in its Own Sphere: Law & Religion in Oregon History.** Published writings.
1974. **University of Pittsburgh Law School. J.D.** Top 1/4. Editor: *ex cathedra*.
1971. University of Pittsburgh. **BA.** Anthropology/Social Sciences. 3.56 GPA. **Cum Laude.**
1969. Point Park University. **AS.** Accounting and Computer. 3.25 GPA.
1966. Control Data/Automation Institute. Cert. Computer operation and programming.
1974-2006. Annual **CLEs** (at least 15 credits/year) in Law (Immigration, Criminal Law, etc.).

Employment (Legal)—Not presently engaged in legal practice

2005-2020. Consultant/Writer (Immigration, Business). Interpreter/Translator: Spanish.
1992-2005. Private Legal Practice. (Immigration, Criminal, Family, Business, Trials & Appeals).
1991-92. Bettis & Assoc. (General practice—criminal, family, business, probate).
1989-91. Kielpinski & Lorne PC. (General law practice, Asst. City Attorney/Prosecutor).
1987. Municipal Judge (N. Bonneville, WA).
1986-88. Immigration Project (QDE—Amnesty Program). KS-DC (Tax appeals).
1983-85. American Civil Liberties Union.
1982-83. Nueces County (Corpus Christi, TX) Asst. County Attorney/Prosecutor.
1979. Foundation Attorney: ACLU of Texas.
1973-82. Staff & Managing Attorney: Legal Aid programs (PA, TX, OR).
1971-74. Clinical Law Programs: Western State Penitentiary / U of Pittsburgh/Legal Aid.

Employment (Non-Legal)

2019-2020. Aquinas International Academy: AP American History, Political Science Teacher.

2018. Chapman University (CA): Lecturer: Criminal Justice (Sociology Department).

2014-2020. HCI: College Counseling: Korea. Teach on-line English, History PoliSci.

2016-2020. North London Collegiate School—Jeju (Korea): Consultant.

2016. TCIS (Taejeon Christian. International School). Korea.

2013-2016. Korean Dream Scholarship Program: Korean Scholarship Foundation. Korean Department of Education.

2014-2015. University of Maryland University College-Asia. Associate Professor.

2014-2016. Purdue (Kaplan) University. Assistant Professor. On-line, American History.

2013-2016: Mohave Community College (AZ). Paralegal Dept, On-line. Criminal Law & Procedure.

2010-2013: CIA/CheongShim International Academy. South Korea. AP (Advanced Placement) Teacher: US Govt, Comp. Politics. Ethics. Law & Society.

2009-2019. Central Texas College. NCPACE. Adjunct Professor. American History. USS BLUE RIDGE (LCC 19—7th Fleet Command Ship, Pacific Far East). On-Call.

2009-2015: University of Maryland University College-Asia. Approved for multiple courses; offered U.S. History in Japan & Korea.

2006/2009. Pioneer Pacific College, Adjunct Professor. Arkansas State University: Adjunct Professor (On-line). History Pools at U of O, OSU, Linfield, WOU. ETS/GRE Scorer. 1990-93. Washington State University: Adjunct Professor, Political Science. Constitutional Law. 1989-90. Research Assistant: University of Washington. 1985-88. Klickitat-Skamania (KS-DC) Development Council. Executive Director. United Way. Executive Director. 1984. Portland Food Bank. Acting Deputy Director. 60s-80s. Manager in construction, banking, food industry, metals. University Police. Teacher: Western Penitentiary/Allegheny Community College, Delmar College, Jesuit High School, SW Texas State, WSU (Vancouver).

Volunteer/Other

Numerous Boards and committees, including: United Way (TX, OR, WA), ACLU (State Boards, lawyers' committees, cooperating attorney, Director of 26 county chapter. PA, TX, OR). Executive Director of Poverty and economic development programs. "Volunteer of Year" 1988 by WA. Gov. Booth Gardner, WA DCD, & United Ways of WA. Created New United Way Program. Lawyer & consultant to non-profits. Reporter for newspapers in PA, TX, OR, WA.

President/Board: Chamber of Commerce. Fluent Spanish. Attended military school & seminary.
MENSA. Liederkreis German Choir (12 years).

Spanish

Graduate Level Exams (also in German). Berlitz. Delmar College. CLEP (12cr). Berlitz B-2 (Level 6). PRAXIS II. DELE: Nivel Superior C-2. Interpreter/Translator. U of Salamanca: Advanced Spanish Language/Literature ("Sobresaliente").

Publications (Partial Recent List)

US History in under 50 pages (2021).

Korea in my Life (2020).

The Fighting Judge: Biography of Wm. Pemberton (2020: Amazon.com. Kindle, paperback).

Essays on Criminal Justice (2019: Amazon.com, Kindle, paperback).

Essays on Politics; Poems and Translations (2019. Amazon.com, Kindle, paperback).

Subjects' Experiences of Collateral Consequences of Criminal Convictions (2019.

Amazon.com, Kindle, paperback). Capella University dissertation: Presented to Academy of Criminal Justice Sciences: New Orleans (2018)

On Writing (2016. Amazon.com, Kindle, paperback).

The Monte Cat (2015).

History & Natural History of Okinawa (2015).

American History: An Outline (AP Summary. 2012. Amazon.com, Kindle, paperback).

A Little Play (on Korean Education). 2010.

Cuckoos in Korea. 2010.

Ethics. 2010.

Journals: Korea 2010-2013. Exploring Korea.

Journal: USS Blue Ridge 2009. 5-month voyage to ten countries in Pacific Asia/Australia.

Lecture/Essays (Collection of over 100 Lectures on Law, History, Political Science).

Sna dha Ean [At Swim-Two-Birds]: An Irish Conversation (2009). Honorary Ph.D.

Poetry and Translations.

Mammals of the Molalla River Watershed. 2010. Report for the US Geological Survey.

Thesis: The Oregon School Bill: A Reevaluation. Texas A&M University. A version published by the *Oregon State Bar Bulletin*. 1985(When the Masons/Klan tried to outlaw Catholic schools). Published 2020 Amazon.com, Kindle & Paperback.

Thesis: Each in Its Own Sphere: Law and Religion in Oregon History. Portland State University. A version published by the *Oregon State Bar Bulletin*. 1985. Published 2020 Amazon.com, Kindle & paperback.

Thesis: William Pemberton: The Fighting Judge. University of Washington. Portions published by the *Washington State Bar Bulletin*. 1990. Published 2020 Amazon.com, Kindle & paperback.

Vision, Change, and Worlds in the Columbia River Gorge. Proceedings of the National Rural Studies Committee. 1988.

Memberships (current only):

AMCHAM: American Chamber of Commerce: Korea/Okinawa.
Academy of Criminal Justice Sciences
RASKB: Royal Asiatic Society, Korean Branch.
Irish Association of Korea.
Korea Birds.
Law and Society Association.
Molalla River Improvement District (Oregon: Acting President).

Major Cases, Projects

Bocanegra v Roots, S.D.Texas. 1975. Federal Class Action required local housing authority to adopt due process and hearing procedures for tenants.

KS-DC v State of WA, Board of Tax Appeals. 1987. Appeal which won \$200,000 refund and \$100,000 a year reduction in use taxes for weatherization programs.

Wehr v City of Portland. CETA. 1980. Won hearing rights for City's CETA employees (Comprehensive Employment and Training Act).

U.S. Forest Service: Opal Creek. 1981 FS Appeal contributed to success in preservation of Old Growth watershed, later incorporated into federal Wilderness Area. Intervention with US Congressman, former client, won final necessary vote for area to obtain Wilderness status.

Boone v Wright, 314 OR 135 (1992). Oregon Supreme Court. Preserved right to post conviction hearings for hundreds of convicts. New law limiting petitions to 180 days after conviction held not to apply retroactively.

State v Pearson, 136 Or App 20 (1995). Reversed trial court for failure to appoint attorney in contempt action. On remand, defendant found not guilty.

American Bank & Trust v Dallas County, U.S. Supreme Court, 463 US 855 (1983). Amicus Brief for Nueces County, TX, in tax case. Whether U.S. obligations should be deducted for State ad valorem tax to be valid.

McCrae v Harris. U.S. Supreme Court, Amicus Brief, 448 US 297 (1980). Court upheld Hyde Amendment, that Federal government and States need not fund medically necessary abortions.

State v Cotter. 1996 Coos County (Oregon) Circuit Court perjury jury trial. Not guilty verdict, in case which involved 11 attorneys, some, and witnesses, threatened with criminal charges if they took part in or testified in the case.

Gallagher v Coastal Bend Legal Services. 1982. Federal Case, District of South Texas, joined by staff union, led to reform of Legal Services Program, restructuring of Board, resignation of two Executive Directors, filing and dismissal (after compliance with law) of criminal charges, and monetary settlement.

Doe v Nueces County. 1976. State Court tort action led to reform of mental commitment procedures.

Criminal Defense Reform Project, Corpus Christi, Texas. Obtained **Criminal Indigent Defense Study** by Federal National Defender Agency. Same-Day computer log of all arrested persons / inmates to assure that no one would be "lost" after arrest.

U.S. District Court of Oregon: Successful federal class actions (1979-81):

1. --**Towing case** (required City of Portland to suspend towing, adopt constitutional notice and hearing procedures, adopt hearings for towed vehicles). Highly publicized case, with front page **Oregonian** stories. **Brown v City of Portland**, 1981.

(2) --**Workfare Rules cases** (Required State of Oregon to change work requirements for welfare recipients, with individualized determinations). **Quiding v Hegstrom**, 1981.

(3) --**ADC Children's Case** (Prohibited State of Oregon from cutting children off welfare grant for parents' misbehavior. **National precedent** injunction, editorialized in **The Oregonian** and reported in "**Clearinghouse Review**," established "common law" of Social Security law.

(4) **Mitchell v Hegstrom**, 1981. --**Abortion Rights Case** (Required State of Oregon to fund medically necessary abortions, until vacated after decision by U.S. Supreme Court in **McCrae v Harris**).

Doe v Hegstrom, 1980.

Portland Lead Case. Research & advocacy led to Sunday front page stories in **The Oregonian**, which caused City of Portland to adopt policies to remove lead from plumbing/water system.

Employment Case: Advocacy & organizing work caused State of Oregon (Governor Vic Atiyeh) to cancel rule requiring welfare recipients to seek work where there were labor disputes. **State v Carlson**, 80 Wa App 116, 906 P.2d 999 (Wash. App. Div.2, 1995). Reversal of trial court for allowing Doctor to give opinion on existence of sexual abuse, where only evidence word of alleged victim. Also notable at trial court level for Court ruling admitting polygraph results. First jury hung. Second jury convicted, but conviction reversed. State then dismissed case.

KS-DC Immigration Project: Under 1986 IRA, set up Qualified Designated Entity (QDE), which legalized over 160 migrant farmworkers. Thereafter did immigration hearings and appeals until 2005.

U.S. v Martinez. U.S. District Court, Oregon 924 F. Supp 1025(1996), 122 F.3d 1161 (9th Circuit 1997). Trial Court reversal of adverse jury verdict, in entrapment drug case. Upheld by 9th Circuit Court of Appeals, which held that no reasonable jury could have reached guilty verdict. **Published articles** about this case, as example of "good character" defense: e.g. RICO, National NACDC, June 1998).

State v Christner, WA. Court of Appeals. (1996) Remand for failure to consider essential elements. 2 jury trials, on multiple charges. Defendant found guilty only on Assault IV. On trial to Court, found guilty of false swearing, which was successfully appealed. Trial Judge in Kidnapping Case called my closing argument (based on Punxatawney Phil and why even Good People lie) to the jury the best he had ever heard.

ACLU v Multnomah County (Portland, OR). Federal Jail Reform class action case led to closing of dungeon-like Rocky Butte Jail, and **construction of new state-of-the-art Downtown Detention Center**, with improved conditions for inmates. I established ACLU Jail Committee which did study, then served as co-attorney in litigation.

Vega Gonzalez v State of Oregon, 191 Or. App. 587, 83 P.3d 921 (2004). Oregon Court of Appeals held, in post-conviction appeal, that alien defendants were entitled to receive correct immigration advice from criminal defense attorneys. This case also involved successful appeal to Board of Immigration Appeals and obtaining dismissal of Immigration Court removal proceedings. **National Precedent**: negated collateral consequence rule. Overturned by Oregon Supreme Court. United States Supreme Court decided issue favorably in *Padilla v Kentucky*.

UNITED WAY. Created **new two county United Way**, which was raising by second year over \$60,000 a year. Recognized as “Volunteer of Year” by Washington’s Governor Booth Gardner, United Ways of Washington, and WA Dept. of Community Development for this and other successful projects. 1986. I became Executive Director of new United Way. Previously I had served on United Way Committees in Portland, Oregon and Corpus Christi, Texas.

KS-DC Wood-cutting Project. Used re-cycled energy assistance money to provide wood to indigent seniors, while creating 20 plus jobs cutting and delivering wood. 1986-87.

Successful Plant creations/re-opening/expansions/retentions

(These resulted from study and advocacy with funding, taxing, and government sources)

- (1) --**Portland, TX:** research & advocacy caused city to build new sewage plant, to stop pollution of Nueces Bay by raw sewage overflows.
- (2) --**Aluminum plant in Goldendale, WA,** re-opened after long shutdown.
- (3) --**SDS Lumber** in Bingen, WA, received funding to expand and hire new employees.
- (4) --**Stevenson Lumber** in Stevenson, WA, received funding to expand and maintain operations (after substantial layoffs and shutdowns).
- (5) --**Johnson Controls** in Canby, OR, received tax package which led it to retain Canby plant, Canby’s largest employer.

Non-Profit Boards and Activities (examples)

United Ways: Founder and Executive Director of two county program in WA. Served on Committees (Mental Health, Admissions) in Portland, OR and Corpus Christi, TX. Awarded “**Volunteer of the Year**” by WA United Ways, Governor, and Community Development Department for work in Columbia River Gorge.

American Civil Liberties Union. State Board Member in PA and TX. Served as volunteer and cooperating attorney in Portland, OR, and on Lawyers Committee. Executive Director of 26 county South Texas Chapter. Foundation Attorney for State of Texas. Delegate to National Annual Convention.

Portland City Club. Education and Higher Education Committees. Study of Integration/De-segregation in Portland, OR. School Discipline in Portland Schools.

Oregon State Bar. Lawyers Referral Committee.

Washington State Bar. Civil Rights Committee.

Oregon Attorney General: Immigration Fraud Task Force.

Canby Chamber of Commerce. Board Member and Board President, Economic Development Committee. Led Economic Development Committee to assist tax/funding package to retain Johnson Controls, town’s largest employer. 1990s.

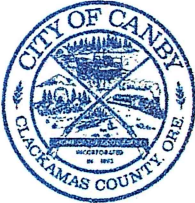
Portland Public Schools, Canby Schools. Served on committees for school discipline, facilities.

Molalla River Improvement District. Vice President of Taxing/River Protection Entity, which has done bank and flood protection projects for several million dollars. 1990-2020.

Liederkreis German Choir. Vice President and Member of German language choir, which did about 30 concerts a year. 1990-2006.

Chambers of Commerce: President/Board: Canby Chamber of Commerce.

Member: AMCHAMS in Korea and Okinawa.



**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/22/2021 Position Applying For: City Counsior
Name: Amanda B Short Occupation: Logistics Officer
Home Address: [REDACTED] Canby, OR 97013
Employer: Oregon Army National Guard Position: Defense Movement Coordinator
Daytime Phone: [REDACTED] Evening Phone: [REDACTED]
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)?
Heavily involved in emergency domestic support management and response thru my full time job throughout the state,
attend as many Saturday Markets as I can to meet local vendors, and support local business as often as possible.

What are your major interests or concerns in the City's programs? I regularly see an "all are welcome"
mentality throughout the community, but ensuring that we stay respectful and accepting to keep a well
rounded mindset is important. Additionally, managing growth responsibly and maintaining good infrastructure while welcoming growth.

Reason for your interest in this position: I want to be a voice in responsible change and expected growth.
Local government is the bedrock of policy and representing what community members want. People come home
to Canby and I want to support people always feeling happy and comfortable when they come home.

Experience and educational background: No community politics experience, but a lot of Federal level partnerships.
I am an actively serving 9 year Army veteran and have been all over the world working with various professional organizations.
I value partnerships and I believe this is the best way I can contribute to my community. I have a BA from Eastern WA Univ.

List any other City or County positions on which you serve or have served: N/A

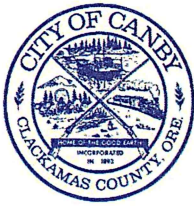
Referred by (if applicable): N/A

Please return to:

City of Canby - Attn: City Recorder
PO Box 930, 222 NE 2nd Avenue, Canby, OR 97013
Phone: 503.266.0733 Fax: 503.266.7961 Email: bissetm@canbyoregon.gov

Note: Information on this form may be available to anyone upon a Public Records Request and may be viewable

Date Received: 9/30/2021



**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/20/2021 Position Applying For: Canby City Councilor
Name: Brad Clark Occupation: Librarian
Home Address: [REDACTED]
Employer: _____ Position: Program Librarian
Daytime Phone: [REDACTED] Evening Phone: [REDACTED]
E-Mail: [REDACTED]

What are your community interests (committees, organizations, special activities)? _____
resident, Oregon native. Raised kids here and I am finally at a place in life
where I can participate fully in local government. Crisis Counseling Volunteer.

What are your major interests or concerns in the City's programs? Strategic planning
and development across city departments, budget, and supporting city
employees to focused on building the quality of life for Canby residents.

Reason for your interest in this position: Working collaboratively toward the future
for Canby. Helping position Canby as a forerunner of small town government.
Maintain improvements to local quality of life. Canby first, Canby better.

Experience and educational background: 13 years municipal employee, with 4 years
as a city board secretary. 13 years as a pastor/teacher/leader.
BA in Education, minor Biblical Studies.

List any other City or County positions on which you serve or have served: Florence Future
First Citizen '95, Leadership Lompoc Valley class 2003, Public Library Board
Secretary 2016-20

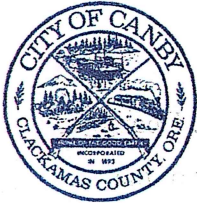
Referred by (if applicable): _____

Please return to:

***City of Canby - Attn: City Recorder
PO Box 930, 222 NE 2nd Avenue, Canby, OR 97013
Phone: 503.266.0733 Fax: 503.266.7961 Email: bissetm@canbyoregon.gov***

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Date Received: _____ Date Appointed: _____ Term Expires: _____
Date Resigned: _____ Destruction Date: _____



***CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION***

Date: 9/24/2021

Position Applying For: City Council - Councilman

Name: Bri Condon

Occupation: Executive Director & Business Consultant

Home Address: [REDACTED] Canby OR 97013

Employer: Bradley Angle

Position: Executive Director

Daytime Phone: [REDACTED]

Evening Phone: [REDACTED]

E-Mail Address: [REDACTED]

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

Helping to see Canby advance as a healthy community for all to live. The stuck points currently arresting Council's progress are real. I assist organizations and teams advance through conflict with integrity.

What are your major interests or concerns in the City's programs?

The quality of decisions being made in our town are not in alignment with all who reside here. I want to help ensure that first responders have the training and resources they need to support residents. I would like to secure green space so that not only is this a town where work is readily available for local community members, but that you can explore our area without navigating around large industrial parks at every turn.

Reason for your interest in this position:

I know that I can help the current team of counselors reach consensus more often, despite differences. I understand differences in ideologies, and I also understand that our town needs to hear insights from all political backgrounds, and from all livelihoods. The design of our town into the future depends on this critical piece. We have a farmers' market that operates from one asphalt street to the next, instead of inside Wait Park backed by our community. Farming is so heavily a part of the tradition of this town, yet farmland is slipping away daily to new construction. Farmers, entrepreneurs, and neighbors need to have equal voice. The world is progressing and as a team we can match that goal together.

Experience and educational background:

I currently am a high school graduate who went on to earn my Bachelors of Science Degree & my Masters Degree at postsecondary universities. I serve as the Executive Director of the west coasts oldest domestic violence mitigation organization and I have been a Business Consultant since 2016. My judgement is well honed from over 14 years of crisis management work with teams. My systems based analytical side would be a benefit of incorporating me onto the current City Council team. My ability to strategically plan with all neighbors needs embedded in the design will also assist in having all voices heard and in a more efficient mechanism for town government.

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

I have not previously held a position within Clackamas County / City of Canby jurisdiction. In my social work career which spans 18 years, I am known to achieve and promote long standing relationships with dozens of State, County and City officials around Multnomah County.

Referred by (if applicable): N/A

Please return to:

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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/27/2021 Position Applying For: City Council Vacancy
Name: Bryan H. Peterson Occupation: Corrections
Home Address: [REDACTED] t Canby, Or. 97013
Employer: Oregon Department of Corrections Position: Correctional Corporal
Daytime Phone: (503) 222-2117 Evening Phone: [REDACTED]
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? I am a volunteer for Canby BSA Troop 882 for the last seven years.

What are your major interests or concerns in the City's programs? I am concerned about the city of Canby and the long term well being of our community. I would like to help develop a mutual understanding as well as common goals between citizens and the businss community that leads to the growth throughout our multicultural city.

Reason for your interest in this position: To give back to the community and be of public service. Learn more about the city of Canby and it's citizens. I believe that good people need to step up. We need to bring new as well as fresh ideas to the table. We need more role models for our children and promote citizenship in our community.

Experience and educational background: I have worked full time since the age of eighteen. I have worked for two large Norhtwest companies and I am currently working for the State of Oregon as a Correctional Corporal. I have worked for the State of Oregon for over fourteen years. I have an associates degree from CCC and Bachelor of Science from PSU.

List any other City or County positions on which you serve or have served: N/A.

Referred by (if applicable): N/A.

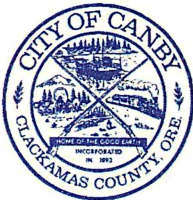
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/28/2021 Position Applying For: Council

Name: Cindy Lang Occupation: self

Home Address: [REDACTED]

Employer: _____ Position: _____

Daytime Phone: [REDACTED] Evening Phone: _____

E-Mail: [REDACTED]

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

Community theater, art and music. Fundraising for non-profits.

Most importantly, the safety and wellbeing of our children.

What are your major interests or concerns in the City's programs? Fostering more proactive

approach to transportation needs when developments are planned, while

enhancing and retaining the history and beautification of our town.

Reason for your interest in this position: The desire to contribute to keeping Canby

the wonderful diverse and family friendly community

that it is, while we continue to grow and prosper.

Experience and educational background: Business owner with a background as a

corporate sales and communications liaison.

List any other City or County positions on which you serve or have served: Worked as a

campaign volunteer and as a fundraising coordinator for non-profits.

Referred by (if applicable): _____

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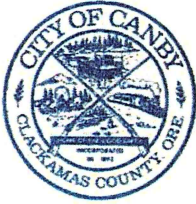
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/22/2021 Position Applying For: City Councilor
Name: Daniel Owczarzak Occupation: IT Account Manager
Home Address: [REDACTED] Canby OR
Employer: Microsoft Position: Customer Success Account Manager
Daytime Phone: [REDACTED] Evening Phone: [REDACTED]
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? Community events, Parks and Rec, and commercial/residential planning with a focus on local businesses and a family friendly community

What are your major interests or concerns in the City's programs? As a growing community, I am interested in the equitable growth of Canby while maintaining our local identity.

Reason for your interest in this position: I was born and raised in rural Oregon. I want to be invested in the community where I am raising my family (twin girls + two dogs).

Experience and educational background: I have a bachelors in mathematics and a minor in business. The majority of my career has been in managing relationships with State and Federal agencies in the development of IT solutions.

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

Referred by (if applicable): Matt Morrissey (Wayward) + Bethany Zito (BeBake Shoppe)

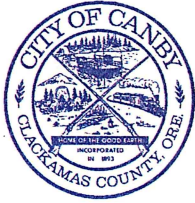
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/25/21 Position Applying For: City Councilor

Name: David Bajorin Occupation: HVAC Technician

Home Address: [REDACTED], Canby, OR 97013

Employer: Roth Heating and Cooling Position: HVAC Diagnostic Technician

Daytime Phone: [REDACTED] Evening Phone: [REDACTED]

E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? My highest priorities are public safety, youth development/engagement, and community engagement/unity.

What are your major interests or concerns in the City's programs? The City needs more open and honest communication and public feedback on progress. That starts with more visibility and promotion of City initiatives. We can always find smarter, better and more efficient ways of doing everything, and that kind of constant reach for "good, better, best" wins hearts and minds, and convinces people that the City Council has their backs.

Reason for your interest in this position: Because I believe in the good of Canby, the best traits of all city residents, and strongly believe I can help bring people together no matter the odds. We can do better as a community, and we should always be trying to. We should be focusing on making Canby such a welcoming city that people are lining up waiting to move here. When the rough times happen, people have to believe their City Council stands for all the people of Canby, and will rally everyone together to stand strong in the face of the unknown.

Experience and educational background: Bachelor of Arts, Political Science, Iona College, New Rochelle, NY; 3 month internship in Washington, DC with Terrorism Risk Insurance Program; 13 years service with United States Coast Guard (12 years as a supervisor, 6 years law enforcement, Graduate of National Motor Lifeboat School's Basic Motor Lifeboat Class and Heavy Weather Class, 3 years with USCG Reserve)

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

Referred by (if applicable):

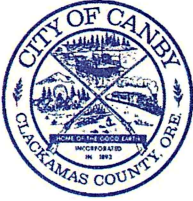
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/11/2021 Position Applying For: City Council

Name: James Hieb Occupation: Director

Home Address: [REDACTED]

Employer: _____ Position: _____

Daytime Phone: [REDACTED] Evening Phone: _____

E-Mail Address: [REDACTED]

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

Senior Vice Commander for the Canby/Aurora VFW Post and a member of
the American Legion.

What are your major interests or concerns in the City's programs? I have a desire to raise
my children in Canby and I want to help with the city's continued growth, while
maintaining Canby's small town feel.

Reason for your interest in this position: I have wanted to be a councilor for quite a
while. With the recent resignation, I know that there is an opening.

Experience and educational background: I have ASOT and AAOT. I have spent the
last 3 years following all of the inner workings of Canby. I would need very
little time to be up to speed, in my role as Councilor

List any other City or County positions on which you serve or have served: I am an elected
Precinct Committee Person for North Canby. I am also on the Canby planning
Commission.

Referred by (if applicable): _____

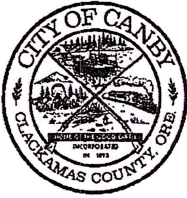
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**



Date: 9/2/2021 Position Applying For: City Council
Name: Jason Padden Occupation: Sales
Home Address: [REDACTED] Canby, OR 97013
Employer: Mycorrhizal Applications Position: Area Sales Manager
Daytime Phone: [REDACTED] Evening Phone: [REDACTED]
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? Canby Lions Clubs, Greater Portland Volleyball Officials Association, Oregon Association of Nurseries Greenhouse and Retail Chapter.

General interests are volunteering, gardening, crafting, motorcycle riding.

What are your major interests or concerns in the City's programs? Streets and sidewalks, parks, planning for the future, keeping the City Council nonpartizan.

Reason for your interest in this position: I would like to be a part of representing the citizens of Canby and helping the city plan for the future.

I also had planned to run for this position next year.

Experience and educational background: I have experience in management, team building, and conflict resolution. I have served on many community boards, committees, and taskforces over the years. I previously served 2.5 years as a Canby City Councilor. Please refer to my resume for more details.

List any other City or County positions on which you serve or have served: Current: Canby Budget Committee, Canby Planning Commission. Past: Canby Urban Renewal Advisory Board, Street Maintenance Taskforce, Canby City Council.

Referred by (if applicable): N/A

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Date Received: 9/2/2021 ^{MB} Date Appointed: _____ Term Expires: _____
Date Resigned: _____ Destruction Date: _____

Jason Padden

Area Sales Manager: Western US

Highly motivated, detail oriented, with 11 years of boots-on-the-ground sales experience in Oregon, and a proven track record of providing high level care and technical support to customers, while maximizing sales and profitability.

Email: paddenj328@gmail.com

Phone: 503-828-7912

Location: Canby, Oregon

Work Experience

December 2021 to Present

Mycorrhizal Applications, Grants Pass, OR

Area Sales Manager

- Manage sales for 13 states of the Western US.
- Work with customers to build sustainable biorational treatment programs.
- Help with planning and roll out of new products.

McHutchison, Wayne, NJ

Broker Representative for Oregon

February 2019 to December 2021

- Used knowledge of existing and new plant growth habits to help new customers build production models.
- Assisted customers to find plant material from over 300 vendors across the US, Canada, and internationally.
- Worked with accounting on past-due accounts to keep one of the lowest past-due balances in the territory's history.

Sun Gro Horticulture, Agawam, MA

Area Sales Manager-Professional North West

September 2009 to February 2019

- 2009: District Sales Manager, Oregon, 2016: Territory expanded - adding California North, Hawaii, fertilizer purchasing and support, 2017: Promoted to Area Sales Manager, dropped CA North, 2018: Added Washington and Alaska.
- Consistently increased sales in territory, twice by more than 20%.
- Managed team of two District Sales Managers covering Washington and Alaska, British Columbia and Alberta, Canada, and all export business, except Mexico.
- Helped test, train, and created step-by-step user guide for new expense reporting software.

Terra Nova Nurseries Inc., Canby, OR

Logistics Manager-Domestic and International

February 2005 to September 2009

- 2005: Customer Service Representative/Inside Sales, 2006: Promoted to Logistics Manager.
- Designed and lead team to program and implement a real-time inventory control and order fulfillment system.
- Managed all Domestic and International shipments in and out of the nursery-Mostly live plant material.
- Worked with Oregon Department of Agriculture and USDA regarding nursery inspections for compliance.

Education

State University of New York, Cobleskill, NY

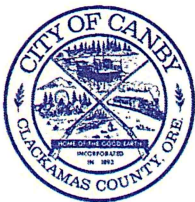
Bachelor of Technology, Plant Science, Nursery Management Concentration
December 2004

State University of New York, Cobleskill, NY

Associate in Applied Science, Plant Science, Landscape Development Concentration
December 2002

Organizations/Volunteerism: Current and Past

Canby Lions Club, Canby City Budget Committee, Greater Portland Volleyball Officials Association, Elected to Canby City Council, Oregon Association of Nurseries, Canby Street Maintenance Taskforce.



**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/28/2021 Position Applying For: Open City Council Position

Name: Edwin M Garrison (Mac) Occupation: Air Medical Helicopter Pilot

Home Address: [REDACTED]

Employer: _____ Position: _____

Daytime Phone: [REDACTED] Evening Phone: [REDACTED]

E-Mail: [REDACTED]

What are your community interests (committees, organizations, special activities)? I have only lived in Canby about a year and a half, and haven't joined in committees or organizations. But I thought this would be a unique way to serve and get involved with the city and community.

What are your major interests or concerns in the City's programs? Making sure that government is accountable to its citizens and is operating as efficiently as possible. That the city is being good stewards of taxpayer money, and that city services are the best that they can possibly be.

Reason for your interest in this position: It is very important for ordinary citizens to become involved in their local governments in order to have a say in how the government is run, how city resources are managed and distributed, and that business and citizens benefit as much as possible.

Experience and educational background: BS - Business/BA - Political Science, Officer in the US Marine Corps, 30 year helicopter pilot, 20 years of business, operations, and logistics experience, 15 years of air medical helicopter experience.

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

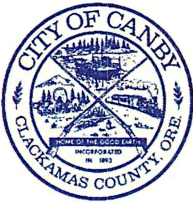
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**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/25/2021 Position Applying For: Council Opening (Tibbals)

Name: Mark D Johnson Occupation: Wholesale Grocery

Home Address: [REDACTED]

Employer: _____ Position: _____

Daytime Phone: [REDACTED]

E-Mail Address: [REDACTED]

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

Attending community events, neighborhood activities, helping out at The Canby Center,
supporting local businesses.

What are your major interests or concerns in the City's programs? Managing smart growth,
maintenance of city properties and assets, a healthy tax base, community involvement,
elimination of unnecessary bureaucracy.

Reason for your interest in this position: I intend to live in Canby for a long time. I love
this city and want to ensure that it remains healthy, both in beauty and financially.
I attend frequent council meetings (virtually) and believe I can add value.

Experience and educational background: Through my years of food industry work, I have participated
and volunteered on several boards/committees including Doernbecher Children's Hospital.

I currently serve on a board for City Of Hope for cancer research. Attended Mt Hood Comm College and USC.

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

Referred by (if applicable): _____

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www.canbyoregon.gov

City Council Staff Report

DATE: October 6, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Melissa Bisset, City Recorder
ITEM: Heritage and Landmark Commission Board Appointment

Summary

There has been a vacancy on the Heritage and Landmark Commission for a term expiring June 30, 2022. The position has been advertised and one application was received.

Background

The Heritage and Landmark Commission was established through Ordinance. The Heritage and Landmark Commission has several powers and duties outlined in the Canby Municipal Code §16.110.030. The Commission is made up of seven members who serve three year terms. Members are to be appointed by the City Council upon recommendation of the Board Chairperson and City Council Liaison to the Heritage and Landmark Commission.

Discussion

Carol Palmer resigned from the Heritage and Landmark Commission creating a vacancy on the Heritage and Landmark Commission. Ms. Palmer's term was set to expire on June 30, 2022.

One application was received for the vacancy.

Attachments

Application of Rhonda Shechtman.

Fiscal Impact

None.

Options

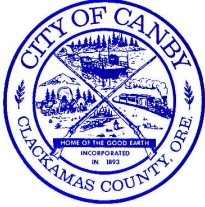
1. Appoint Rhonda Shechtman to the Heritage and Landmark Commission for a term expiring June 30, 2021
2. Take no action.

Recommendation

Council Liaison Greg Parker and Chair Judi Jarosh recommend that Rhonda Shechtman be appointed to the Heritage and Landmark Commission.

Proposed Motion

This item is under the consent agenda and one motion will be made to approve the consent agenda unless this item is moved off of the consent agenda for discussion.



**CITY OF CANBY
COMMITTEE, BOARD, &
COUNCIL APPOINTMENT APPLICATION**

Date: 9/21/21 Position Applying For: Heritage and Landmark Commission
Name: Rhonda Shechtman Occupation: Registered Nurse
Home Address: . Canby, OR 97013
Employer: Oregon State Hospital Position: Program Nurse Manager
Daytime Phone: Evening

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

I like to walk my dog on the logging trail, swim at the community pool, and support my neighbors.

What are your major interests or concerns in the City's programs?

I love the history of Canby and I would like to help preserve it.

Reason for your interest in this position:

I would enjoy becoming more involved in my community, and I have an interest in historic homes and other buildings.

Experience and educational background:

I am a Nurse Manager at the Oregon State Hospital and have worked there for 17 years. I have a BS in Nursing. I also have BAs in Russian Language and International Studies. From 1993-1996 I lived in Russia and worked at the American Embassy in Moscow.

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

Referred by (if applicable): _____

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www.canbyoregon.gov

Staff Report

DATE: October 6, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Jerry Nelzen, Director of Public Works
ITEM: Purchase of a new front end loader

Summary:

The City of Canby Department of Public Works (Public Works) is requesting funds to purchase a new front end loader.

Background:

Public Works has been using two backhoes for material loading purposes. These backhoes were both purchased in the 1990's, and they are reaching the end of their operational life. These machines are critical to Public Work's mission.

Discussion:

Since the ability to load material is necessary for Public Works to perform its responsibilities, having a functional and dependable machine that can serve as a front end loader is essential. Considering the two backhoes that are currently performing this role are reaching the end of their operational life, it is apparent that a replacement needs to be found. A front end loader will serve as a replacement for both backhoes. Note: The backhoes are not used for excavation.

Under Public Contracting law, a purchase this size went through the formal quote process of obtaining three written quotes. This price quote by Columbia Western Machinery was nearly \$15,000 less than the second lowest quote.

Attachments:

Ordinance No. 1560
Bids from Columbia Western, Pape, and Peterson CAPT

Fiscal Impact:

\$135,017.49

Options:

1. Continue to use the backhoes currently owned by the City. As time progresses this option is going to become more and more expensive in labor, downtime, and parts.
2. Purchase a new front end loader.

Recommendation:

Purchase the new front end loader.

Proposed Motion:

I move to pass Ordinance No. 1560; An Ordinance authorizing the City of Canby to enter into a purchase agreement with Columbia Western Machinery to buy a new Front-End Loader; to a second reading on October 20th, 2021.

ORDINANCE NO. 1560

**AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO
ENTER INTO A PURCHASE AGREEMENT WITH COLUMBIA
WESTERN MACHINERY TO BUY A NEW FRONT-END LOADER**

WHEREAS, the City of Canby Department of Public Works (Public Works) requires loading tonnage of material as part of its mission to perform maintenance on City of Canby (City) streets, the City's sanitary sewer system, and the City's storm system; and

WHEREAS, the City of Canby Public Works Department uses two worn out backhoes for material loading; and

WHEREAS, the two backhoes in the possession of the City of Canby Public Works Department are mission critical machines and their operational life is coming to an end; and

WHEREAS, a frontend loader with different bucket attachments would provide for a more efficient and safe option for material handling which is part of the City of Canby Public Works and the City of Canby Parks Department's functions; and

WHEREAS, using the formal quote process, Columbia Western Machinery provided the City of Canby with the lowest price quote offer for the most appropriate loader.

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Administrator is hereby authorized on behalf of the City to enter into a purchase agreement with Columbia Western Machinery to purchase a Hitachi ZW120-6 front-end loader. A copy of the Purchase Agreement is attached hereto as Exhibit "A."

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, October 6, 2021, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, October 20, 2021, commencing at the hour of 7:30 p.m. at the Council Meeting Chambers located at 222 NW 2nd Avenue, Canby, Oregon.

Melissa Bisset, MMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on October 20, 2021, by the following vote:

YEAS_____ NAYS_____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder



**COLUMBIA WESTERN
MACHINERY**

Ship To: IN STORE PICKUP

Columbia Western Machinery

11125 SW Tonquin Rd
Suite 100
Sherwood, OR 97140
Phone: 503-454-0902

Invoice To: CITY OF CANBY
ATTN: PUBLIC WORKS
PO BOX 930
CANBY OR 97013

Branch 01 - SHERWOOD		
Date 09/20/2021	Time 19:33:58 (O)	Page 1
Account No CANBY002	Phone No 5032660798	Est No 08 Q00025
Ship Via		Purchase Order
Tax ID No		
Scott Cunningham		Salesperson 100

EQUIPMENT ESTIMATE - NOT AN INVOICE

Description ** Q U O T E ** EXPIRY DATE: 10/19/2021 Amount

NEW ZW120-6 PDI'D AND ALL FIELD INSTALLED ITEMS ISNTALLED
MACHINE INCLIUDES 3YR 3000HR FULL COVERAGE WARRANTY

New HITACHI ZW120 LOADER 121252.25

****INCLUDING THE FOLLOWING OPTIONS INSTALLED ****

ZW120-6 LOADER
TMI1702 RADIAL, 17.5 R25 L2 1*MICHELIN
73MA060 GEN PURP 1.8 CU.YD. BUCKET
 W/BOLT ON CUT EDGE 416
73MB016 HYD QUICK COUPLER 416 TYPE
73MB020 CONST UTILITY FORK
 CARRIAGE, 416 TYPE
73M1070 FENDERS (FULL REAR FENDERS W/MUD
 FLAPS) FIELD INST
73M6120 HEATED MIRRORS (FIELD INSTALLED)
73M6135 BACKUP CAMERA, HD (FIELD
 INSTALLED) 7" R-LED MONIT
73M5120 LIGHTS, LED

Sale # 01 Subtotal: 121252.25
OR CAT RECOVERY: 691.14
TOTAL: 121943.39

Stock #: C000329 Serial #: AKR62850 13000.00

New PA 200GB

New PALADIN 2.5 YD DUAL TINE GRAPPLE BUCKET

*** UNIT IS IN STOCK***

Sale # 02 Subtotal: 13000.00
OR CAT RECOVERY: 74.10
TOTAL: 13074.10

Subtotal: 134252.25
OR CAT RECOVERY: 765.24

TERMS: PARTS ARE NOT RETURNABLE
AFTER 7 DAYS. NO CREDITS MADE
WITHOUT THIS INVOICE. 20% HANDLING
CHARGE ON RETURNED PARTS.

I hereby certify that I am engaged in the
business of farming and that the goods
shown on this invoice will be used in the
conduct of that business.

PAST DUE INTEREST 2% PER MONTH. MINIMUM CHARGE OF \$2.00

City Council Packet - Page 33 of 73

Thank You For Your Business!



COLUMBIA WESTERN
MACHINERY

Ship To: IN STORE PICKUP

Columbia Western Machinery

11125 SW Tonquin Rd
Suite 100
Sherwood, OR 97140
Phone: 503-454-0902

Invoice To: CITY OF CANBY
ATTN: PUBLIC WORKS
PO BOX 930
CANBY OR 97013

Branch 01 - SHERWOOD		
Date 09/20/2021	Time 19:33:58 (O)	Page 2
Account No CANBY002	Phone No 5032660798	Est No 08 Q00025
Ship Via		Purchase Order
Tax ID No		
Scott Cunningham		Salesperson 100

EQUIPMENT ESTIMATE - NOT AN INVOICE

Description ** Q U O T E ** EXPIRY DATE: 10/19/2021 Amount

Authorization: _____ Quote Total: 135017.49

TERMS: PARTS ARE NOT RETURNABLE
AFTER 7 DAYS. NO CREDITS MADE
WITHOUT THIS INVOICE. 20% HANDLING
CHARGE ON RETURNED PARTS.

I hereby certify that I am engaged in the
business of farming and that the goods
shown on this invoice will be used in the
conduct of that business.

PAST DUE INTEREST 2% PER MONTH. MINIMUM CHARGE OF \$2.00

City Council Packet - Page 34 of 73

Thank You For Your Business!

Quote Id: 25290558

Prepared For:
CITY OF CANBY



Prepared By: **TIM ELLIS**

Pape Machinery, Inc.
1425 Ne Columbia Blvd
Portland, OR 97211

Tel: 503-289-1103
Mobile Phone: 503-781-4598
Fax: 503-283-4549
Email: tellis@papemachinery.com

Quote Id: 25290558

21 September 2021

CITY OF CANBY
PO BOX 930
CANBY, OR 97013

September 21, 2021

City of Canby
PO Box 930
Canby, OR 97013
Attn Chris Wright

Sourcewell Contract Number 032119-JDC

28% Discount off of MRSP for John Deere 304L

New John Deere 344L Articulated wheel Loader Equipped with all standard equipment, optional 3rd valve hydraulics, 2.0 cu yrd GP bucket, hydraulic bucket coupler, pallet forks, ride control, open bottom Grapple Bucket, heated seat, back up camera.

Delivered to the City of Canby List price \$216,888.89 Sourcewell discount off of MSRP \$60,728.64 Total sales Price \$156,160.25

TIM ELLIS
503-289-1103
Pape Machinery, Inc.

Quote Summary**Prepared For:**

CITY OF CANBY
PO BOX 930
CANBY, OR 97013
Business: 503-266-0718

Prepared By:

TIM ELLIS
Pape Machinery, Inc.
1425 Ne Columbia Blvd
Portland, OR 97211
Phone: 503-289-1103
Mobile: 503-781-4598
tellis@papemachinery.com

This sale is subject to Papé's Terms and Conditions of Sale effective on the date hereof, which are incorporated in full by this reference. The Terms and Conditions of Sale are available at www.pape.com/terms, and will also be sent by mail or e-mail to the purchaser upon request.

Quote Id: 25290558
Created On: 21 September 2021
Last Modified On: 21 September 2021
Expiration Date: 28 September 2021

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 344L FOUR WHEEL DRIVE LOADER	\$ 156,160.25 X	1 =	\$ 156,160.25
Equipment Total			\$ 156,160.25

Quote Summary

Equipment Total	\$ 156,160.25
SubTotal	\$ 156,160.25
Oregon CAT Tax - (0.39%)	\$ 601.44
Total	\$ 156,761.69
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 156,761.69

Selling Equipment

Quote Id: 25290558

Customer: CITY OF CANBY

JOHN DEERE 344L FOUR WHEEL DRIVE LOADER

Hours:

Stock Number:

Code	Description	Qty
0AH1T	344L FOUR WHEEL DRIVE LOADER	1
Standard Options - Per Unit		
0924	Engine	1
2010	Standard Z-bar linkage	1
2230	Deluxe Cloth Seat, Air Suspension, High-Back with Headrest, Heated, and Lumbar	1
2410	Standard Control Package	1
2840	Three Function, Joystick w/FNR Control	1
3010	Ride Control	1
4370	17.5R25 XHA2 Michelin L3 Single Star Radial Tires	1
7140	Less Work Lights (LED Kit Ready)	1
8594	Hi-Vis Hydraulic Attachment Coupler w/2.0 cu. yd. (1.5 cu. m.) General Purpose Bucket w/BOC	1
9200	Pallet Forks for Standard ISO Coupler	1
Dealer Attachments		
BYT10522	LED Worklight Kit (Spot)	1
	Open Floor Grapple bucket-PSM	1
Other Charges		
	Freight	1
	Setup	1
	Followup	1
	Deliver Charge	1

Notice: When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at:

<http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.



September 22, 2021

CITY OF CANBY

PO BOX 930
CANBY
Oregon
97013

Attention: Lawrence Calcagno

RE: Quote 193800-01

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

One (1) New Caterpillar Model: 914 Compact Construction Equipment

MACHINE SPECIFICATIONS

914 14A WHEEL LOADER DCA1	588-4094	\$167,150.00
INCLUDES:		\$0.00
538-6988 914 14A WHEEL LOADER	538-6988	\$0.00
541-0761 ENGINE	541-0761	\$0.00
538-7160 POWERTRAIN, HI RIMPULL, 24MPH	538-7160	\$0.00
542-9197 CAB, DELUXE, SINGLE BRAKE	542-9197	\$0.00
539-7204 SEAT, DELUXE	539-7204	\$0.00
538-7130 HEATER AND AIR CONDITIONER	538-7130	\$0.00
541-2851 RIDE CONTROL	541-2851	\$0.00
538-7124 STEERING, STANDARD	538-7124	\$0.00
550-9815 SEAT BELT, RETRACTABLE 2"	550-9815	\$0.00
546-1819 LIGHTS, ROADING, RH DIP, LED	546-1819	\$0.00
433-3258 SECURITY SYSTEM, NONE	433-3258	\$0.00
450-5405 HYDRAULIC OIL, STANDARD	450-5405	\$0.00
540-3811 FAN, DEMAND	540-3811	\$0.00
469-5852 FENDERS, STANDARD	469-5852	\$0.00
538-7201 HYDRAULICS, 3V/1L, STD LIFT	538-7201	\$0.00
549-4873 COUPLER, STD LIFT, IT	549-4873	\$0.00
538-7152 COUNTERWEIGHT, 1973 LBS	538-7152	\$0.00
543-4225 ALARM, BACK-UP	543-4225	\$0.00
504-4835 CAMERA, REAR VIEW	504-4835	\$0.00
542-9319 PRODUCT LINK, CELLULAR, PL243	542-9319	\$0.00
550-0035 KICKOUT	550-0035	\$0.00
558-3772 ARCTIC WEATHER PACKAGE, 120V	558-3772	\$0.00
TIRES, 17.5 R25, MX, L2 XTLA	385-5822	\$2,930.00

BUCKET-GP, 2.0 YD3, IT, BOCE	472-6541	\$6,104.00
CARRIAGE, PAL CL3, 61", IT	390-8288	\$2,386.00
FORK TINE, 2.5" X 5" X 54"	195-6938	\$2,000.00

SELL PRICE	\$180,570.00
SOURCEWELL MEMBER DISCOUNT AT 23% OF CAT CONTENT	(\$41,531.10)
ADDITIONAL DEALER DISCOUNT	(\$5,000.00)
NET BALANCE DUE	\$150,188.90
TINK DOUBLE TOP CLAMP BUCKET	\$16,150.00
SALES TAX (0.57%)	\$856.08
AFTER TAX BALANCE	\$151,044.98

WARRANTY

Standard Warranty: 12 Month, Unlimited Hours Standard Warranty

F.O.B/TERMS: Canby

PAYMENT TERMS

Cash Invoice Terms

CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$180,570.00

ADDITIONAL CONSIDERATIONS

- Sold as per Sourcewell Contract# 032119-CAT

Accepted by _____ on _____

Signature

This Quote is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,
Joe Lindberg
Machine Sales Representative
Peterson CAT
(503) 880-6648
JALindberg@petersoncat.com



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: October 6, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Joseph A. Lindsay

ITEM: Ordinance 1561—Amending CMC Chapter 220 to Include the Library Advisory Board High School Member as a Voting Member with Additional Changes to Library Board Secretary

Summary

The current Library Board advocated for the high school member to be able to vote through Council Liaison Christopher Bangs. Heretofore, the high school member has been a non-voting member. The Library Director asked that the provision making the Library Director the Secretary be changed.

Discussion

Having another voting member necessarily changes to quorum number (to be a majority) to five, but the already existing provision of allowing the Mayor the tie-breaking vote means that the over number of eight voting members doesn't necessarily have to be an odd number to avoid ties. And, the Library Advisory Board is just that: advisory, so having another vote of advice doesn't impact the ultimate legislative powers of the Council.

The fact that we are looking to amend this code in one way allows us to be efficient and amend the code in other ways in the same ordinance. The Library Director did ask for the change in the language making the Library Director the Secretary of the Board. And having a member be secretary is in line with how other boards currently operate.

Attachments

None

Fiscal Impact

None

Options

- Pass the ordinance to change the high school member to a voting member and the secretary to a member of the Board.

- Do not pass the ordinance, and the board will stay as is.

Recommendation

Staff recommends the Council adopt the ordinance as written.

Proposed Motion

"I move to adopt Ordinance 1561, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 220 TO INCLUDE THE LIBRARY ADVISORY BOARD HIGH SCHOOL MEMBER AS A VOTING MEMBER WITH ADDITIONAL CHANGES TO LIBRARY BOARD SECRETARY."

ORDINANCE NO. 1561

AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 220 TO INCLUDE THE LIBRARY ADVISORY BOARD HIGH SCHOOL MEMBER AS A VOTING MEMBER WITH ADDITIONAL CHANGES TO LIBRARY BOARD SECRETARY

WHEREAS, the City of Canby CMC Chapter 220 currently creates a non-voting high school member on the Library Board; and

WHEREAS, the City of Canby desires to amend the ordinance to allow the high school members to be a voting member of the board; and

WHEREAS, the Canby Municipal Code 2:20 involving the Library Board Secretary would be more consistent with other boards by having a member of that board serve that function instead of the Library Director; now therefore

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1. The Canby Municipal Code (CMC) Chapter 2.20 is hereby amended to read as follows:

§ 2.20.030 Library Board.

The Library Board shall consist of ~~7~~8 voting members appointed by the City Council upon recommendation of the Board Chairperson and the City Council liaison to the Library Board. The Mayor may vote only to break a tie, if necessary. ~~An additional non-voting member~~ shall be a high school student, residing within the Canby School District boundary. In accordance with the IGA, the city shall provide fair representation of unincorporated residents equal to the share of unincorporated patrons served by the Canby Public Library. Therefore, 2 of the ~~7~~8 voting members must reside outside the Canby city limits. The other ~~5~~6 members shall be residents of the city. No member of the Library Board shall have any financial interest, either directly or indirectly, in any contracts to which the library is a party, nor shall any member receive a salary or any payment for any materials or for any services rendered the Board. Board members may be reimbursed for expenses incurred in the performance of their duties.

§ 2.20.050 Officers.

At the first meeting of each fiscal year, the Board shall elect a Chairperson and a Vice-Chairperson who shall serve for a term of 1 year. The Library ~~Director or their designee~~Board shall ~~serve as~~select a member to be Secretary to the Board and keep the record of its action. ~~Three~~Five members of the Board shall comprise a quorum. The Board shall have authority to make and alter rules, with approval of the City Council, for its government and procedures.

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, October 6, 2021, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, October 20, 2021, commencing at the hour of 7:30 p.m. at the Council Meeting Chambers located at 222 NW 2nd Avenue, Canby, Oregon.

Melissa Bisset, MMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on October 20, 2021, by the following vote:

YEAS _____ NAYS _____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: October 6, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Joseph Lindsay, Assistant City Administrator/ City Attorney

ITEM: **Resolution No. 1359:** A Resolution Approving an Intergovernmental Agreement Between the City of Canby and Canby Utility Board for the Undergrounding of Utilities for the Future Ivy Street Improvement Project in Canby, Oregon.

Summary

Council previously directed staff to proceed in working with Canby Utility Board (CUB) and Clackamas County to underground electric utilities on the future Ivy Street Improvement project. Since this time, staff has met with and developed an Intergovernmental Agreement (IGA) with CUB that would accomplish this directive. The IGA describes the responsibilities of both parties, including the CUB transfer of \$310,000 to the City at the end of the project.

After the last Council meeting workshop on this matter, the parties further reflected about outreach regarding affected individual property owners. In an abundance of caution, staff has determined that the most efficient and appropriate first action in this matter is the ratifying of this IGA with CUB. We need to be able to contact each CUB customer without the potential liability of tortious interference of contract by contacting CUB customers without the blessing of CUB through this agreement. Moreover, this IGA will only bind the parties once the project is underway, so there is an out for the City before groundbreaking in the event that too many customers don't agree with this additional undergrounding on their private properties. Finally, in response to our workshop discussions, our Public Works Director supposes that most of the undergrounding from the main to individual properties will actually only entail far less invasive boring than previously assumed trenching.

Attachments

IGA between City and CUB
Resolution 1359

Fiscal Impact

Potentially \$1,000,000 (one million dollars) of City funds. As suggested, CUB's contribution would be \$310,000 (three hundred ten thousand dollars). The Street Fund balance has the funds to cover this project 100% without having to delay any currently slated projects. The five-year Capital Improvement Plan doesn't have to change with this addition.

Options

Approve the Resolution

Direct Staff to provide more information or alter the IGA

Recommendation

Approve the resolution

Motion

I move to approve Resolution 1359:

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY UTILITY BOARD FOR THE UNDERGROUNDING OF UTILITIES FOR THE FUTURE SOUTH IVY STREET PROJECT IN CANBY, OREGON

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY UTILITY BOARD
RELATED TO UNDERGROUNDING OF ELECTRIC LINES ALONG SOUTH IVY STREET IN CANBY, OREGON

This Intergovernmental agreement (IGA) is made on the date all required signatures have been obtained, between the City of Canby (herein referred to as "City") and Canby Utility Board (herein referred to as "CUB"), pursuant to ORS Chapter 190.

RECITALS

WHEREAS, Clackamas County (herein referred to as "County") currently owns and maintains South Ivy Street in Canby, Oregon; and

WHEREAS, the City and the County entered into an intergovernmental agreement for construction of street improvements and eventual transfer of Ivy Street to the City; and

WHEREAS, CUB currently has power poles, overhead electric lines, and other electrical facilities in the South Ivy Street Right-of-way ("ROW") which need to be moved for the construction of said County street improvements; and

WHEREAS, CUB's moving of the power poles, overhead electric lines, and other electrical facilities currently in the County ROW has associated costs and liabilities that would be borne by CUB; and

WHEREAS, the City desires to have these electrical facilities and lines placed underground instead of just moved; and

WHEREAS, CUB is amenable to the undergrounding of electrical lines and facilities if the costs above and beyond the moving of the poles, overhead lines and facilities are paid by the City.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and CUB hereby agree as follows:

1. City Obligations

- A. The City will assume all responsibility and control of the design of the underground lines, bidding out the project in accordance with Oregon Contracting Law, selecting a contractor, and payment of all project costs related to the construction of the subject underground electric line.
- B. The City will submit to CUB for approval the engineered design for the new underground electric line. City will obtain such approval prior to going out for bid on the project. CUB will not unreasonably without approval of the engineered design of the project.
- C. Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, the City agrees to indemnify, hold harmless, and defend CUB, its officers, board members, agents, and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof (including legal and other professional fees) arising out of or based upon damages or injuries to persons or property caused by: (i) the negligent or willful acts or omissions of the City or its officers,

elected officials, employees, agents, or its subcontractors or anyone over which the City has a right to control regarding this project; or (ii) the negligent acts or omissions of CUB staff in rendering to City the technical assistance regarding the undergrounding of the electrical line and facilities, as described in Section 2(A), below.

2. CUB Obligations

- A. CUB will provide, at CUB's expense, technical assistance from senior staff to assist the City's engineering design team and project manager regarding the undergrounding of electrical lines and facilities. The scope of CUB's participation will be limited to assisting and advising during design, giving approval of design (such approval will not be unreasonably withheld), providing supervision and inspection throughout construction, and other such assistance. CUB's intentions in contributing this "free assistance" are aimed at providing "an additional layer of supervision" in a cooperative spirit to assist the City in achieving successful completion of the project—including avoiding delays and cost over-runs, and assisting in any other way possible to help the City achieve timely project success.
- B. CUB agrees that at all times during this project, any CUB employees who assist or otherwise work on this project will be covered by Worker's Compensation insurance.
- C. Within 30 days of completion and approval of the underground electric line and electrical facilities, CUB will remit a lump sum payment to the City in the amount of three hundred ten thousand dollars (\$310,000). This payment serves to reimburse the City in full for CUB's identified avoided costs associated with Clackamas County's original Ivy Street Improvements project requirements, to relocate the existing overhead electric line, the costs of which CUB would have solely borne.
- D. CUB will handle all aspects of removal of the overhead electric poles, conductor, and other appurtenances as necessary for the removal of the original overhead electric line that is subject to Clackamas County's Ivy Street Improvement project.
- E. CUB will promptly schedule and coordinate with Clackamas County the removal of the existing overhead electric line upon the completion, inspection, approval, and cutting-over (energizing and integration of the new underground line) of the new line into CUB service.
- F. CUB will at all times own the electric line and other electrical facilities used in the project. As such, CUB's insurance will continuously cover their property.
- G. Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, and except as provided in Section 1(C)(ii), CUB agrees to indemnify, hold harmless, and defend the City, its officers, elected officials, agents, and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof (including legal and other professional fees) arising out of or based upon damages or injuries to persons or property caused by the negligent or willful acts or omissions of CUB or its officers, board members, employees, agents, or its subcontractors or anyone over which CUB has a right to control regarding this project.

- 3. Term. The agreement is effective upon signing and will remain in effect until the underground electrical lines and facilities along South Ivy Street between 1st and 13th Avenues are constructed and approved, the remaining overhead electrical lines, poles, and facilities are removed, and payment remitted, unless this agreement is otherwise terminated.

4. Termination. The City and CUB, by mutual written agreement, may terminate this IGA at any time. Any early termination of this agreement shall not prejudice any rights of obligations accrued to the parties prior to termination. Any costs or liabilities associated with the project will be worked out and agreed upon in writing prior to early termination of this agreement.
5. Limitations. The agreement doesn't replace or remove any existing rights or obligations either party has independently with the County regarding the Ivy Street Improvement project. Neither party intends that this agreement benefit, or create any right or cause of action in, or on behalf of, any other person or entity other than the City and CUB. No party shall have the right to assign its interest in this agreement to any third party for any reason without the prior written consent of the other party.
6. Applicable Law. The agreement shall be construed according to the laws of the State of Oregon.
7. Severability. If any provision of this agreement is found or held to be unconstitutional, illegal, or unenforceable, this agreement nevertheless shall remain in full force and effect and the offending provisions shall be stricken.
8. Independent Contractor. The City and CUB shall be deemed independent contractors for the purposes of this agreement. No representative, agent, employee, or contractor of one party shall be deemed to be a representative, agent, employee, or contractor for the other party. Nothing in this agreement is intended, nor shall it be construed, to create any relationship between the parties, such as principal and agent, partnership, joint venture, or any similar relationship under law.

Scott Archer, Canby City Administrator

Date

Dan Murphy, Canby Utility Board General Manager

Date

RESOLUTION NO. 1359

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF CANBY AND CANBY UTILITY BOARD FOR THE
UNDERGROUNDING OF UTILITIES FOR THE FUTURE SOUTH IVY STREET
PROJECT IN CANBY, OREGON**

WHEREAS, Clackamas County (herein referred to as “County”) currently owns and maintains South Ivy Street in Canby, Oregon; and

WHEREAS, the City and the County entered into an intergovernmental agreement for construction of street improvements and eventual transfer of Ivy Street to the City; and

WHEREAS, CUB currently has power poles, overhead electric lines, and other electrical facilities in the South Ivy Street Right-of-way (“ROW”) which need to be moved for the construction of said County street improvements; and

WHEREAS, CUB’s moving of the power poles, overhead electric lines, and other electrical facilities currently in the County ROW has associated costs and liabilities that would be borne by CUB; and

WHEREAS, the City desires to have these electrical facilities and lines placed underground instead of just moved; and

WHEREAS, CUB is amenable to the undergrounding of electrical lines and facilities if the costs above and beyond the moving of the poles, overhead lines and facilities are paid by the City.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

To approve the Intergovernmental Agreement Between the City of Canby and Canby Utility Board for the Undergrounding of Utilities for the Future Ivy Street Improvement Project in Canby, Oregon.

This resolution shall take effect October 6, 2021.

ADOPTED this 6th day of October 2021, by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Melissa Bisset
City Recorder



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: October 6, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Don Hardy, Planning Director

ITEM: DLCD TA Grant Application for Economic Opportunity Analysis

Summary

The Oregon Department of Land Conservation and Development (DLCD) is requesting that cities submit grant application for technical assistance consultant services to complete an Economic Opportunity Analysis (EOA). The EOA can also be used to complete the anticipated comprehensive plan update consistent with state goal requirements.

Background

The EOA will identify current and future economic market conditions which will be important in helping the city define markets and acreage needed to attract desired business. A sizeable portion of the 367 Canby Industrial Park has been developed or in the process of being developed. The EOA buildable lands assessment will provide an update on remaining acreage and needed land supply including urban boundary expansion and that will inform the anticipated comprehensive plan update starting in 2022. A portion of the EOA work was initially completed by FCS Group in 2020 but was put on hold by DLCD due to COVID issues.

Discussion

Staff has prepared a draft letter of support to be signed by the mayor to be submitted to DLCD. This letter is necessary to complete the grant application and to receive money from the state. The state legislature has allocated funding for the EOA update. Canby anticipates continuing to use FCS Group who completed parts of the EOA work in 2020 and that work was put on hold by DLCD due to COVID. The EOA will help the City identify local barriers and challenges to economic development, market trends to inform City decisions, as well as updated policies to the Economic Element of the Comprehensive Plan.

Objectives

1. Update the City's economic data to support the presence and scale of demand for industrial and commercial land based on anticipated employment growth rates by sector.

2. Identify employment trends and identify whether the City has the appropriate range of suitable employment sites to accommodate expected growth over the 2021 to 2041 planning period.
3. Verify and summarize the City's inventory of vacant and partially vacant industrial and commercial land, and potential sites for redevelopment/reuse within the City's urban growth boundary;
4. Develop a cohesive and inclusive community and stakeholder-based vision and strategy for long-term, continued economic development within the city;
5. Develop policies for the Economic Element of the Comprehensive Plan to ensure identified employment needs are met; and,
6. Promote economic development and job creation that is sustainable over the 20-year planning period for a diverse and inclusive workforce.

Products:

The product of this project will be an Economic Opportunities Analysis (EOA) in compliance with Statewide Planning Goal 9. The EOA will provide the following six elements:

1. Community Economic Development Vision and Objectives: Develop policies that promote economic development and ensure sufficient availability of commercial and industrial lands to achieve desired balance of employment and housing availability.
2. Economic Trends Analysis: Provide an overview of the national, state, and local economic trends likely to expand or locate in Canby, including targeted industry typologies, as well as retail trends, employment growth, population projections, and demographic profile.
3. Site Suitability Analysis: Identify the types of sites needed to successfully implement Canby's economic development objectives. (Land Demand)
4. Inventory of Suitable Sites: Provide a buildable lands inventory, mapped and documented, and assessment of suitable commercial and industrial land to determine whether supply meets the demand. (Land Supply)
5. Assessment of Potential (Reconciliation of Demand and Supply)
6. Recommendations: provide implementation policies and action measures.

Attachments

Draft letter of support from the city, EOA grant application form including work plan.

Fiscal Impact

There would be no city fiscal impact. The anticipated funding would save city expenditures for the preparing of the EOA.

Options

The council support letter will permit the city to receive state funding that would otherwise not be available. Without the state funding, city funding would be necessary.

Recommendation

Staff recommends that city council provide the letter of support for the DLCD EOA grant funding.

Proposed Motion

I move to approve the letter for support associated with the DLCD EOA grant funding.



City of Canby

PO Box 930 Phone: 503.266.4021
222 NE 2nd Ave Fax: 503.266.7961
Canby, OR 97013 www.canbyoregon.gov

October 6, 2021

Mr. Gordon Howard
Community Services Division Manager
Oregon State
Department of Land Conservation and Development
635 Capital Street NE Suite 150
Salem, Oregon 97301

Dear Mr. Howard,

This letter is written in support of the Department of Land Conservation and Development 2021 to 2023 Planning Assistance grant the City of Canby is seeking for the Economic Opportunity Analysis (EOA).

The EOA will help the City identify barriers and challenges to economic development and market trends to inform City decisions, as well as updated policies to the Economic Element of the Comprehensive Plan. This is essential to maintain Canby's livability and will set the stage for our anticipated comprehensive plan update beginning fall 2022.

Canby needs assistance with the development of the EOA to provide direction addressing future market and employment needs. Canby intends to use DLCD contracted consultants to assist the city in preparing the EOA that will include demographic and buildable lands assessment, public outreach and economic policy development.

The city is committed to addressing future needs for all of its citizens and the preparation of the EOA will be an important step to both maintain and create economic opportunities. Please accept this letter as official city support for the EOA grant request.

Sincerely,

Brian Hodson, Mayor

Canby Economic Opportunities Analysis (EOA)

The City of Canby has been one of the fastest growing urban areas within the greater Portland-Vancouver MSA (especially since the outbreak of the COVID-19 pandemic) and is now home to some of region's largest employers, and many *home grown* local businesses.

The Canby Economic Opportunities Analysis will result in a new Economic Element of the City's Comprehensive Plan, with a new community development vision statement and related economic development objectives and policy measures.

This work will benefit from cost efficiencies realized from recent economic trends analysis by FCS GROUP that was completed during the Covid-19 global pandemic (2020). The EOA process will revisit the 2013 Canby Economic Strategy (by FCS GROUP), and the 2013 Canby Vision.

Canby Diversity, Social Equity and Inclusion

This TA grant work plan will advance social equity and inclusion by engaging priority population members of the community through interviews, workshops, and community surveys.

Diversity, social equity and inclusion efforts are integrated into each of the EOA work tasks, and a focused Social Equity and Inclusion work task is described in Task 8. Task 8 itemizes the work elements required to ensure that diversity, social equity and inclusion guidelines are met and exceeded with separate deliverables that address:

1. Identification of priority populations within Canby
2. A description of anticipated impacts and outcomes, including benefits and burdens on priority populations that may result from the EOA update.
3. An outreach and public engagement plan designed to involve impacted priority populations; and
4. A post-project evaluation of representation of and participation by priority populations in citizen and technical advisory groups.

Specific highlights of the EOA work plan includes:

- Identification of priority populations (as well as local community organizations, minority owned and women owned businesses and local and non-profits) that will be included in the EOA process (as part of Task 2). Latino, Hispanic and other ethnic business and community members will have opportunities to provide input throughout the EOA process, with public meeting notices and community surveys (in English and Spanish). ***Related Deliverables:*** *8B Identification of Priority Populations (appendix to Outreach and Public Engagement Plan).*
- A community outreach plan (included in Task 2) will be developed with input provided by the DLCD Equity Consultant as well as business and economic development staff from Clackamas County. ***Related Deliverables:*** *8A Outreach and Public Engagement Plan (Paper)*
- Each PAC meeting will include opportunities for community members to provide input and comments on issues that are most pressing to economic wellbeing, and policies that they would like the City to consider. ***Related Deliverables:*** *PAC, PC/CC and Community Meeting Summaries (included in Deliverables #4, #9, #12 and #8C as part of Tasks 3, 5 and 6).*

- Stakeholder outreach activities shall also include interviews with diverse community organizations and business representatives (part of Task 3), as well as a separate community meeting event (in Task 6). This work shall entail a review of current hiring and work force training practices of major businesses (with more than 100 workers). **Related Deliverables:** 8C and 6A as part of Tasks 3.
- The input and feedback received from the Community Survey, stakeholder interviews, and public meetings/events will be used to assess the needs of priority populations in Canby. Local economic development objectives pertaining to priority populations, work force training and local hiring shall be incorporated into the EOA policies (Task 6). **Related Deliverables:** #10 and 8E (included in Task 6).
- A post-project evaluation of representation of and participation by priority populations in the citizen outreach and technical advisory group is included as part of this Task. **Related Deliverable:** 8F Post Project Evaluation (Canby Staff Report).

Task 1. Consultant Selection/Negotiation

The City of Canby will prepare a PSA and select a qualified economic and/or land use planning consultant to provide technical assistance, analysis and support relative to the preparation of an economic opportunities analysis for the Canby.

Schedule: October 2021

Product 1: Final PSA.

Budget: Product 1, \$0 Grant Funds/City In-Kind Services \$3,000

Task 2. Preparation and Project Advisory Committee

The City and Consultant will work together to finalize a detailed scope of work and schedule of future meetings and deliverables. Concurrently, the City will form a Project Advisory Committee (PAC) comprised of local and regional stakeholders.

The consultant and City will convene a kickoff meeting to collect and discuss background materials and identify at least one (1) city council member, at least one (1) planning commissioner, and membership from stakeholder groups, such as the Canby Public Works Department, Chamber of Commerce, Clackamas County, DLCD and local businesses.

As part of Task 2, the City will work with the DLCD Equity Consultant and Clackamas County Business and Economic Development staff to identify priority populations and to prepare an outreach and public engagement plan which shall be inclusive of Canby's diverse population and businesses.

Schedule: October – December 2021

Product 2: Final work scope/schedule.

Product 3: PAC membership list

Product 8A: Community Outreach and Public Engagement Plan

Product 8B: Identification of Priority Populations

Budget: Product 2, Consultant \$770 Grant Funds

Product 3, \$0 Grant Funds/City In-Kind Services \$2,000

Products 8A-8B, budget referenced in Task 8

Task 3. Economic Development Vision and Objectives

The City and Consultant will work with the PAC to develop an economic development vision and objectives. During Task 3, the consultant will work with the City to conduct a community outreach survey, along with interviews (via video conference) with local business managers, tenant recruitment specialists from Business Oregon, and commercial/industrial real estate brokers active in Canby.

The City and consultant will formulate an internet-based Canby Community & Business Survey in both English and Spanish translations. The survey will linked to the City's main website and query local residents and workers about their perceptions regarding local business opportunities, land needs, building space needs, infrastructure needs and work force training needs.

Each PAC meeting will be advertised to the public, and opportunities for public input shall be provided during each meeting. The initial PAC meeting will include discussion of the prior 2013 Community Vision and Canby Economic Strategy, and current market trends updates by FCS GROUP.

PAC Meeting #1 Agenda

- *Project Background*
- *Regulatory issues, objectives and requirements*
- *Draft economic development vision and community economic development objectives.*

Schedule: December 2021 – January 2022

Product 4: PAC meeting #1 summary

Product 5: Draft Vision and Objectives

Product 8C: Canby Community & Business Survey

Budget: Product 4, PAC Meeting #1, Consultant \$1,500 Grant Funds/City \$1,500 In-Kind Services

Product 5, Draft Vision Consultant \$1,000 Grant Funds/City \$1,000 In-Kind Services

Product 8C, Community Survey Questionnaire (budget referenced in Task 8)

Task 4. Economic Trends Analysis

The consultant with assistance from the City will help to identify economic opportunities, including targeted industry typologies, retail trends, employment growth, population projections, and demographic profile of the Canby Market Area (to be defined by staff/city/consultant).

To inform the EOA, the project team will prepare a highly customized Economic Trend Analysis and employment growth forecast. Updates to the 2020 Canby Market Trends Analysis (by FCS GROUP), will include a customized business and industry clusters analysis that depicts which specific businesses are already clustered in the primary market area and those that are projected to grow or decline. The analysis will include a review of historic (actual) market absorption of jobs and sites by land use type and size/public facility requirements.

A retail sales trade analysis will also be conducted to document current retail sales inflow and outflow from the Canby Market Area. This analysis will quantify specific market opportunities for store group categories, such as restaurants, personal services, general merchandise, building supplies, and auto-repair.

Results from the Canby Community & Business Survey (from Task 3) shall be tallied up by the Consultant to provide findings regarding business development issues and opportunities, with reference to specific input received from diverse populations and minority businesses.

With this information, the project team will catalog the range of site types suitable for target industries and allow us to identify precise economic development strategies geared to specific industry types.

Schedule: January 2022 – March 2022

Product 6A: Economic Trends/Analysis Memo

Product 6B: Retail Trade Flow Analysis and Community Survey Results

Budget: Product 6A, \$3,000 (Grant)

Product 6B, \$2,750 (Grant)

Task 5. Buildable Lands Inventory and Site Suitability Analysis

The consultant using GIS shapefiles and input from the City will conduct a Buildable Land Inventory (BLI) and site suitability analysis to determine the amount of buildable employment lands. The consultant will also inventory suitable sites (by size, location, configuration, access, etc.) to see if supply meets demand. PAC meeting #2 will be held to share and discuss findings of Tasks 4-5.

Building upon local GIS shapefiles, county assessor data, and other county/state data sources, the consultant team will update the City's buildable lands inventory to identify suitable sites for industrial and other employment uses. This task will rely upon the DLCD *Planning for Residential Growth, and Industrial and Other Employment Lands Analysis guidebook (by FCS GROUP et.al.)* and *Oregon Administrative Rules* to guide development of this work. The BLI will include an assessment of the availability of existing and planned public services and other characteristics.

PAC Meeting #2 Agenda:

■ *Buildable Lands Inventory and Site Suitability Analysis*

■ *Economic trends analysis and employment growth forecast, City's Gap analysis of economic potential and other potential strategies.*

Schedule: March 2022 – May 2022

Product 7A-7B: Buildable Land Inventory with inventory of available sites suitable for employment uses likely to expand or locate in the study area within the planning period. The resultant summary shall be mapped in ArcGIS utilizing the City's most recently completed 2018 Vacant and Partially Vacant Commercial and Industrial Lands maps and shapefile with current updates.

Product 8: Site Suitability Analysis Memo

Product 9: PAC meeting #2 summary

Budget: Product 7A-B, Consultant \$7,000 Grant Funds/City \$1,500 In-Kind Services
Product 8, Consultant \$3,250 Grant Funds/City \$500 In-Kind Services
Product 9, Consultant \$2,000 Grant Funds/\$1,500 City In-Kind Services (to manage PAC/community meeting and record minutes)

Task 6. Implementation Policies and Action Measures

The consultant with assistance from the City will develop a list of recommended economic development implementation policies to serve as the Comprehensive Plan Economic Element. Text amendments will be considered by the City and subsequently adopted to carry forward the EOA policies into a regulatory framework. The citywide policies and action measures shall include a *Priority Populations Needs Analysis* that reflects the results of the input and feedback received from the community engagement process.

PAC meeting #3 shall be held to discuss draft findings and implementation strategies.

PAC Meeting #3 Agenda

- *Draft economic development implementation strategies including policies and associated strategies.*
- *Draft economic opportunities analysis findings.*

Using input from the PAC meeting and stakeholder input received through interviews and community survey results, the consultant and city shall conduct a joint Planning Commission and City Council work session to review the draft EOA findings, economic vision and community development objectives.

Schedule: June 2022 – Sept. 2022

Product 10: Implementation Policies and Actions Memo

Product 8E: Social Equity Needs Analysis (Appendix to Product 10) Budget reflected in Task 8.

Product 11: PAC Meeting #3 summary

Product 8D: Community Meeting

Product 12: Joint Planning Commission / City Council Work session summary

Budget: Product 10, Consultant \$5,000 Grant Funds / City \$500 In-Kind Services

Budget: Product 8E, Social Equity Needs Analysis (budget included in Task 8)

Budget: Product 11 & 8D, Consultant \$2,000 Grant Funds / \$2,000 City In-Kind Services

Budget: Product 12, Consultant \$2,000 Grant Funds / \$1,500 City In-Kind Services

Task 7. Prepare Economic Opportunities Analysis (EOA)

The consultant will incorporate the findings from previous task items into a draft EOA report to be reviewed by the PAC, City, DLCD, stakeholders and community members. Subsequent to the draft review period, the final EOA will be presented to the City Council for review and subsequent adoption. City staff shall compile the comments received on the draft EOA and forward them to the

consultant for consideration/inclusion into the final EOA.

Schedule: October 2022 – December 2022

Product 13: Draft EOA

Product 14: Final EOA

Budget: Product 13, Consultant \$9,000 Grant Funds / City \$1,000 In-Kind Services

Product 14, Consultant \$5,000 Grant Funds / City \$500 In-Kind Services

Task 8. Social Equity and Inclusiveness

Task 8 itemizes that specific work elements that the city shall undertake to ensure that diversity, social equity and inclusion guidelines are met and exceeded. Key elements include:

- Identification of priority populations (as well as local community organizations, minority owned and women owned businesses and local and non-profits) that will be included in the EOA process (as part of Task 2). Latino, Hispanic and other ethnic business and community members will have opportunities to provide input throughout the EOA process, with public meeting notices and community surveys (in English and Spanish). **Related Deliverables:** *8B Identification of Priority Populations (appendix to Outreach and Public Engagement Plan).*
- A community outreach plan (included in Task 2) will be developed with input provided by the DLCDD Equity Consultant as well as business and economic development staff from Clackamas County. **Related Deliverables:** *8A Outreach and Public Engagement Plan (Paper)*
- Each PAC meeting will include opportunities for community members to provide input and comments on issues that are most pressing to economic wellbeing, and policies that they would like the City to consider. **Related Deliverables:** *PAC, PC/CC and Community Meeting Summaries (included in Deliverables #4, #9, #12 and #8C as part of Tasks 3, 5 and 6).*
- Stakeholder outreach activities shall also include interviews with diverse community organizations and business representatives (part of Task 3), as well as a separate community meeting event (in Task 6). This work shall entail a review of current hiring and work force training practices of major businesses (with more than 100 workers). **Related Deliverables:** *8C and 6A as part of Tasks 3.*
- The input and feedback received from the Community Survey, stakeholder interviews, and public meetings/events will be used to assess the needs of priority populations in Canby. Local economic development objectives pertaining to priority populations, work force training and local hiring shall be incorporated into the EOA policies (Task 6). **Related Deliverables:** *#10 and 8E (included in Task 6).*
- A post-project evaluation of representation of and participation by priority populations in the citizen outreach and technical advisory group is included as part of this Task. **Related Deliverable:** *8F Post Project Evaluation (Canby Staff Report).*

Schedule: Project Duration

Product 8A Outreach and Public Engagement Plan (included in Task 2)

Product 8B Identify Priority Populations (included in Task 2)

Attachment A Work Plan

- Product 8C Community Survey (included in Tasks 3-4)
- Product 8D Community Meeting Event (included in Task 6)
- Product 8E Social Equity Needs Analysis (included in Task 6-7)
- Product 8F Post Project Evaluation (Canby staff report provided in Task 8)

Budget

- Product 8A: Consultant \$1,000 Grant Funds; City \$500 In-Kind Services
- Product 8B: Consultant \$1,000 Grant Funds; City \$500 In-Kind Services
- Product 8C: Consultant \$1,500 Grant Funds; City \$1,500 In-Kind Services
- Product 8D City \$1,500 In-Kind Services
- Product 8E Consultant \$2,000 Grant Funds; City \$500 In-Kind Services
- Product 8F City \$1,000 In-Kind Services

Project Budget

The following tables provide a comparison of the prior and current work plan. The Canby EOA work plan includes significant cost efficiencies with the assumption that 70% of the prior grant investment will result in reductions in future EOA consultant labor costs. After expending \$18,350 on draft EOA work deliverables in 2020, this results in \$12,845 in cost savings on future work activities (prior results will require updates which will cost 30% of the original budget amount). After accounting for inflationary price increases, the net prior TA grant value or cost efficiency estimate is \$12,080 below the original 2020 TA grant budget. The overall base cost estimate for the EOA work program works out to \$36,520.

After accounting for cost efficiencies from prior work, the 2021-2023 Canby EOA work program budget is \$49,770, and includes \$13,250 for *supplemental* work tasks added to broaden community and stakeholder outreach, comply with social equity and inclusiveness guidelines, and expand the buildable land inventory and market analysis work tasks (see table).

Summary Comparison of Prior and Future Canby EOA Project Costs (grant amounts)					
Total TA Grant Value Received in 2020					\$18,350
Est. Efficiency Cost Savings for 2021-22 EOA	@70% of prior Grant				\$12,845
Less Labor Cost Inflation (@6%)*					(\$765)
Net Prior TA Grant Value (= Cost Efficiencies in 2021)					\$12,080
EOA Work Tasks			Prior EOA Grant Award	Current EOA Grant Amt.	Difference
Task 1 Consultant Selection			\$0	\$0	\$0
Task 2 Preparation and PAC Formation			\$3,750	\$770	(\$2,980)
Task 3 Community Econ. Dev. Vision			\$4,600	\$2,500	(\$2,100)
Task 4 Economic Trends Analysis			\$10,000	\$3,000	(\$7,000)
Task 5 Buildable Lands Analysis			\$11,250	\$11,250	\$0
Task 6 Implementation Policies			\$5,000	\$5,000	\$0
Task 7 Final EOA			\$14,000	\$14,000	\$0
Subtotal			\$48,600	\$36,520	(\$12,080)
New Work Added in 2021 EOA Scope		New Work Products Added			
Task 8, Social Equity	Products 8A-F		\$0	\$5,500	\$5,500
Task 4, Retail Market Analysis	Product 6B		\$0	\$2,750	\$2,750
Task 5, Full BLI Update (employment lands)	Product 7B		\$0	\$1,000	\$1,000
Task 6, Community Meeting	Product 8D		\$0	\$2,000	\$2,000
Task 6, Joint City PC/CC Work session	Product 12		\$0	\$2,000	\$2,000
Additional Scope/Budget Adjustments			\$0	\$13,250	\$13,250
Canby 2021 EOA Grant Request			\$48,600	\$49,770	\$1,170
*Estimate based on U.S. Bureau of Labor Statistics, Inflation Calculator: Jan. 2020 to Aug. 2021 (Index).					

Attachment A Work Plan

This TA grant budget for the 2021-2023 Work Plan is detailed below.

Canby EOA Project Budget, 2021-23 Work Plan

Task	2021 Cost		
	Deliverables	City (In-Kind)	Consultant/Grant
1. Consultant Selection	Product 1, PSA	\$3,000	\$0
2. Preparation & PAC	Product 2, Final Scope/Schedule	\$0	\$770
	Product 3, PAC Membership	\$2,000	
	Product 8A, Social Equity Outreach Plan	see Task 8	
	Product 8B, I.D. Priority Populations		
Subtotal		\$2,000	\$770
3. Community Economic Development Vision and Objectives	Product 4, PAC Meeting #1	\$1,500	\$1,500
	Product 5, Draft Vision	\$1,000	\$1,000
	Product 8C, Community Survey	see Task 8	
Subtotal		\$2,500	\$2,500
4. Economic Trends Analysis	Product 6A Trends Memo		\$3,000
	Product 6B Retail Trade Flow Analysis		\$2,750
Subtotal			\$5,750
5. Buildable Land Inventory and Site Suitability Analysis	Product 7A+7B, BLI	\$1,500	\$7,000
	Product 8, Site Suitability Analysis	\$500	\$3,250
	Product 9, PAC Mtg. #2	\$1,500	\$2,000
Subtotal		\$3,500	\$12,250
6. Implementation Policies and Action Measures	Product 10, Policies & Actions Memo	\$500	\$5,000
	Product 11A + 8D, PAC Mtg. #3 AND Comm. Mtg. (8D)	\$2,000	\$2,000
	Product 12, Joint PC/CC Mtg.	\$1,500	\$2,000
Subtotal		\$4,000	\$9,000
7. Prepare Final EOA	Product 13, Draft EOA	\$1,000	\$9,000
	Product 14, Final EOA	\$500	\$5,000
Subtotal		\$1,500	\$14,000
8. Social Equity and Inclusion	Product 8A, Outreach Plan	\$500	\$1,000
	Product 8B, I.D. Priority Populations	\$500	\$1,000
	Product 8C, Community Survey	\$1,500	\$1,500
	Product 8D, Community Meeting	\$1,500	see Deliverable 10
	Product 8E, Social Equity Needs Analysis	\$500	\$2,000
	Product 8F, Post-Product Evaluation	\$1,000	\$0
Subtotal		\$5,500	\$5,500
TOTAL		\$22,000	\$49,770

Attachment A Work Plan

Grant payments shall be made in four installments based on the completion of work deliverables as follows:

Installment #1 Tasks 1 - 4 = \$9,020

Installment #2 Tasks 5- 6 = \$21,250

Installment #3 Task 7 = \$14,000

Installment #4 Task 8 = \$5,500



Department of Land Conservation and Development

2021-23 TECHNICAL ASSISTANCE GRANT APPLICATION

Please complete each section in the form below. Type or write requested information in the spaces provided. **Submit completed applications by October 1, 2021.**

Date of Application: September 29, 2021

Applicant: City of Canby

(If council of governments, please also include the recipient jurisdiction name if applicable)

Street Address: 222 NE 2nd Avenue

City: Canby

Zip: 97013

Contact name and title: Don Hardy, Planning Director

Contact e-mail address: hardyd@canbyoregon.gov

Contact phone number: 503 266-0775

Grant request amount (in whole dollars): \$49,770

Local Contribution (recommended but not required): \$22,000

Project Title:

Economic Opportunity Analysis

Project summary: (Summarize the project and products in 50 words or fewer)

Canby seeks grant funding to complete an Economic Opportunity Analysis (EOA). The EOA will serve as the foundation for updating the Economic Element of the Comprehensive Plan, meeting the requirements of Statewide Planning Goal 9. Grant assistance is needed to retain professional consulting services for preparation of the EOA.

Project Description & Work Program

Please describe the proposed project, addressing each of the following in an attachment.

- A. Goals and Objectives.** State the goals or overall purpose of the project. Describe particular objective(s) the community hopes to accomplish. Please indicate whether this is a stand-alone project or is part of a longer multi-year program. If it is the latter, describe any previous work completed, subsequent phases and expected results, and how work beyond this project will be funded.

Goals

The EOA will be a stand-alone project. The City's purpose for this project is to conduct an Economic EOA in order to identify Canby's current and future economic market conditions, and to come into compliance with Statewide Planning Goal 9. Grant assistance is needed to retain professional consulting services for preparation of the EOA.

Canby has completed various economic studies over the last ten years, however no EOA has been completed as part of those studies. Changes in economic trends at the national, state, and local levels have occurred hence an EOA will provide pertinent information necessary for Canby to determine whether it has the appropriate range of suitable employment sites to accommodate its continued growth in the region. The EOA will provide an in-depth economic assessment that can be used by the City to develop a cohesive strategy to update the Economic Element of the Comprehensive Plan, thus meeting the requirements of Statewide Planning Goal 9.

Canby is home to the Canby Pioneer Industrial Park, a 367-acre area with "shovel ready" sites of various sizes. However, the Industrial Master Plan was adopted in 1999, and there are no doubt implementation strategies that need updating, as well as a renewed look at the adequacy of transportation facilities and potential new infrastructure to support the continued economic growth of the Industrial Park. The EOA will help the City identify local barriers and challenges to economic development, market trends to inform City decisions, as well as updated policies to the Economic Element of the Comprehensive Plan.

Canby will use the EOA as an informative, data driven document that will assist the City in its focus for economic opportunities that are critical for its long-term viability in the employment, housing, and tourism sectors. Lastly, it is anticipated the information contained in the EOA, in concert with the DLCD Housing Needs Analysis grant work anticipated to start in November 2021 will both be essential to the comprehensive plan update anticipated to start in 2022. The last comprehensive plan update was in 1984.

Objectives

1. Update the City's economic data to support the presence and scale of demand for industrial and commercial land based on anticipated employment growth rates by sector.
2. Identify employment trends and identify whether the City has the appropriate range of suitable employment sites to accommodate expected growth over the 2021 to 2041 planning period.
3. Verify and summarize the City's inventory of vacant and partially vacant industrial and commercial land, and potential sites for redevelopment/reuse within the City's urban growth boundary;
4. Develop a cohesive and inclusive community and stakeholder-based vision and strategy for long-term, continued economic development within the city;
5. Develop policies for the Economic Element of the Comprehensive Plan to ensure identified employment needs are met; and,
6. Promote economic development and job creation that is sustainable over the 20-year planning period for a diverse and inclusive workforce.

- B. Products and Outcomes.** Clearly describe the product(s) and outcome(s) expected from the proposed project. Briefly describe any anticipated significant effect the project would have on development, livability, regulatory streamlining, and compliance with federal requirements, socioeconomic gains, and other relevant factors.

Products:

The product of this project will be an Economic Opportunities Analysis (EOA) in compliance with Goal 9. The EOA will provide the following six elements:

1. Community Economic Development Vision and Objectives: Develop policies that promote economic development and ensure sufficient availability of commercial and industrial lands to achieve desired balance of employment and housing availability.
2. Economic Trends Analysis: Provide an overview of the national, state, and local economic trends likely to expand or locate in Canby, including targeted industry typologies, as well as retail trends, employment growth, population projections, and demographic profile.
3. Site Suitability Analysis: Identify the types of sites needed to successfully implement Canby's economic development objectives. (Land Demand)
4. Inventory of Suitable Sites: Provide an inventory, mapped and documented, and assessment of suitable commercial and industrial land to determine whether supply meets the demand. (Land Supply)
5. Assessment of Potential (Reconciliation of Demand and Supply)
6. Recommendations: provide implementation policies and action measures.

Outcomes:

The EOA will identify current and future economic market conditions which will be important in helping the city define markets and acreage needed to attract desired business. A sizeable portion of the 367 Canby Industrial Park has been developed or in the process of being developed. The EOA buildable lands assessment will provide an update on remaining acreage and needed land supply including urban boundary expansion and that will inform the anticipated comprehensive plan update starting in 2022. The EOA will be developed with current population and employment information and will evaluate buildable lands and forecasts to provide an informative, data driven document that will assist the City in its focus for economic opportunities that are critical for its long-term viability in the employment, housing, and tourism sectors. It is anticipated the information contained in the EOA, in concert with the DLCDD Housing Needs Analysis grant work anticipated to start in November 2021 will both be essential elements to the comprehensive plan update anticipated to start in 2022. The last comprehensive plan update was in 1984.

- C. Equity and Inclusion Considerations.** Using the [TA Grant Equity Guidance](#), identify priority populations in the project planning area. Describe the anticipated impact of your proposed project on priority populations. Describe a preliminary outreach and engagement plan with specific goals and outcomes for participation of priority populations in the project. Include specific tasks and products related to the outreach and engagement plan in sections D and E.

Equity and Inclusion are defined in detail in the Work Plan, Attachment A, including an outreach and public engagement plan, identifying priority populations, community and stakeholder surveys, community meetings, social equity needs analysis and post project evaluation.

D. Work Program, Timeline & Payment.

The City Of Canby will work in partnership with a consultant to complete the tasks described in the Work Plan in Attachment A with work occurring between October 2021 and December 2022.

- 1. Tasks and Products:** List and describe the major tasks and subtasks, with:

- The title of the task
- Steps to complete task
- The interim and final products for each task

Tasks and Products are described in Attachment A, Work Plan.

- 2. Timeline:** List all dates for the project including tentative start date after the contract is signed, task completion dates, and project completion date. If the project is part of a multi-year program, provide an overview of the expected timelines in sequence of expected start dates and completion date for each phase and describe subsequent phases to be completed.

Timeline are identified in in Attachment A, Work Plan.

- 3. Payment Schedule:** Develop a requested payment schedule showing amount of interim and final payments. Include the products that will be provided with each payment request. The payment schedule should generally include no more than two payments – an interim and final payment.

The payment schedule will include four payments. The first covering task 1 to 4 (\$9,020), the second Task 5/6 (\$21,250) the third task 7 (\$14,000) and the fourth task 8 (\$5,500).

- E. Evaluation Criteria.** Include a statement in the narrative that addresses the program priorities and evaluation criteria presented in the application instructions (“Eligible Projects and Evaluation Criteria”).

The primary objective of this project is to assess, address, and promote economic development opportunities for the City of Canby, as well as provide implementation policies and action measures to subsequently enable the City to update the Economic Element of the Comprehensive Plan, both of which are identified priorities for the Technical Assistance Grant.

- F. Project Partners.** List any other public or private entities that will participate in the project, including federal and state agencies, council of governments, city and county governments, and special districts. Briefly describe the role of each (*e.g.*, will perform work under the grant; will advise; will contribute information or services, etc.).

The project partners will include local community members and stakeholders, City of Canby staff, Canby Area Chamber of Commerce, Clackamas County Economic Development staff, Oregon Department of Land Conservation and Development and other local and regional stakeholders.

- G. Advisory Committees.** List any advisory committee or other committees that will participate in the project to satisfy the local citizen involvement program. Include specific goals for participation by priority populations in advisory committees.

The City will work with the consultant in assembling a Project Advisory Committee (PAC) anticipated to include at least one City Council member, at least one Planning Commissioner, at least one Chamber of Commerce member, at least one City of Canby Economic Development staff member, at least one City of Canby Planning staff member, at least one community member, and any other stakeholders the City feels should participate. The PAC will guide the consultant's research, as well as community engagement activities based on their knowledge of local and regional conditions. The PAC will also assist with promoting and publicizing the Community Input Workshops.

- H. Cost-Sharing and Local Contribution.** DLCD funds are only a part of overall project costs; please identify sources and amounts of other funds or services that will contribute to the project's success. Cost-sharing (match) is not required but could be a contributing factor to the success of the application.

The City of Canby will contribute up to \$22,000 in In-Kind project labor related expenses such as printing, supplies, and staff time.

Will a consultant be retained to assist in completing grant products? Yes ☒ No ☐

For cities with populations under 10,000 that are requesting a comprehensive plan update, do you have interest in using a DLCD-provided consultant to complete your project? Yes ☐ No ☐

Does the applicant intend to seek technical assistance from DLCD's equity and inclusion consultant? Yes ☐ No ☐ ([See TA Grant Equity Guidance](#))

Local Official Support

The application ***must include a resolution or letter from the governing body*** of the city, county, district, or tribe demonstrating support for the project. If the applicant is a council of governments on behalf of a city, a letter or resolution from the city council supporting the application must be included. *The application will not be complete if it does not include this item.* The letter of support may be received by DLCD after the application submittal deadline, but it must be received before a grant is awarded.

The Canby City Council will meet on October 6, 2021 to approve a letter of support for this project. The city will provide this to DLCD after the October 6 hearing and before grant assistance is awarded.

Product Request Summary

Product	Grant Request	Local Contribution	Total Budget
1 Consultant Selection/Negotiation	\$ _____	\$ <u>3,000</u>	\$ <u>0</u>
2 Preparation and Project Advisory Committee	\$ <u>770</u>	\$ <u>2,000</u>	\$ <u>770</u>
3 Economic Development Vision and Objectives	\$ <u>2,500</u>	\$ <u>2,500</u>	\$ <u>2,500</u>
4 Economic Trends Analysis	\$ <u>5,750</u>	\$ _____	\$ <u>5,750</u>
5 Buildable Lands Inventory and Site Suitability Analysis	\$ <u>12,250</u>	\$ <u>3,500</u>	\$ <u>12,250</u>
6 Implementation Policies and Action Measures	\$ <u>9,000</u>	\$ <u>4,000</u>	\$ <u>9,000</u>
7 Prepare Economic Opportunity Analysis	\$ <u>14,000</u>	\$ <u>1,500</u>	\$ <u>14,000</u>
8 Social Equity and Inclusiveness	\$ <u>5,500</u>	\$ <u>5,500</u>	\$ <u>5,500</u>
TOTAL	\$ <u>49,770</u>	\$ <u>22,000</u>	\$ <u>49,770</u>

Submit your application with all supplemental information to:

Gordon Howard, Community Services Division Manager

E-mail (preferred): DLCD.GFGrant@dlcd.oregon.gov

Mail: Department of Land Conservation and Development
635 Capitol Street N.E., Suite 150
Salem, OR 97301

Phone: 503-503-856-6935

APPLICATION DEADLINE: October 1, 2021

