



Amended 1-18-2022

**AGENDA
CANBY CITY COUNCIL
EXECUTIVE SESSION – 6:55 PM
REGULAR MEETING – 7:30 PM**

January 19, 2022

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

Register here to attend the meetings virtually:

https://us06web.zoom.us/webinar/register/WN_AXkHaa73Tcea0NlmQtmRGQ

The meetings can be viewed on CTV Channel 5 and YouTube:

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

Mayor Brian Hodson

Councilor Christopher Bangs
Councilor David Bajorin
Council President Traci Hensley

Councilor Sarah Spoon
Councilor Greg Parker
Councilor Shawn Varwig

EXECUTIVE SESSION – 6:55 PM

EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC. Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

1. CALL TO ORDER

2. EXECUTIVE SESSION: Pursuant to ORS 192.660 (2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

3. ADJOURN

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 Deputy City Recorder by 5:00 pm on January 19, 2022 with your name, the topic you'd like to speak on and contact information: benhamm@canbyoregon.gov or call 503-266-0720. 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. Approval of the Minutes of the November 17, 2021 Joint Work Session of Planning Commission and City Council and Regular City Council Meetings. Pg. 1
4. **RESOLUTION & ORDINANCE**
 - a. Consider **Resolution No. 1361**: A Resolution transferring appropriation authority from sewer collections to sewer wastewater expenditures. Pg. 9
 - b. Consider **Ordinance No. 1567**: An Ordinance authorizing the City Administrator to enter into Agreement #34634 with ODOT for 99E bus stop improvements in the City of Canby. *(First Reading)* Pg. 12
5. **NEW BUSINESS**
 - a. Discussion regarding Tree Removal. Pg. 38
 - b. Oregon Department of Transportation Tolling Program.
6. **MAYOR'S BUSINESS**
7. **COUNCILOR COMMENTS & LIAISON REPORTS**
8. **CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**
 - a. Bi-Monthly Reports Pg. 39
9. **CITIZEN INPUT**
10. **ACTION REVIEW**
11. **ADJOURN AND ENTER INTO EXECUTIVE SESSION.** *(Please note that the Council may enter back in to their regular meeting to consider an amendment to the City Administrator's Employment Contract.)*

Executive Session – 8:00 PM (Added 1/18/2022)
(Will begin after the City Council Meeting ends but not before 8:00 PM)

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announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

- 1. CALL TO ORDER**
- 2. EXECUTIVE SESSION:** ORS 192.660(2)(i) Performance Evaluation of Public Officer
- 3. ADJOURN EXECUTIVE SESSION AND RETURN TO **REGULAR SESSION**.**
- 4. NEW BUSINESS**
 - a. Consider amendment to the City Administrator's Employment Contract.
- 5. ADJOURN.**

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 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.

CANBY CITY COUNCIL & PLANNING COMMISSION
JOINT WORK SESSION
November 17, 2021

PRESIDING: Mayor Brian Hodson

COUNCIL PRESENT: Christopher Bangs, David Bajorin, Traci Hensley, Sarah Spoon, Greg Parker, and Shawn Varwig.

PLANNING COMMISSIONERS PRESENT: Chair John Savory, Jeff Mills, James Hieb, Jason Padden, and Michael Hutchinson.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, HR Director/City Recorder; Don Hardy, Planning Director; Jamie Stickel, Economic Development Director; and Maya Benham, Deputy City Recorder.

CALL TO ORDER: Mayor Hodson called the Work Session to order at 6:40 pm.

DISCUSSION REGARDING FRAMEWORK UPDATE FOR ZONING CODE CHANGES:

Don Hardy, Planning Director, said Canby's Title 16 Planning and Zoning Code needed updating. Long term updates would require information from other studies being completed over the next year. The need for urban boundary expansions would also be evaluated and the Transportation System Plan from 2010 needed to be updated as well. This was an informational work session, and additional work sessions on these topics would be held in 2022. Although, some code items had been updated over the years, the entire code had not been fully updated. These updates would also lead to the anticipated Comprehensive Plan and Transportation System Plan updates starting in the fall of 2022. The Housing Needs Analysis, Housing Production Strategy, and Economic Opportunities Analysis process would start in December 2021 and would finish by late fall of 2022. He explained the zoning code policy considerations that would be part of the HNA, HPS, and EOA processes. The possible near term code updates included a new food cart ordinance, Planning Commission public hearing process change so the applicant presented first instead of staff so that the applicant was carrying more of the burden of justifying the project based on code consistency, code text for a remand from City Council back to the Planning Commission, fences with focus on height restrictions, change of business use process, revision of subdivision plat extension timelines to match state law, making boundary line adjustments a Type 1 process instead of a Type 2 process with notice, and updates to the Historic Preservation chapter. The possible long term code updates included parking standards for commercial and industrial projects, residential zones: should there be more than three residential zones including consideration of an urban expansion area, residential setbacks, residential minimum lot sizes per zone and average lot size provisions, density transfer provisions, clarification for park land dedication acceptance, providing greater clarity of intent for the Areas of Special Concern, and adding a Public Facilities zone. He discussed the timeline for the near term and long term updates. It would take about six to nine months for the near term updates, and nine to 12 months for the long term updates. Some long term updates would require the HNA, HPS, and EOA to be completed first.

There was discussion regarding the public perception of increased traffic not aligning with the traffic studies in applications, making sure there were enough staff and resources to do the work, moving forward with food carts as quickly as possible, separating administrative approvals from those that should go to the Planning Commission, assessing the Urban Growth Boundary expansion, how the golf course skewed the buildable land numbers and should not be included, park land dedication matrix and including how much SDCs were being forgone by taking the land dedication, requiring Canby Utility to underground utilities, considering employment land reserves outside the UGB, how public involvement was critical, considering downtown height restrictions, parking downtown, requiring large housing buildings to have retail/commercial space on the first floor, funding for the TSP and Comprehensive Plan updates, making sure public facilities were not included in buildable lands, timeline for the work, making sure the update to the City's code happened soon after the HNA, HPS, and EOA were done, finding out the cost of the code updates and setting aside funds in the budget, and making sure private parks did not qualify for an SDC transfer.

DISCUSSION REGARDING TRANSPORTATION SYSTEM PLAN AND TRAFFIC WITH DKS CONSULTANTS:

Chris Maciejewski, DKS Associates, gave a presentation on transportation growth management. He discussed the range of services offered by DKS and other clients they served. He explained the long range planning context and Canby's TSP goals to develop and maintain a transportation system which was safe, convenient, and economical. Canby was expected to grow to a population of approximately 26,000 by 2030. Growth was evaluated using three major characteristics: trip generation, trip patterns, and trip routing. He discussed forecasting future demand, forecasted traffic increases from growth, outcomes of the Transportation System Plan, Traffic Impact Studies for land use applications, how infrastructure projects were implemented, how projects were funded, current bottle-necking issues, and planned solutions for the Walnut Street extension and Ivy multimodal improvements. Every 5-10 years, TSP updates were required. He explained the topics that should be considered in the scope of work for the next TSP update and next steps.

There was consensus to have a more robust discussion on transportation at a future date.

Mayor Hodson adjourned the meeting at 7:41 pm.

CANBY CITY COUNCIL REGULAR MEETING November 17, 2021

PRESIDING: Mayor Brian Hodson

COUNCIL PRESENT: Christopher Bangs, David Bajorin, Traci Hensley, Sarah Spoon, Greg Parker, and Shawn Varwig.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, HR Director/City Recorder; Erik Forsell, Associate Planner; Don Hardy, Planning Director; and Maya Benham, Deputy City Recorder.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:50 pm.

PRESENTATION REGARDING PICKLEBALL COURT DONATIONS: Jamie Stickel, Economic Development Director, announced the donations from Dr. Ashley McFerron and Mark and Laurie Shuholm. Dr. McFerron was not able to be in attendance tonight.

Mark Shuholm said he and his wife were honored to support the community. He presented the check to Mayor Hodson.

Mayor Hodson thanked them for the donation.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Jason Padden, Canby resident, said the Canby Industrial Park sign needed maintenance. He thought there should be a mid-year budget review.

CONSENT AGENDA:

****Council President Hensley moved to approve the minutes of the October 6, 2021 Special & Regular City Council Meetings and OLCC Off-Premises License from Conasuper Meat Market located at 733 1st Street in Canby. Motion was seconded by Councilor Varwig and passed 6-0.**

PUBLIC HEARING: ANN 21-01/ZC 21-02, Annexation of Approximately 42.5 Acres of Land into the Canby City Limits, Development Concept Plan, and Zone Change –

Mayor Hodson opened the public hearing and read the hearing statement.

CONFLICT OF INTEREST:

Councilor Bajorin – No conflict, plan to participate.

Councilor Bangs – No conflict, plan to participate.

Councilor Parker – No conflict, plan to participate.

Councilor Varwig – No conflict, plan to participate.

Councilor Spoon – No conflict, plan to participate.

Councilor Hensley – No conflict, plan to participate.

Mayor Hodson – No conflict, plan to participate.

EX PARTE CONTACT:

Councilor Spoon – Walked by the site regularly.

Councilor Bajorin – Did a recent job for one of the homeowners in this area, but did not discuss the application.

Councilor Parker – No contact.

Councilor Bangs – No contact.

Councilor Varwig – No contact.

Councilor Hensley – No contact.

Mayor Hodson – No contact.

STAFF REPORT: Erik Forsell, Associate Planner, presented the staff report. This was a request for approval of an annexation and zone change. He explained the process for annexations and zone changes. The subject area included three tax lots which were currently zoned Clackamas County Exclusive Farm Use and had significant frontage along the Molalla River. The Comprehensive Plan designations for the property were LDR (low density residential) and MDR (medium density residential). He reviewed the approval criteria. The zone change would rezone the properties from County EFU to City R-1 and R-1.5. The zoning was consistent with the Comprehensive Plan designations and this was not identified as an area of special concern in the Comprehensive Plan. There were no known deficiencies in services and facilities to serve future development of the site. The applicant proposed to annex approximately 42.5 acres of land into the City limits. The annexation area was subject to a Development Concept Plan. The area would be able to provide adequate infrastructure for future development. He showed maps of the conceptual water infrastructure plan, Development Concept Plan, conceptual stormwater infrastructure plan, conceptual sewer infrastructure plan with grading, and existing conditions plan. Staff evaluated the applicant's conservative analysis of the amount of available developable land and found that the additional supply would adequately contribute to reducing an identified deficit of developable R-1 and R-1.5 land. The applicant had been responsive to staff's request to provide detailed information related to the Molalla River interface area including wetland reports, geotechnical analysis, existing conditions surveys, and other material which detailed the current physical conditions of the property. The applicant conducted a neighborhood meeting on May 25, 2021 consistent with the requirements in the code. The applicant had provided conceptual infrastructure plans for the proposed annexation area that demonstrated future development would be adequately accommodated by future infrastructure. Park facilities would be reviewed and analyzed according to the code with coordination between the applicant, Parks Board, staff, and ultimately approval by the Planning Commission. Staff was aware of the recent park land dedication concerns and planned to thoroughly vet these during the subdivision process. A Transportation Planning Rule memorandum addressing the zone change and annexation was completed by DKS. A detailed traffic study was required for the subdivision which would further evaluate demands on the road network as a result of any future development. No additional facilities had been identified to meet increased demand outside of what would be typically reviewed in a new land division project. Staff found that the applicant was compliant with all relevant City ordinances and policies and State regulations. He then discussed the public comments that had been received and summarized the City Council's charge. The Planning Commission recommended approval by a 5/0 vote in favor. He explained the special recommended conditions for the application.

Questions for Staff: Mayor Hodson asked about the challenges to the sewer line layout. Mr. Forsell said there was some initial concern about using structural fill to facilitate gravity feed for the sewer lines. The applicant had given more details about that, and the City Engineer thought it was sufficiently addressed.

Mayor Hodson asked if the park land dedication had been taken to the Parks Board. Mr. Forsell said there had been initial discussions with the Board and there would be more discussions in the future. Staff intended to vet any park dedication as thoroughly as possible to follow the code and be transparent about the process.

Mayor Hodson asked how many houses were projected for this development in the R-1 area. Mr. Forsell said about 140-165 new homes.

Councilor Bangs asked who would build the roundabout on Ivy Street. Mr. Forsell said they would require the right-of-way for the roundabout from the applicant. Because the project was not in the capital improvement plan, they could not ask for an exaction to construct it. Until the City had the rights-of-way for all four corners, they could not construct the roundabout.

Applicant: Mimi Doukas, AKS Engineering, would be representing the applicant.

Dan Pahlisch and Jerry Jones, applicants, gave a background on Pahlisch Homes.

Ms. Doukas gave a project overview and discussed the annexation criteria. The Development Concept Plan showed infrastructure availability, forecasted single-family housing, connectivity with full access to Ivy Street and perimeter street extensions, and parks and open space including the Emerald Necklace Trail and HOA pocket park. She described the setbacks. The geotechnical report recommended the most conservative setback and the future homes had an additional 20 foot rear setback. The benefits of the project included implementing the City's land use pattern vision for the area, unlocking the southern edge of the Development Concept Plan Area, providing needed housing consistent with the Canby Comprehensive Plan, providing additional, high quality open space and multi-use trail per the Canby Parks and Recreation Master Plan, infrastructure improvements and connections, and System Development Charges.

Mayor Hodson asked about improvements to SE 16th and 17th. Ms. Doukas said those streets had $\frac{3}{4}$ improvements and the subdivision project would complete them. Regarding how many dwelling units, the subdivision application they were working on proposed 167 units across both zones. The majority would be in the R-1 zone, and about 20 were in the R-1.5.

Councilor Spoon asked about the intention of the pocket park, would it be privately owned or public land? Ms. Doukas said the internal park would be owned and maintained by the HOA and would have a public access easement. It would not have parking as it was meant to be a walk to park.

Proponents: None

Opponents: Kamal Salem, Canby resident, discussed his concerns about the setbacks to the bluff and safety of the walking path due to erosion.

Gene Bruno, Canby resident, requested the packet of information he had submitted previously be given to the City Council. Mr. Forsell said he would submit it for the subdivision application, which would address his chief concerns.

Mr. Bruno was also concerned about the setbacks. The Molalla was a meandering river and he thought erosion would be an issue. The emerald trail would dead end at private property. He was also concerned about safety of people walking on the bluff.

Don Hardy, Planning Director, noted Mr. Bruno's past comments were submitted for a different application that had a different design than what was being proposed. Staff had requested a geotechnical report to address the concerns, and the future subdivision application would address these issues further.

Dave DeVore, Canby resident, was concerned about the growth and how it would impact traffic and the City's infrastructure. He was also concerned about the burden of the HOA to maintain the park and how people would park on the street to use the park. He wanted to make sure the new construction would fit in with the current neighborhood.

Tyson Hemrich, Canby resident, was in support of the trail not ending at his private property, but routing it back up to 13th. He was concerned about the design plans and need for additional vegetation on the bank. He was also concerned about trespassing and erosion, especially with the recent rain. He suggested extending the buffer further. He questioned who would be responsible for the trail maintenance.

Mr. Bruno suggested the Council go to the site to look at the cliff and erosion.

Rebuttal: Ms. Doukas thought the geotechnical issues were more relevant for the subdivision application review process. A full geotechnical report was done for the site, which included test pits, measuring groundwater infiltration rates, and soil composition. They specifically looked at the stability of the bluff and the soil and developed a series of setbacks. The areas where there was sluffing had greater setbacks of over 100 feet. The areas that were more stable had a 50 foot setback.

Mayor Hodson suggested noting on the subdivision plans where those larger setbacks were located.

Ms. Doukas said the setback was measured from the top of bank per City code. Regarding the HOA bearing the cost of the park maintenance, this would be a separate HOA among the new residents, not the current HOA with the existing residents. The design had to follow what was in the Development Concept Plan and if it did change, it would be part of the review and vetted through a public process. The hard surface trail would be maintained by the City, and the landscape adjacent would be maintained by the HOA. The subdivision would provide on and off street parking. If people drove to the park, she thought there would be enough parking to accommodate that.

Mayor Hodson closed the public hearing.

Councilor Bangs asked about the pocket park dedication fulfilling the requirements of the code. He also asked if the nearby 20 acres in the DCP area that were not part of this application would also have a park. Mr. Forsell said those 20 acres would likely continue the emerald necklace trail. Every time land came into the City, there was a requirement for either dedication of park land or payment of SDCs in lieu of dedication.

Mr. Hardy said it was not a given that the City would consider the pocket park dedication. It would need to be evaluated and vetted at the subdivision level. The emerald necklace was different as it was memorialized in the plans and something the City desired.

Councilor Spoon said if the City did not own the land, she would like a legal determination for whether or not the pocket park qualified as a dedication in lieu of SDCs. Mr. Forsell said there was criteria that spoke to partial credit for private park space. Staff was sensitive to these issues and would be fully vetting them with the applicant.

Mayor Hodson said it had been a long term plan that the growth of the City would occur in this area. They were looking at the transportation and infrastructure systems to address the growth.

ORDINANCES & RESOLUTION:

Ordinance 1566 – ****Council President Hensley moved to approve Ordinance 1566, AN ORDINANCE PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 42.5 ACRES OF REAL PROPERTY DESCRIBED AS A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE QUARTER OF SECTION 3, THE NORTHEAST ONE QUARTER OF SECTION 4, AND THE SOUTHEAST ONE QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON ALSO IDENTIFIED AS CLACKAMAS COUNTY ASSESSORS' MAP AND TAX LOTS 41E03 02300, 41E04D 01200, AND 41E04D 01300. THIS ORDINANCE ALSO CONCURRENTLY AMENDS THE EXISTING COUNTY ZONING FROM EXCLUSIVE FARM USE (EFU) TO CITY LOW DENSITY RESIDENTIAL (R-1) AND MEDIUM DENSITY RESIDENTIAL (R-1.5) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS to come up for second reading on December 1, 2021. Motion was seconded by Councilor Spoon and passed 6-0 on first reading.**

Ordinance 1564 – Councilor Spoon said at the last meeting there was discussion about using SDCs for this project instead of the Park Maintenance Fee.

Scott Archer, City Administrator, said staff had yet to make that determination. He didn't see any reason for not using SDCs if that was Council's preference.

There was consensus to use SDCs for this project.

****Councilor Bangs moved to approve Ordinance 1564, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH LANDSCAPE STRUCTURES INC. TO PURCHASE A PICNIC SHELTER FOR LOCUST STREET PARK. Motion was seconded by Council President Hensley and passed 6-0 by roll call vote.**

Ordinance 1565 – ****Councilor Varwig moved to approve Ordinance 1565, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF RIGHT OF WAY FROM PAR 3 INVESTMENTS, LLC, PROUDEST MONKEY DEVELOPMENT, LLC, AND JAMES AND KAREN LYONS FOR THE FUTURE WALNUT STREET EXPANSION. Motion was seconded by Council President Hensley and passed 6-0 by roll call vote.**

Resolution 1360 – Jamie Stickel, Economic Development Director, said this was an extension of the Open Air Canby Program through June 30, 2022. Staff was working on opportunities for a potential permanent program.

Councilor Spoon wanted to specify that the outdoor space should be used for seating, not storage.

****Council President Hensley moved to approve Resolution 1360, A RESOLUTION ADOPTING A TEMPORARY PROGRAM FOR USE OF PRIVATE PARKING LOTS AND PRIVATE OUTDOOR AREAS as amended to add, “for immediate customer use”. Motion was seconded by Councilor Bangs and passed 6-0.**

MAYOR’S BUSINESS: Mayor Hodson said C4 discussed the affordable housing bond program and funding disbursement. This weekend residents could drop off leaves at Public Works. Light the Night would be held on December 3.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Parker reported on Canby Adult Center building maintenance.

Councilor Bajorin met with Fire Chief Davis.

Councilor Spoon congratulated the Canby Cougars on a great season. It was time for the Canby Kiwanis Food and Toy Drive. She thanked the Economic Development Department and Public Works for the Oregon Film Trail Sign installation.

Council President Hensley attended a meeting with ODOT regarding congestion pricing and a meeting on the Aurora Airport Master Plan. The Traffic Safety Commission learned about a Clackamas County safety campaign and was working on parking issues on South 2nd and 3rd.

Councilor Bangs reported on the School District meeting and Library Board meeting.

CITY ADMINISTRATOR’S BUSINESS & STAFF REPORTS: Mr. Archer reported on the bi-monthly reports in the Council packet. He introduced Maya Benham, new Deputy City Recorder. He gave an update on the Quiet Zone/Archway project.

Ms. Stickel gave an update on the Shop Small, Shop Canby Program.

CITIZEN INPUT: None

ACTION REVIEW:

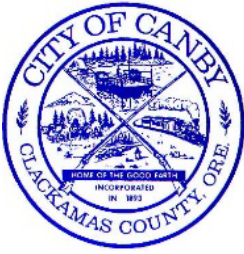
1. Approved the Consent Agenda.
2. Approved Ordinance 1566 to come up for second reading on December 1, 2021.
3. Adopted Ordinances 1564 and 1565.
4. Adopted Resolution 1360.

Mayor Hodson adjourned the meeting at 10:26 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood



City of Canby

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City Council Staff Report

DATE: January 19, 2022

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Jerry Nelzen, Public Works Director

ITEM: **Resolution No. 1361**: A Resolution transferring appropriation authority from sewer collections to sewer wastewater expenditures.

Summary

WWTP is taking over a portion of the storm water program which is a .75 full time employee dedicated to meet compliance and carry out permit conditions. This will ensure continued support to meet all storm water regulations as the City has been reporting to DEQ. WWTP will hire a full time employee which will be funded for the remaining portion of the year with already budgeted allocations from sewer/collections expenditures to continue meeting regulatory compliance.

Background

Due to employee turnover and program management, there will be a shift in responsibility of the storm water program oversight to the wastewater treatment plant. The re allocation of sewer expenditures will make it possible to hire an additional employee. This will serve the purpose of maintaining storm water oversight, program implementation and provide succession planning with no reduction in wastewater operations.

Discussion

One department having oversight of the city's DEQ regulated permits consolidates the responsibilities and leads to efficiencies in communications with DEQ as well as supervision over these important duties.

Attachments

Resolution No. 1361.

Fiscal Impact

The shift of work allocation results in no additional cost to the budget, at this time it appears there will be a reduction through the end of this fiscal year.

<u>Sewer Fund</u>	<u>Adopted</u>	<u>change</u>	<u>Proposed</u>
WWTP	1,404,103	25,000	1,429,103
Collections	1,989,549	(18,500)	1,971,049
Stormwater	223,316	18,500	241,816
Not Allocated		-	-
Personnel Services	33,214	-	33,214
Materials & Services	354,800	-	354,800
Transfers Out	336,930	-	336,930
Contingency	200,000	(25,000)	175,000
Total	4,541,912	-	4,541,912

Options

1. Authorize the transfer of appropriate authority
2. Deny the resolution and ask staff to find other ways to fund this position.

Recommendation

Staff recommends the Council pass the resolution as presented.

Proposed Motion

"I move to approve Resolution No. 1361 A RESOLUTION TRANSFERING APPROPRIATION AUTHORITY FROM SEWER COLLECTIONS TO SEWER WASTEWATER EXPEDITURES."

RESOLUTION NO. 1361

**A RESOLUTION TRANSFERRING APPROPRIATION AUTHORITY FROM
SEWER COLLECTIONS TO SEWER WASTEWATER EXPENDITURES.**

WHEREAS, the governing body may authorize some transfers of appropriation authority by passing a resolution, and

WHEREAS, the transfer of appropriation authority is a decrease of one existing appropriation and a corresponding increase of another existing appropriation, with no net change on the total amount of all appropriations, and

WHEREAS, the City of Canby desire the transferring of Sewer funds from a budgeted Utility position from Sewer Collections Expenditures to a Wastewater Operator position funded from Sewer/Wastewater treatment Plant Expenditures, and

WHEREAS, this transfer is necessary to help Canby Sewer and Storm water department meet current DEQ regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CANBY CITY COUNCIL, as follows:

The City of Canby hereby adopts a transfer of appropriation authority from sewer collections to sewer wastewater expenditures.

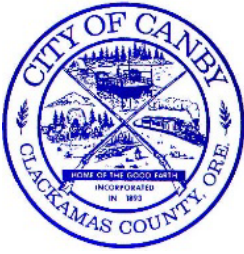
This Resolution shall take effect upon adoption.

ADOPTED this 19th day of January 2022, by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder



City of Canby

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

City Council Staff Report

DATE: January 19, 2022
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Todd M. Wood, Transit/Fleet Director
ITEM: Transit Services Contract RFP# CAT2021

Summary

In 2020 Canby Area Transit applied for and was awarded a grant to improve 10 bus stops along 99E within the City of Canby's Urban Growth Boundary. The project is tied to ODOT's project to resurface and improve the intersections along 99E. ODOT will prepare six of stops and the City will prepare four of the stops. The City will install shelters and benches at nine of the stops and a bench at one stop. The City will maintain the shelters and benches at all ten stops.

Background

Canby Area Transit owns and maintains two shelters along the CAT Route 99X. The existing shelters are at the Canby Transit Center in Canby. At the Route 99X bus stops in Oregon City and Woodburn riders enjoy the use of facilities owned and maintained by TriMet and Woodburn Transit Service. This leaves 37 unimproved bus stops on the CAT Route 99X along Highway 99E.

Bus shelters have long been a desire along the 99E corridor. The project to resurface 99E along with the availability of Federal funds represented the ideal time to add the much needed improvements to the system.

Discussion

In early 2019 the City had conversations with Robert DeVassie, ODOT Project Manager, regarding an ODOT project to resurface Highway 99E between Pine Street and Berg Parkway.

In 2020 the City applied for and was awarded 5339 Federal Grant fund in the amount of \$266,900 with a required 25% match in order to improve the 10 identified stops.

Improving Route 99X bus stops is specifically mentioned on pages 34 and 35 of Volume II: Transit Master Plan for Canby Area Transit (October 25, 2017).

The stops inside the Canby Urban Growth Boundary (CUGB) are designated as the Canby fixed-route service area and enjoy the most frequent bus service. The other stops along the Route 99X outside the CUGB are considered commuter service bus stops. The 10 stops identified in this request are highly used stops along the most congested section of the Route 99X. Improving these stops will be the first step toward improving all bus stops along the route. After evaluating the stop usage it was decided that the first stops to be improved should be the ones that have the most

frequent service, are most visible to Canby residents, and are also among the most frequently used bus stops.

This project includes engineering, permitting, property coordination, excavation, sidewalk and shelter construction and acquisition of required equipment to improve ten (10) CAT Route 99X bus stops along Highway 99E within the Canby Urban Growth Boundary. Six (6) of these bus stops are located within ODOT's 99E K18775 OR 99E Pine Street - Berg Parkway repaving project. The City has been working with Robert DeVassie, ODOT Project Manager to include the six (6) bus stop improvements in the scope of work for the repaving project. The four (4) additional stop improvements are north of the project area and within the Canby Urban Growth Boundary.

IGA# 34634 between ODOT and the city of Canby contains the agreement for ODOT to perform the above improvements on the six stops within the project area, the funding of the project for ODOT's portion and the maintenance agreement.

Attachments

Ordinance No. 1567

IGA 34634

Shelter Bid

Original Stop estimates

Fiscal Impact

The cost of the Project is as follows:

Estimated total project cost: \$375,000

Grants funds provided: \$266,900

Funds from CAT budget: \$108,100

This represents an estimate for the total project costs. The project was originally applied for in 2020 and as the planning has commenced the project has increased approximately \$35,000. The costs above reflect the estimated increases. There will be an estimate increase in annual maintenance costs of \$2000 for cleaning and repairs.

Recommendation:

Staff recommends to the Council that the City enter into IGA with the Oregon Department of Transportation Bus and Rail division to provide improvements for six bus stops along 99E in conjunction with the 99E improvement project.

Proposed Motion:

"I move to pass **Ordinance No. 1567**: An Ordinance authorizing the city administrator to enter into agreement #34634 with ODOT for 99E bus stop improvements in the City of Canby to a second reading on February 2, 2022."

ORDINANCE NO. 1567

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENT #34634 WITH ODOT FOR 99E BUS STOP IMPROVMENTS IN THE CITY OF CANBY.

WHEREAS, the City of Canby/Canby Area Transit (CAT) wish to add bus shelters and seating to 10 stops with 6 along 99E; and

WHEREAS, CAT received grant contract no.34228 from ODOT – Rail and Public Transit Division for \$266,900 in 5339 Capital funds to provide a portion of the funding to purchase and install 9 shelters and 10 benches with a match rate of 25%; and

WHEREAS, the estimated total cost of the project is \$375,000; and

WHEREAS, the grant funds including match and additional funds for the proposed project are included in the adopted budget for fiscal year 2021/22 for the City of Canby; and

WHEREAS, the project will work in conjunction with ODOT and the O99E project; and

WHEREAS, the IGA provides that the City of Canby will provide an initial sum of \$161,503 to begin the project; and

WHEREAS, the IGA provides that any amount which, when added to Agency's advance deposit, will equal 100 percent of actual total State costs for the Project will be paid by the City; and

WHEREAS, the City will purchase and install the shelters and benches; and

WHEREAS, ODOT will provide site and sidewalk improvements in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended; and

WHEREAS, the city agrees to take over maintenance of the shelters upon completion of the project.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

1. The City Administrator is hereby authorized and directed to make, execute and declare in the name of the City of Canby (Canby Area Transit) and on its behalf, Intergovernmental Agreement No. 34634 with the Oregon State Department of Transportation:

- Provide the initial funding of \$161,503 for six bus stop improvements along 99E for the quoted amount of One hundred sixty one thousand, five hundred and three dollars (\$161,503).
- Provide any amount which, when added to Agency's advance deposit, will equal 100 percent of actual total State costs for the Project.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, January 19, 2022 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, February 2, 2022 commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 222 NE 2nd Avenue, 1st Floor in Canby, Oregon.

Melissa Bisset, CMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd of February 2, 2022 by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder

INTERGOVERNMENTAL AGREEMENT
Funding Contribution: OR99E SW Berg Parkway (Canby)

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State," and the CITY OF CANBY, acting by and through its elected officials, hereinafter referred to as "Agency," each herein referred to individually as a "Party" and collectively as the "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, state agencies may enter into agreements with units of local government for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
2. State is currently engaged in the "OR99E: MP 20.35 – SW Berg Pkwy" project (the "OR99E Work") Key Number 18775.
3. Agency received federal grant money to construct ten transit stops within city limits. Six of these transit stops are within the boundaries of the OR99E Work.
4. The Parties agree that folding the design, pad construction, and right of way acquisition of these six transit stops into the OR99E Work will lead to increased efficiency and cost savings.
5. The purpose of this Agreement is to set forth the terms by which Agency will pay State for State to design, construct the pads for, and acquire necessary right of way for the six transit stops within the bounds of the OR99E Work.

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

TERMS OF AGREEMENT

1. State shall complete the design of, acquire all necessary right of way for, and construct the pads for six transit stops located in the City of Canby (the "Project"). The transit stops are set forth in more detail in the attached Exhibit A.
2. In consideration of State's work on the Project, Agency shall, upon receipt of a fully executed copy of this Agreement and upon a subsequent letter of request from State, forward to State an advance deposit or irrevocable letter of credit in the amount of \$161,503. Agency shall make such payment within thirty (30) days of receipt of written request from State.

3. Upon completion of the Project and receipt from State of an itemized statement of the actual total cost of State's work on the Project, Agency shall pay any amount which, when added to Agency's advance deposit, will equal 100 percent of actual total State costs for the Project. Any portion of the advance deposit which is in excess of State's total costs will be refunded or released to Agency.
4. Agency is responsible, at its own expense, for furnishing and installation of the transit stops shelters and benches as part of the Project. Once the transit stops are constructed, Agency is responsible for all costs associated with maintenance of the transit stops.
5. Agency certifies that sufficient funds are available and authorized for expenditure to pay State for the services rendered under this Agreement.
6. The term of this Agreement begins on the date all required signatures are obtained and terminates upon completion of the Project or ten years following the date all required signatures are obtained, whichever is sooner.
7. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.
8. Agency shall perform the service under this Agreement as an independent contractor and shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform work under this Agreement, including, but not limited to, retirement contributions, workers compensation, unemployment taxes, and state and federal income tax withholdings.
9. This Agreement may be terminated by mutual written consent of both Parties.
10. State may terminate this Agreement, effective upon delivery of written notice to Agency or at such later date as may be established by State, under any of the following conditions:
 - a. Agency fails to provide payment to State as set forth in this Agreement within the time specified herein or any extension thereof;
 - b. State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement;

- c. federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or State is prohibited from paying for such work from the planned funding source.

11. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

12. Americans with Disabilities Act Compliance:

- a. When the Project scope includes work on sidewalks, curb ramps, or pedestrian-activated signals or triggers an obligation to address curb ramps or pedestrian signals, the Parties shall:
 - i. Utilize ODOT standards to assess and ensure Project compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended (together, "ADA"), including ensuring that all sidewalks, curb ramps, and pedestrian-activated signals meet current ODOT Highway Design Manual standards;
 - ii. Follow ODOT's processes for design, construction, or alteration of sidewalks, curb ramps, and pedestrian-activated signals, including using the ODOT Highway Design Manual, ODOT Design Exception process, ODOT Standard Drawings, ODOT Construction Specifications, providing a temporary pedestrian accessible route plan and current ODOT Curb Ramp Inspection form;
 - iii. At Project completion, send a completed ODOT Curb Ramp Inspection Form 734-5020 to the address on the form and to State's Project Manager for each curb ramp constructed or altered as part of the Project. The completed form is the documentation required to show that each curb ramp meets ODOT standards and is ADA compliant. ODOT's fillable Curb Ramp Inspection Form and instructions are available at the following address:

<https://www.oregon.gov/ODOT/Engineering/Pages/Accessibility.aspx>
- b. Agency shall ensure that any portions of the Project under Agency's maintenance jurisdiction are maintained in compliance with the ADA throughout the useful life of the Project. This includes, but is not limited to, Agency ensuring that:
 - i. Pedestrian access is maintained as required by the ADA,
 - ii. Any complaints received by Agency identifying sidewalk, curb ramp, or pedestrian-activated signal safety or access issues are promptly evaluated and addressed,

- iii. Agency, or abutting property owner, pursuant to local code provisions, performs any repair or removal of obstructions needed to maintain the facility in compliance with the ADA requirements that were in effect at the time the facility was constructed or altered,
 - iv. Any future alteration work on Project or Project features during the useful life of the Project complies with the ADA requirements in effect at the time the future alteration work is performed, and
 - v. Applicable permitting and regulatory actions are consistent with ADA requirements.
- c. Maintenance obligations in this section shall survive termination of this Agreement.
13. If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Agency with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.
14. With respect to a Third Party Claim for which State is jointly liable with Agency (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Agency in such proportion as is appropriate to reflect the relative fault of State on the one hand and of Agency on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Agency on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.
15. With respect to a Third Party Claim for which Agency is jointly liable with State (or would be if joined in the Third Party Claim), Agency shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such

proportion as is appropriate to reflect the relative fault of Agency on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Agency on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Agency's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

16. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to the specific Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment (or completion of Project -- if applicable.) Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.
17. The Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.
18. State's Project Manager for this Project is Robert DeVassie, Project Manager, 123 NW Flanders Street, Portland, OR 97209, 503-731-4996, robert.j.devassie@odot.state.or.us, or assigned designee upon individual's absence. State shall notify the other Party in writing of any contact information changes during the term of this Agreement.
19. Agency's Project Manager for this Project is Jerry Nelzen, Operations Supervisor, 1470 NE Territorial Road PO Box 930, Canby, OR 97013, 503-266-0759, nelzenj@canbyoregon.gov, or assigned designee upon individual's absence. Agency shall notify the other Party in writing of any contact information changes during the term of this Agreement.
20. Agency certifies and represents that the individuals signing this Agreement are authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, and to legally bind Agency.
21. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
22. This Agreement constitutes the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or

written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

Signature Page to Follow

This Project is in the 2021-2024 Statewide Transportation Improvement Program (STIP), (Key #18775) that was adopted by the Oregon Transportation Commission on July 15, 2020 (or subsequently approved by amendment to the STIP).

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

CITY OF CANBY, by and through its elected officials

By _____

Date _____

By _____

Date _____

APPROVED AS TO FORM

By _____

Date _____

Agency Contact:

Jerry Nelzen, Operations Supervisor
1470 NE Territorial Rd PO Box 930
Canby, OR 97013
503-266-0759
nelzenj@canbyoregon.gov

STATE OF OREGON, by and through its Department of Transportation

By _____

Region 1 Manager

Date _____

APPROVAL RECOMMENDED

By _____

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By Serena Hewitt

Assistant Attorney General

Date via email dated October 29, 2021

State Contact:

Robert DeVassie, Project Manager
123 NW Flanders Street
Portland, OR 97209
503-731-4996
robert.j.devassie@odot.state.or.us

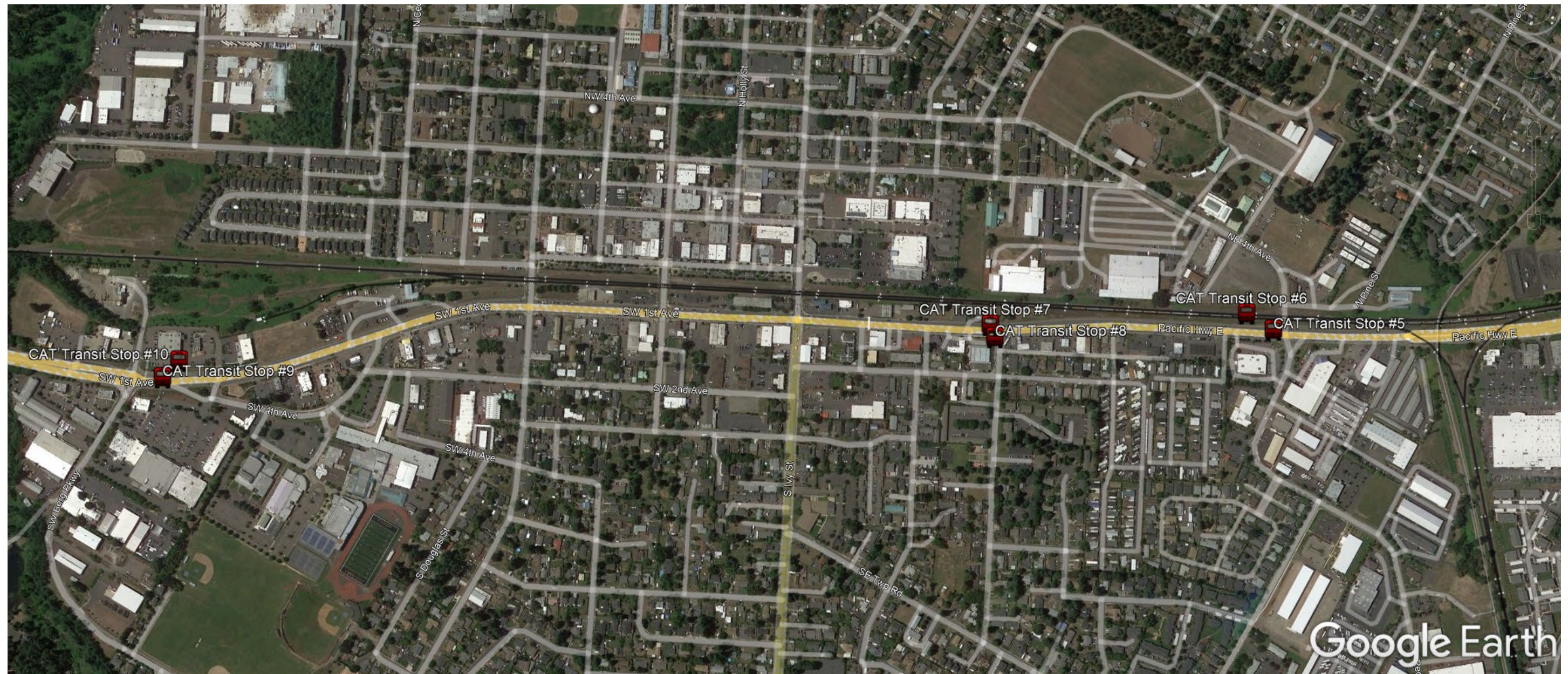


EXHIBIT A



QUOTE

Quote Number: 092920LS02
 Quote Date: September 29, 2020
 Quote Expiration: 30 Days from Quote Date
 Return to: lsweeney@brasco.com

Quoted for:

Todd Wood
 Canby Area Transit
woodt@canbyoregon.gov
 (503) 266-0751

PREPARED BY		PROJECT NAME	PAYMENT TERMS (WITH APPROVED CREDIT)	LEAD TIME	
Lauren Sweeney		Slimline Series Shelter	Net 30 Days	±16-18 Weeks from Approvals	
QTY	ITEM	DESCRIPTION		UNIT PRICE	TOTAL
9	SL-0508-F-0-AR-PC-TG	5' x 8' Slimline Series Aluminum Structure Three Sided; Full Side Walls with Open Front Clear or Dark Bronze Anodized Aluminum Finish 1/4" Clear Tempered Safety Glass Wall Panels Arched Roof with Clear, White, or Bronze Structured Polycarbonate Glazing		\$4,350	\$39,150
Option 1	Powder Coat Finish	Powder Coat Painted Finish In Lieu of Standard Anodized Finish		\$700	Not Included
Option 2	Solar Lighting Package	Solar Lighting Package with Solar Panel, Battery, Solar Controller, Vented Aluminum Enclosure and LED Lighting		\$1,475	Not Included
Option 3	Display Case	Wall-Mount Aluminum Display Case in Matching Finish with Tamper-Proof Hardware for Changing Media		\$275	Not Included
Option 4	Bench	4' Wall Mount Aluminum Bench with Backrest in Matching Finish		\$200	Not Included
				Subtotal	\$39,150
				Freight	Included
				Total	\$39,150

This is a quotation on the above products listed and is subject to the conditions noted below.

Prices are subject to change after quote expiration date. Payment terms are subject to change per Brasco's Financial Credit Approval Process. Offloading shipments is the responsibility of the customer. Please note that a forklift with 8' forks is required unless otherwise noted in writing. Structures must be anchored into concrete or as otherwise specified; all anchoring hardware is included. Structural Engineering with Stamped Drawings and Structural Calculations are an additional \$975 if required and are not included in the pricing. Installation is not included and is required. Lead time begins after all approvals including drawings, color selections, applicable deposits, etc.

Our lead times have temporarily increased due to COVID-19 Our production team is doing everything possible to return our lead times to normal. Thank you for your understanding and patience.

Signature of Acceptance*

Date

Print Name

Title

**The above prices, specifications and conditions are satisfactory and are hereby accepted. Brasco International, Inc. is authorized to proceed with the supply of products as noted. Brasco International, Inc. is a vendor and not a contractor or subcontractor. Brasco International, Inc. is not subject to any payment retainage or liquidated damages. All Brasco standard terms and conditions of sale apply.*

We Thank You For Your Business



32400 Industrial Dr. Madison Heights, MI 48071 • P: (313) 393-0393 F: (313) 393-0499



QUOTE

Quote Number: 092920LS02
 Quote Date: September 29, 2020
 Quote Expiration: 30 Days from Quote Date
 Return to: lsweeney@brasco.com

Quoted for:

Todd Wood
 Canby Area Transit
woodt@canbyoregon.gov
 (503) 266-0751

PREPARED BY	PROJECT NAME	PAYMENT TERMS (WITH APPROVED CREDIT)	LEAD TIME
Lauren Sweeney	Slimline Series Shelter	Net 30 Days	±16-18 Weeks from Approvals



5' x 8' Slimline Series Aluminum Structure
 Three Sided; Full Side Walls with Open Front
 Clear or Dark Bronze Anodized Aluminum Finish
 1/4" Clear Tempered Safety Glass Wall Panels
 Arched Roof with Clear, White, or Bronze Structured Polycarbonate Glazing

32400 Industrial Dr. Madison Heights, MI 48071 • P: (313) 393-0393 F: (313) 393-0499





Brasco International, Inc. ("Brasco") Standard Terms and Conditions of Sale

The Brasco International, Inc. Standard Terms and Conditions of Sale ("Terms and Conditions") are incorporated herein by reference and form part of this agreement. This quotation shall be valid for 30 days unless otherwise withdrawn by Brasco prior to Purchaser accepting. Purchaser's issuance of either a purchase order or an acceptance shall constitute an acceptance of the Brasco Terms and Conditions. Acceptance shall be in writing. Any additional terms or modifications to the Brasco Terms and Conditions proposed by Purchaser, whether in a purchaser order or otherwise, are expressly rejected by Brasco and not part of the agreement between Brasco and Purchaser. The agreement between Brasco and the Purchaser shall be referred to herein and in the Brasco Terms and Conditions as the "Contract". This quote constitutes an offer to sell products and services on terms expressed herein and shall be construed as inviting acceptance from the Purchaser.

Terms of Payment. Notwithstanding anything contained herein, payment shall be due in accordance with the terms of Brasco's Acknowledgment ("Acknowledgment"), which will be generated upon receipt by Brasco of the Purchaser's signature on the Quote or receipt by Brasco of the Purchaser's signature on the Acknowledgment. An invoice will be generated by Brasco pursuant to the terms of payment under the Contract once Brasco has completed the Order, and the due date for the payment of balance due under the Contract shall be on the invoice.

Warranties. Components not manufactured by Brasco shall be covered by their relevant manufacturer's warranty only. Brasco Products must be installed in accordance with Brasco's installation instructions. The workmanship, design and machined components on the Products are warranted to conform to the applicable specifications and to be free from defects in workmanship and materials for the relevant period listed in Fig. 1. All warranties begin from the date of delivery (DOD). Brasco will transfer ownership and good title to the Products free and clear of liens and rights of third parties. **THE FOREGOING WARRANTIES ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, ARISING BY LAW OR CUSTOM, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. ALL IMPLIED WARRANTIES ARE HEREBY EXPRESSLY DISCLAIMED.**

FIG. 1: STANDARD PRODUCT WARRANTIES FROM DATE OF DELIVERY

General Product Workmanship	1 Year
Powder Coat Finish	2 Years for Aluminum Products, 1 Year for Steel Products
Solar Panels	2 Years Per Manufacturer's Warranty
Solar Lighting Mounting Hardware	1 Year
LED Light Fixture & Engine	3 Years
Wire Harnesses and Connectors	3 Years
Solar Charge Controller	3 Years
Solar Batteries	3 Year Proration (0-12 months: 100%, 13-24 months: 50%, 25-36 months: 25% refunded / applied). Sealed lead acid batteries will self-discharge in storage. Batteries should be stored indoors at a recommended 68 degrees Fahrenheit for max. shelf life. <u>Batteries should be installed no later than 3 months of delivery or battery warranties will be void.</u>

Limited Remedies. Any warranty claims by Purchaser shall be communicated to Brasco in writing. Failure by Purchaser to give written notice of claim within the stated warranty period shall be deemed an absolute and unconditional waiver of Purchaser's warranty claim. Purchaser's sole and exclusive remedy for a valid warranty claim is either repair or replacement of the Products or a full refund of the price paid by Purchaser for the Products (which remedy shall be selected by Brasco). The remedy does not include the cost of installation, removal, dismantling, or reinstallation and is limited to replacement parts. Shipping and handling fees are not included under warranty terms and are the responsibility of the Purchaser. Purchaser will provide Brasco with access to all available warranty data and the Products. Purchaser will also provide Brasco with an opportunity to participate in root cause analysis performed by Purchaser concerning the Products. Brasco shall have no liability to the extent Products are or have been: (a) modified by Purchaser or a third party; (b) modified by Brasco at Purchaser's request; (c) made to specifications not provided by Brasco; (d) used or installed in a way not known to Brasco or operated under conditions not known to Brasco; or (e) subject to misuse, abuse or improper storage, installation or maintenance.

Payment Late Charges, Certain Remedies and Recovery of Expenses. Except as otherwise provided in the Acknowledgment, all payments are due thirty (30) days from the date of Brasco's invoice and shall be paid in United States currency. Purchaser shall pay a charge equal to the lesser of (i) the highest rate allowable by law or (ii) 1.5% per month (18% per annum) of the unpaid balance with respect to any late payments. In addition, Purchaser shall pay all costs and expenses incurred by Brasco, including actual attorney's fees, which were incurred in connection with enforcing the Contract and/or collecting any past due payments. Brasco shall have the right of setoff, the right to terminate the Contract and/or the right to suspend further deliveries under the Contract and/or other agreements with Purchaser, the right to recover damages in addition to any other remedies available to Brasco as a matter of law, in the event Purchaser fails to make any payment when due. Brasco may require full or partial payment in advance of shipment if, in Brasco's opinion, the credit or financial condition of Purchaser is, or is about to become, impaired. If Purchaser requests delayed shipment, Brasco may bill for Products when ready for shipment and charge reasonable daily storage fees. Purchaser shall not have any right of setoff against Brasco. The remedies available to Brasco for Purchaser's breach are intended to be as flexible as permissible and cumulative to the fullest extent permissible and no choice of any one or more remedies is intended to constitute an election of remedies which would limit the ability to assert other remedies.





Brasco International, Inc. ("Brasco") Standard Terms and Conditions of Sale

Limitation of Liability:

NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, EXCEPT FOR BREACH OF OBLIGATIONS OF CONFIDENTIALITY OR MISAPPROPRIATION OF INTELLECTUAL PROPERTY, NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY FOR ANY SPECIAL, INCIDENTAL, INDIRECT, CONSEQUENTIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND ARISING FROM OR RELATING TO THE OBLIGATIONS UNDER THIS CONTRACT. THE TERM "CONSEQUENTIAL DAMAGES" SHALL INCLUDE, BUT NOT BE LIMITED TO, LOSS OF ANTICIPATED PROFITS, LOSS OF USE, LOSS OF REVENUE AND COST OF CAPITAL. NEITHER PARTY MAY BRING ANY ACTION, REGARDLESS OF FORM, ARISING OUT OF TRANSACTIONS UNDER THE CONTRACT, MORE THAN TWO (2) YEARS AFTER THE CAUSE OF ACTION HAS ACCRUED. EXCEPT FOR PERSONAL INJURY OR DEATH DUE TO BRASCO'S MISCONDUCT, the parties agree that the total damages that can be awarded in any claim by PURCHASER relating to BRASCO's obligations under this CONTRACT (WHETHER BASED IN CONTRACT, TORT OR OTHERWISE), shall not exceed the combined total of amounts paid by PURCHASER to BRASCO under the CONTRACT. THE PARTIES EXPRESSLY AGREE THAT THE ABOVE LIMITATIONS ON LIABILITY PROVISIONS SHALL REMAIN IN FULL FORCE AND EFFECT EVEN IF IT IS FOUND THAT PURCHASER'S EXCLUSIVE REMEDY FAILS OF ITS ESSENTIAL PURPOSE.

Cancellation. A. Purchaser may cancel an order for "Convenience" via written notice to Brasco within 5 business days from the date of receipt by Brasco of the Purchaser's signature on the Quote or receipt by Brasco of the Purchaser's signature on the Acknowledgment and no cancellation fee shall be due Brasco. Cancellations of orders for reasons other than for Convenience as referred to above must be in writing and agreed to in advance by Brasco. Such cancellations are subject to a cancellation charge equal to the greater of the actual costs incurred by Brasco during the performance period or a 50% cancellation fee.

Shipping and Delivery. Brasco shall not be liable for delays or failure in performance when caused by circumstances beyond Brasco's reasonable control. If Purchaser does not provide shipping and routing instructions, Brasco shall be the sole judge of the best method of routing shipment. All sales of Products are F.O.B. Brasco's plant. Risk of loss of the Products shall transfer to Purchaser upon delivery of the Products to the common carrier.

Modifications and Delays. Brasco reserves the right to modify or change portions of this Contract should any assumptions specified be determined to be incorrect, or if new/ additional information relative to this Contract become available.

Termination by Brasco. In addition to any other rights to terminate the Contract or suspend performance under the Contract, (A) Brasco may, upon written notice to Purchaser immediately terminate all or any part of the Contract or suspend performance under the Contract, without any liability to the Purchaser and without waiving its right to damages, (a) if Purchaser (i) repudiates, breaches, or threatens to breach any of the terms of the Contract, (ii) fails to accept or threatens not to accept Products in accordance with the Contract, (iii) fails to make timely payment, or (b) upon the occurrence or threat of insolvency or bankruptcy of Purchaser; (B) Purchaser shall purchase and pay Brasco immediately for all unique raw materials, work in process and finished goods under the Contract; (C) Purchaser shall reimburse Brasco for all preparation and other expenses incurred by Brasco and/or its subcontractors in connection with the Contract and for all other losses and costs arising from the termination.

Lead Times. Lead time is the window of time necessary to complete an order, after the approvals process is complete. The approvals process includes satisfying Brasco's credit terms and written approval of Brasco's preliminary engineering drawings. Once all approvals are complete, the lead time begins, wherein detailed engineering paperwork is completed, stamped calculations are ordered, material is purchased, and the order is fabricated. For orders that endure a lengthy approvals process, lead times may shift between the time the order was placed and approved. Additionally, third party lead times and availability can directly impact Brasco's lead times, therefore Brasco shall not be liable for any damages (actual or liquidated) caused by acts outside of its control that arise from third party suppliers.

Change Orders. Design, material, finish and quantity changes by the Purchaser to an order after preliminary engineering approval drawings are provided by Brasco are subject to a Change Order fee. Fees include a minimum administrative fee of \$105.00, with relevant material cost and additional labor fees applied.

Purchaser Approvals. In accordance with the terms of this Contract, Purchaser agrees to timely execute and return to Brasco an approval of each set of drawings provided to Purchaser by Brasco including, but not limited to, Preliminary Elevation Drawings and Detailed Engineering Drawings. Failure by the Purchaser to timely execute and return to Brasco an approval of drawings provided by Brasco negatively affects lead time of the order and if same occurs, Brasco in its sole discretion shall have the unilateral right to increase the lead time to complete and deliver the order to the Purchaser or terminate the Contract.

Rejections and Returns. Purchaser will be deemed to have inspected and accepted all delivered Products unless written notice of rejection specifying the basis therefore in reasonable detail, is provided to Brasco within 10 days after delivery. Purchaser may not return Products that are not timely rejected without Brasco's prior written approval.

Taxes. A 6% Sales tax will be billed to Michigan businesses, entities and municipalities as applicable under Michigan State law. If your business is tax exempt, please provide a Sales Tax-Exempt Certificate. Sales tax will not be billed to businesses, entities and municipalities outside the jurisdiction of the State of Michigan and is the sole responsibility of said entity to pay within its respective jurisdiction where applicable.

Governing Law, Jurisdiction and Venue. The Contract shall be governed by and construed in accordance with the laws of the State of Michigan without reference to the choice of law principles thereof. Each party irrevocably submits to the jurisdiction of the Courts of the State of Michigan and the United States District Court for the Eastern District of Michigan and hereby waives, to the fullest extent it may effectively do so, the defense of an inconvenient forum to the maintenance of such action or proceeding.

Severability. If any provision of this Agreement is or becomes illegal, void or invalid, that shall not affect the legality and validity of the other provisions.



32400 Industrial Dr. Madison Heights, MI 48071 • P: (313) 393-0393 F: (313) 393-0499



City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

1. Territorial Road / Highway 99E Northbound:

This existing CAT stop is located within the ODOT right-of-way, on the northbound shoulder of Highway 99E at Territorial Road. This stop will require construction of concrete flatwork to accommodate a bus turnout and the pedestrian shelter with solar power. There is adequate right-of-way available in this low density residential area to install the improvement under an ODOT permit.

The shelter will be setback from the edge of the travel surface to meet the ODOT clear zone required for 45 mph speed zone. Flat work would include a bus turnout to provide a minimum of a 12' lane outside of the fog line.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

1. Territorial Rd Hwy 99E Northbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$5,000	\$5,000
2	Common Ex/Embankment	All	LS	2,500	2,500
3	Sidewalk/Turnout	400	SF	25	10,000
4	Shelter Structure	All	LS	9,000	9,000
5	Site Restoration	All	LS	2,000	2,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Engr & Contingency	25	%	7,750	7,750
				TOTAL	\$38,750

City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

2. Territorial Road / Highway 99E Southbound:

This existing CAT stop is located immediately south of the Territorial Road intersection with Highway 99E, and is adjacent to the Union Pacific Railroad. There is a depth of 30 feet from the existing fog line in the highway to the Railroad property line, which is adequate to install the shelter and meet the ODOT clear zone setback of 20 feet for a 45 mph speed zone.

This stop will require construction of concrete flatwork, a paved bus turnout, a pedestrian shelter and fencing to isolate the railroad. A railroad permit should not be required, but CAT will coordinate closely with the railroad to avoid any conflicts.



An estimated cost to install the flatwork, shelter with solar power, and site restoration is estimated below:

2. Territorial Rd Hwy 99E Southbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$5,000	\$5,000
2	Common Ex/Embankment	All	LS	2,500	2,500
3	Sidewalk/Turnout	400	SF	25	10,000
4	Shelter Structure	All	LS	9,000	9,000
5	Fencing & Restoration	All	LS	5,000	5,000
6	ODOT Permitting	All	LS	2,500	2,500
7	UP Railroad Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	8,750	8,750
				TOTAL	\$43,750

City of Canby

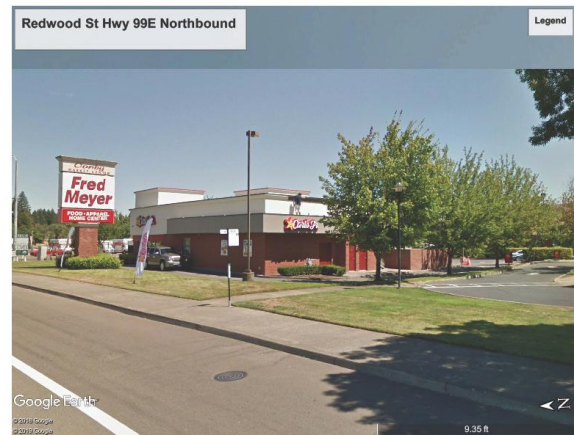
Canby Area Transit TRANSIT STOP IMPROVEMENTS

3. Redwood Street / Highway 99E Northbound:

This existing CAT stop is located at the intersection of Redwood Street/Sequoia Parkway and Highway 99E, adjacent to the Canby Market Center. This site will require coordination with the Market Center property owner to locate the shelter.

This stop has existing curb and sidewalk and is ADA assessable. The improvements will require concrete flatwork for the pedestrian shelter and only minimal additional site improvements. This shelter has an available City power supply approximately 250 feet away, so has the option of powered or solar lighting.

The shelter will be set to the back of the existing sidewalk and may require a design exception from ODOT to reduce the clear zone requirement.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

3. Redwood Street / Highway 99E Northbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Shelter Structure	1	EA	9,000	9,000
5	Site Restoration	All	LS	1,000	1,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Property Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	5,000	5,000
				TOTAL	\$25,000

City of Canby

Canby Area Transit TRANSIT STOP IMPROVEMENTS

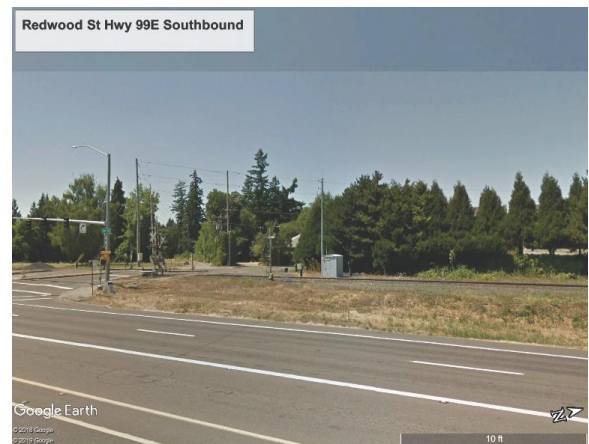
4. Redwood Street / Highway 99E Southbound:

Similar to Pine Street and Territorial Road, This existing CAT stop is located within the ODOT right-of-way, on the southbound shoulder of Highway 99E at Redwood Street. The public right-of-way abuts the Union Pacific Railroad, with approximately 28 feet from the fog line to the railroad property line.

This stop will include construction of concrete flatwork to accommodate a bus turnout, solar powered pedestrian shelter and approximately 100 feet of sidewalk to connect to the existing intersection and railroad crossing.

There is marginally adequate right-of-way available in this low density residential area to install the improvement under an ODOT permit. The shelter will be setback from the edge of the travel surface to meet the ODOT clear zone required for 45 mph speed zone.

A design exception can be secured to install the shelter with an 18 foot clear zone to the fog line. Fencing will be installed to isolate the railroad from the shelter.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

4. Redwood Street / Hwy 99E Southbound					
	Item	Quantity	Units	Unit Cost	Total
1	Mobilization, Ins, TPDT	All	LS	\$5,000	\$5,000
2	Common Ex/Embankment	All	LS	2,500	2,500
3	Sidewalk/Turnout	1,000	SF	20	20,000
4	Shelter Structure	All	LS	9,000	9,000
5	Fencing & Restoration	All	LS	5,000	5,000
6	ODOT Permitting	All	LS	2,500	2,500
7	UP Railroad Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	11,250	11,250
				TOTAL	\$56,250

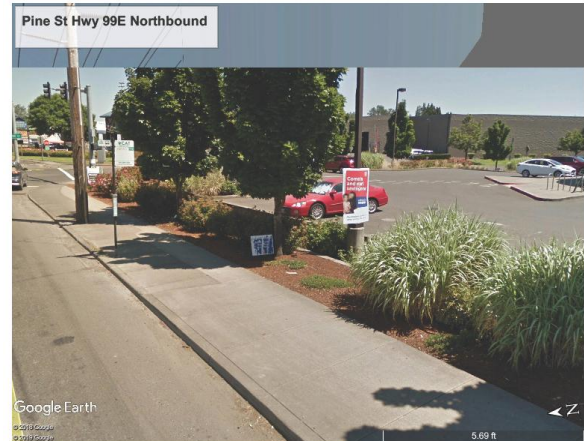
City of Canby

**Canby Area Transit
TRANSIT STOP IMPROVEMENTS**

5. Pine Street / Highway 99E Northbound:

This existing CAT stop is located adjacent to a commercial area with existing accessible sidewalk and landscape improvements. The depth of the available right-of-way and landscape area will require an ODOT design exception for the shelter construction to reduce the clear zone requirement.

This stop will require ODOT permitting and coordination with the adjacent commercial property owner. The construction will include concrete flatwork behind the sidewalk to accommodate the new pedestrian shelter with solar powered lighting.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

5. Pine Street / Highway 99E Northbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Shelter Structure	1	EA	9,000	9,000
5	Site Restoration	All	LS	1,000	1,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Property Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	5,000	5,000
				TOTAL	\$25,000

City of Canby

Canby Area Transit TRANSIT STOP IMPROVEMENTS

6. Pine Street / Highway 99E Southbound:

Similar to the Redwood Street and the Territorial Road shelter locations, this existing CAT stop is located within the ODOT right-of-way, on the southbound shoulder of Highway 99E at Pine Street. The public right-of-way abuts the Union Pacific Railroad, with approximately 15 feet from the fog line to the railroad property line.

This stop will require construction of concrete flatwork to accommodate a bus turnout, the solar powered pedestrian shelter and approximately 120 feet of sidewalk to connect to the existing intersection and railroad crossing. This site serves the Clackamas County Event Center with heavy use during events.

The shelter will require approval from the railroad and/or a waiver of the ODOT clear zone requirement.

Fencing will be installed to isolate the railroad from the shelter.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

6. Pine Street / Hwy 99E Southbound					
	Item	Quantity	Units	Unit Cost	Total
1	Mobilization, Ins, TPDT	All	LS	\$5,000	\$5,000
2	Common Ex/Embankment	All	LS	2,500	2,500
3	Sidewalk/Turnout	1,000	SF	20	20,000
4	Shelter Structure	All	LS	9,000	9,000
5	Fencing & Restoration	All	LS	5,000	5,000
6	ODOT Permitting	All	LS	2,500	2,500
7	UP Railroad Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	11,250	11,250
				TOTAL	\$56,250

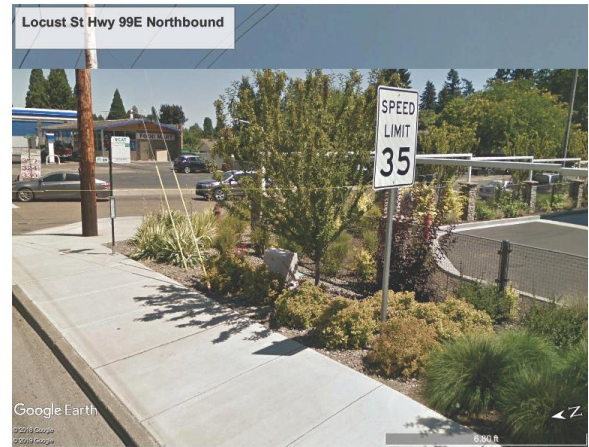
City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

7. Locust Street / Highway 99E Northbound:

This stop is located adjacent to a commercial area with existing accessible sidewalk and landscape improvements. The depth of the available right-of-way and landscape area will require an ODOT design exception for the shelter construction to reduce the clear zone requirement.

This stop will require ODOT permitting and coordination with the adjacent commercial property owner. This station is intended to be designed jointly with the stop on South Locust, approximately 150 feet away. One shelter will serve both stations.

The construction will include concrete flatwork behind the sidewalk to accommodate the new pedestrian shelter with solar powered lighting.



An estimated cost to install the flatwork, shelter and site restoration is estimated below

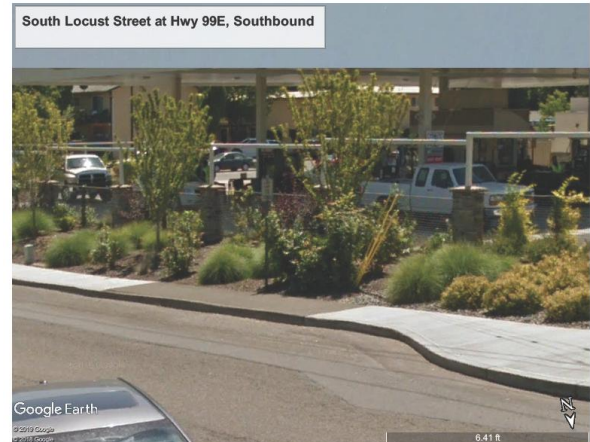
7. Locust Street / Highway 99E Northbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Shelter Structure	1	EA	9,000	9,000
5	Site Restoration	All	LS	1,000	1,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Property Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	4,750	4,750
				TOTAL	\$24,750

City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

8. South Locust Street at Highway 99E:

This stop will be designed jointly with the Locust Street Highway 99E Northbound station, which is approximately 150 feet west. This location will be designed with minimal improvements, including some pedestrian seating and minimally weather protection.

This stop will require ODOT permitting and coordination with the adjacent commercial property owner. The construction will include concrete flatwork behind the sidewalk to accommodate the new pedestrian shelter with solar powered lighting. The City right-of-way width is adequate to accommodate the proposed improvement.



An estimated cost to install the flatwork, seating and site restoration is estimated below:

8. Southbound South Locust Street at Hwy 99E					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Seating Structure	1	EA	4,000	4,000
5	Site Restoration	All	LS	1,000	1,000
6	Engr & Contingency	25	%	2,875	2,875
				TOTAL	\$14,375

City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

9. Berg Parkway / Highway 99E Northbound:

This existing CAT stop is located adjacent to a commercial area with existing accessible sidewalk and landscape improvements. There is adequate public right-of-way to provide the required clear zone without encroaching on the adjacent property.

This stop will require ODOT permitting and coordination with the adjacent commercial property owner. The construction will include concrete flatwork behind the sidewalk to accommodate the new pedestrian shelter with solar powered lighting. The existing site is fully ADA accessible.



An estimated cost to install the flatwork, shelter and site restoration is estimated below:

9. Pine Street / Highway 99E Northbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Shelter Structure	1	EA	9,000	9,000
5	Site Restoration	All	LS	1,000	1,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Property Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	4,750	4,750
				TOTAL	\$24,750

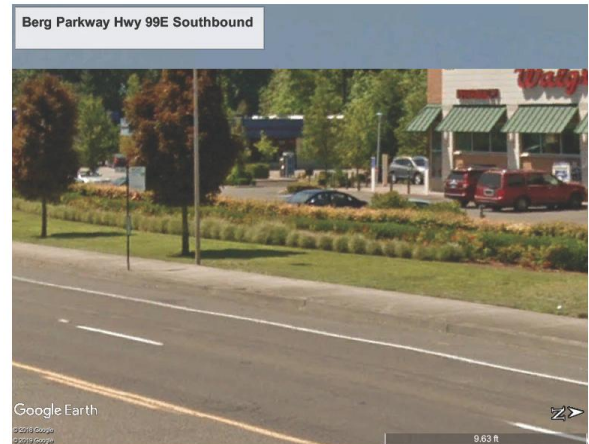
City of Canby
Canby Area Transit
TRANSIT STOP IMPROVEMENTS

10. Berg Parkway / Highway 99E Southbound:

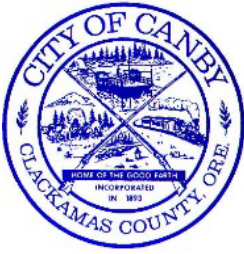
This existing CAT stop is located at the on Highway 99E along commercial property frontage. There is adequate public right-of-way to locate the shelter with the required ODOT clear zone setback from the highway.

This stop has existing curb and sidewalk and is ADA assessable from the adjoining commercial area. The improvements will require concrete flatwork for the pedestrian shelter. This shelter will include solar powered lighting.

An estimated cost to install the flatwork, shelter and site restoration is estimated below:



10. Berg Parkway / Highway 99E Southbound					
	<i>Item</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total</i>
1	Mobilization, Ins, TPDT	All	LS	\$3,000	\$3,000
2	Common Excavation	All	LS	1,000	1,000
3	Sidewalk Construction	100	SF	25	2,500
4	Shelter Structure	1	EA	9,000	9,000
5	Site Restoration	All	LS	1,000	1,000
6	ODOT Permitting	All	LS	2,500	2,500
7	Property Coordination	All	LS	1,000	1,000
8	Engr & Contingency	25	%	4,750	4,750
				TOTAL	\$24,750



City of Canby

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City Council Staff Report

DATE: January 19, 2022

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Jeff Snyder, Parks Maintenance Lead

ITEM: Discussion regarding tree removal (Ice Storm Tree Removal Project)

Summary

On February 13th, 2021, the City of Canby experienced a destructive Ice Storm. It became evident that the scope of the work was more than the City could manage. The City contacted FEMA and meetings were held to discuss the process for receiving funding assistance for tree removal of damaged trees.

Discussion

Staff would like to share the findings of an arborist related to trees that have been identified for potential removal.

Proposed Motion

No motion is required at this time.



City of Canby Bi-Monthly Report
Department: Administration
For Months of November & December 2022

To: The Honorable Mayor Hodson & City Council
From: Melissa Bisset, City Recorder/ HR Manager
Prepared by: Erin Burkhard, Office Specialist II
Through: Scott Archer, City Administrator
Date: January 19, 2022

Board and Commissions

Board/ Commission/ Committee	Vacancy	Applications Received	Status
Budget Committee	2	1	In process of scheduling interview.
Planning Commission	3	5	Appointed 3 Planning Commissioners on January 5. Appointed 1 Transit Advisory Committee Member on December 1.
Transit Advisory Committee	2	1	In process of scheduling interview.
URA Budget Committee	2	1	
Library Advisory Board	1	0	

Business Licenses

	Issued	Inactivated	Renewals Mailed	Total Licenses
Nov & Dec 2021 2021	21	73	198	679 have Canby Addresses 1522 Total
Nov & Dec 2020	33	23	178	688 have Canby addresses 1567 Total

Cemetery

	Property purchases recorded	Internments recorded
November 2021	11	10
December 2021	4	3

Recruitments

- Financial Analyst
- Entry Level Police Officer
- Lateral Police Officer
- Economic Development and Tourism Coordinator

Liquor Licenses/ Noise Variance Application

Processed one liquor license.

Public Records Requests

Processed three public records requests.

Special Animal Permits

No special animal permits were issued.



City of Canby Bi-Monthly Report
Department: Court
November and December, 2021

To: The Honorable Mayor Hodson and City Council
Prepared By: Jessica Roberts, Municipal Court Supervisor
Through: Scott Archer, City Administrator
Date: January 6, 2022

Canby Municipal Court has jurisdiction over all city and state law offenses committed within city limits other than felonies. These include: violations, traffic crimes, misdemeanors and City code violations. *Note: Statistic category terms outlined on page 2*

Monthly Statistics	November	December
Misdemeanors		
Offenses Filed	26	16
Cases Filed	19	13
Warrants Issued	13	12
Misdemeanor Case Detail		
Diversion/Deferred Sentence	8	8
Offenses Dismissed	29	5
Offenses Sentenced	11	5
Offenses not filed by City Prosecutor	4	0
Traffic & Other Violations		
Offenses Filed	71	73
Cases/Citations Filed	47	39
Parking Citations Filed	7	6
Traffic & Other Violations Case Detail		
Diversion (Good Driver Class/MIP)	18	7
Dismissal (Fix It Tickets)	7	5
Dismissed by City Prosecutor or Judge	9	11
Sentenced by Judge	38	17
Handled by Violations Bureau	53	27
Guilty by Default	47	28
Traffic and Criminal Trials		
Court Trial (Misdemeanor)	0	0
Jury	0	0
Traffic Trial	0	0
Defendant Accounts referred to Collections	\$75,470.76	\$17,301.25
Fines & Surcharges Collected	\$44,979.54	\$32,317.04

Explanation of terms:

1. Difference between Offenses Filed vs. Cases Filed
 - Multiple offenses (charges) can be filed on any one defendant from a single traffic stop or arrest.
 - Offenses filed reflects this number. Cases filed (also called docket numbers) refers to a single defendant's matter before the court.
2. Offenses not filed by City Prosecutor. Crimes cited by the police department go to the city prosecutor for review. At times those charges are not filed on against the defendant at the determination of the City Prosecutor.
3. Guilty by Default. When a defendant does not appear or contact the court on their scheduled court date a defaulted conviction is entered against them on the following Wednesday. A court clerk processes the default convictions.
4. The Violations Bureau applies to traffic violations only.

Under the Judge's authority, court clerks can accept pleas, offer a deferred sentence program (if qualified) and set a payment plan. Where a crime is charged, a court appearance before the judge is mandatory.

If a defendant qualifies, the clerks can offer an option to participate in an informative driving education course for a fee to the court. If there are no convictions during the following two months, the case will be dismissed.

Current programs and to qualify:

- Good Drivers Program (no prior traffic convictions in the last five years and no further convictions for 60 days)
- 1st Offender – Traffic violation (if under the age of 18)
- 1st Offender - Minor in Possession of Alcohol/Marijuana citation

5. Fix It Citations

The court offers a Fix It program, which allows the defendant to have a citation dismissed if an issue with their vehicle, registration or license is fixed. There is a \$50 dismissal fee owed for each fixed violation. This is reflected in the traffic violations dismissed statistic.



City of Canby Bi-Monthly Report

Department: Economic Development

For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Jamie Stickel, Economic Development Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 1/11/2022

Economic Development Updates

Economic Development + Tourism Coordinator: The City of Canby is hiring a new Economic Development + Tourism Coordinator. The position became vacant in early August and the City of Canby previously opened a recruitment through the month of September and October. While that recruitment yielded many excellent candidates, the position was not filled at that time. The City reopened recruitment for the Economic Development + Tourism Coordinator throughout the month of December 2021 and hopes to fill the position in early 2022. The Economic Development + Tourism Coordinator position generates and supports business vitality and investment in Canby through economic development coordination and tourism efforts. It also provides support to the Economic Development Department through special project and event coordination, business outreach, meeting coordination, marketing and promotion, and grant research and writing. Furthermore, it supports the Economic Development Department through business outreach, marketing and promotion, special project and event coordination, meeting coordination, and grant research and writing.

First Thursday Night Market: The City's Economic Development Director has continued efforts with local businesses in an effort to reinvigorate the First Thursday event. The First Thursday Night Market is held the first Thursday of the month and many local businesses stay open late, provide offerings for patrons such as giveaways and sales. COVID-19 slowed the success of First Thursday, however, as restrictions continue to be lifted, it became clear many of the businesses were eager to pick up where things left off. First Thursday is not limited to only downtown businesses, and has proven to be an opportunity to connect businesses outside of the Downtown Commercial District with complementary downtown businesses. The City has hosted coordination meetings with local businesses and the Chamber of Commerce at the Backstop Bar + Grill to seek input and ideas on how to increase attendance. Furthermore, Vanessa Zimmerman, Academy Mortgage, has worked hand-in-hand with Economic Development to connect with all the downtown businesses and encourage them to participate. During planning efforts, a consensus chose to amend the name from "First Thursday" to "First Thursday Night Market". The concept is that adding "Night Market" to the name will help to better brand the event and give enhanced context to those who may see the City of Canby and local businesses promoting the event. Additionally, the dahlia was chosen as the main focus of the logo in an effort to connect to the City's overall branding efforts.



Light Up The Night: The City of Canby hosted the 20th annual Light Up The Night event on Friday, December 3rd in Wait Park. Light Up The Night kicks off at 6:00p with a lighted parade throughout downtown Canby. The 2021 parade route was amended to provide extra safety to those who participate in the parade and attendees alike. The lighted parade concluded at Wait Park at approximately 6:30p as the Canby Fire District delivered Santa and Mrs. Claus on N. Grant Street. The City had the Oregon Trail Pitchpipers return for Christmas Carols and the event included a new addition of a big band, "The Wartime Orchestra," who performed after the festivities has finished and people continued to gather in the park. Mayor Hodson attended and addressed the crowd. This year's winner of "Who Lights Up Canby" was the Dewar Family, City Council Member. 42 of 117

on the lights in Wait Park to kick off the holiday season. Children of all ages are stayed for a chat and photo opportunity with Santa and Mrs. Claus.

Shop Small. Shop Canby./Small Business Saturday: Yearly, a nationwide shop local campaign is held on the Saturday immediately after Thanksgiving. This effort is called “Small Business Saturday” and it was created as an effort to capture holiday spending at the local level. This year, the City’s Economic Development staff created the “Shop Small. Shop Canby.” promotion which coincided with the Small Business Saturday effort. In addition to creating logos that represents the unique businesses that Canby has to offer, the Economic Development Director signed up to be a “Neighborhood Champion” with the Small Business Saturday efforts. The City received swag that was distributed to local businesses to give away during Small Business Saturday. Additionally, the Small Business Saturday effort provided easily accessible websites targeted at small businesses and assisting them with promotion the event. The Economic Development Director provided the information on “Shop Small. Shop Canby” to over 120 small businesses in an effort to create a cohesive marketing effort.



Bike and Pedestrian Committee: The City’s Bike and Pedestrian Committee continue to meet and discuss various projects in Canby. The committee met on November 9th and December 14th to discuss the National Parks Service grant for future master planning work on the Molalla Forest Road, Traverso Section, engagement with outside committees and agencies, and outreach from the committee. The Bike and Pedestrian Committee discussed the City’s Parks Master Planning efforts as it relates to cycling and pedestrian traffic. They are eager to ensure the Master Plan includes input from the Bike + Pedestrian Committee as well as parks and trail users who may use outdoor recreation in the form of walking and cycling.

Heritage and Landmark Commission Certified Local Government Grant: The City’s Heritage and Landmark Commission met on December 6th. The Commission continued to discuss the Certified Local Government grant in early 2021. The funding is being used to contract with NW Vernacular for two projects: 1) a reconnaissance level survey on the south side of HWY 99 and 2) Clackamas County Fairgrounds and Event Center historic context and reconnaissance level survey. The City’s Economic Development Director distributed a postcard for local residents to alert them to NW Vernacular’s work for the reconnaissance level surveys. While the surveys are not invasive – they occur from the street/sidewalk – it is important to the commission that local residents understood why the consultants were reviewing properties in the area. These projects are running concurrently and help to serve as the building blocks for future projects and potentially historic districts. The City worked with NW Vernacular for the creation of the Preservation Plan in 2020.

FBI/LEEDA Media + Public Relations Training: The City’s Economic Development Director + Communications Specialist attended an intensive training from FBI/LEEDA, a non-profit dedicated to providing leadership and development efforts for law enforcement agencies. The Media + Public Relations Training was held in Albany, OR from November 1st through November 5th and was taught by Sarah Connolly. Connolly is a 20 year veteran of the Baltimore Police Department and holds a Master’s Degree in Management from Johns Hopkins University. The training spoke to the best practices for communications efforts within a municipality, specifically law enforcement. Attendees received training on social media and branding, news releases and press conferences, and, most importantly, crisis communication efforts. The training is expected to help inform the City’s day-to-day communications efforts, as well as laying the foundation for communications should a crisis occur. The City’s attendance also included two officers from the Canby Police Department who serve as Public Information Officers.

Communications Specialist: On July 1st, the City Administrator expanded the Director of Economic Development’s role to include Communications Specialist. As Communications Specialist, a great deal of work will be finding new and creative ways of expanding outreach in the community including residents, businesses, and visitors. The work

will include assisting the leadership team in expanding the City's communication by writing and distributing news releases, social media posts, and assisting at events.

News Releases and outreach focused on following topics:

- **Canby Leaf Drop Off Event:** Canby's Public Works Department hosted a leaf drop-off event on Saturday, November 20th. In addition to a news release and posts on social media, a Facebook event was created to further promote this event.
- **Light Up The Night:** Light Up The Night's return to Wait Park since the event was unable to happen in 2021.
- **Shop Small. Shop Canby.:** News release regarding Economic Developments' Small Business Saturday and shop local efforts.
- **Swim Center Levy:** The Swim Center thanked those who helped to renew the levy.

Fleet Service BI-Monthly Report

By Robert Stricker, Lead Mechanic

Nov-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$47.44	\$0.00	\$46.12	\$93.56
Adult Center	1	\$136.63	\$19.54	\$73.45	\$229.62
Facilities	1	\$47.44	\$0.00	\$126.42	\$173.86
Wastewater Collections	2	\$721.57	\$3,864.55	\$215.31	\$4,801.43
Wastewater Treatment	5	\$142.32	\$0.00	\$0.00	\$142.32
Parks	6	\$419.48	\$692.21	\$987.15	\$2,098.84
Police	14	\$3,224.17	\$1,211.18	\$4,850.30	\$9,285.65
Streets	15	\$2,596.67	\$493.49	\$1,600.50	\$4,690.66
Fleet Services	4	\$1,291.20	\$267.60	\$72.64	\$1,631.44
Canby Area Transit (CAT)	32	\$4,383.81	\$5,966.27	\$9,326.23	\$19,676.31
Total	81				\$42,823.69

Dec-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$360.36	\$174.21	\$0.00	\$534.57
Adult Center	2	\$450.98	\$25.93	\$175.60	\$652.51
Facilities	0	\$0.00	\$0.00	\$176.34	\$176.34
Wastewater Collections	6	\$313.37	\$283.22	\$580.53	\$1,177.12
Wastewater Treatment	3	\$495.90	\$260.91	\$0.00	\$756.81
Parks	6	\$1,874.60	\$566.67	\$544.51	\$2,985.78
Police	31	\$5,061.22	\$2,173.98	\$5,098.66	\$12,333.86
Streets	7	\$789.60	\$1,031.31	\$1,283.03	\$3,103.94
Fleet Services	1	\$87.21	\$121.85	\$108.52	\$317.58
Canby Area Transit (CAT)	30	\$2,822.71	\$2,363.18	\$10,255.63	\$15,441.52
Total	87				\$37,480.03

Fleet Service Highlights

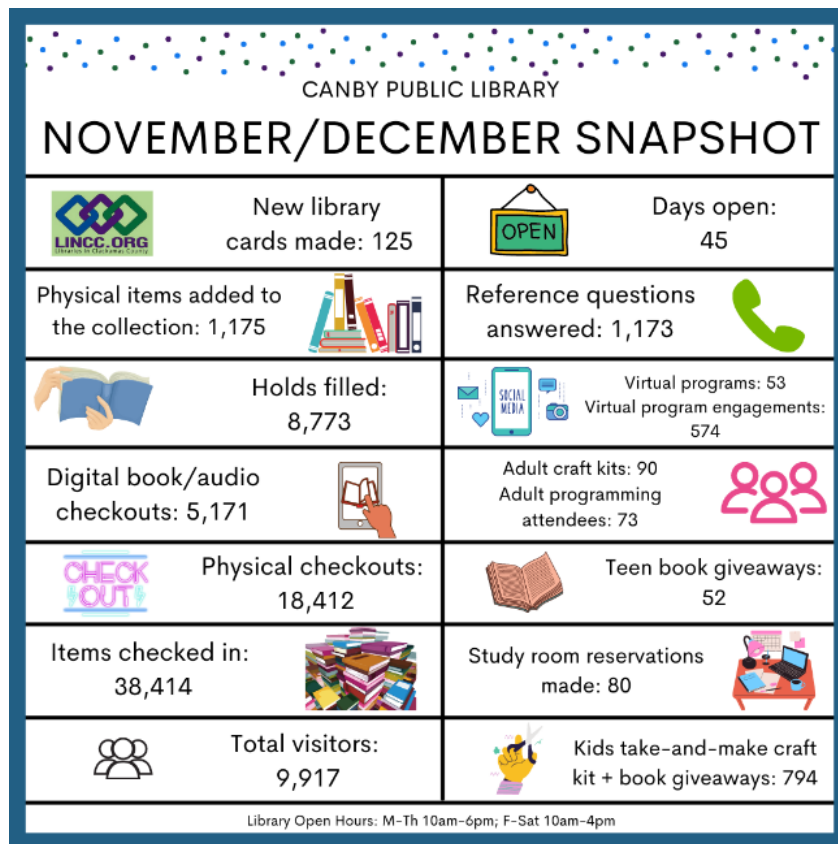
Completed all on road Vehicle emission testing



City of Canby Bi-Monthly Report
Department: Library
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Danny Smith, Library Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 1/11/2022

Usage Metrics Overview



Staff

As COVID restrictions continue to ease and library operations pick up, staff have reintroduced volunteers to the library as of December. We currently have 8 volunteers helping to retrieve items on request and shelving returned materials. Both staff and volunteers are thrilled to have the volunteer program running once again – helping to maximize the staffing resources we have and integrating volunteers back into operations.

Spaces

No updates for this reporting period. City Council Packet - Page 46 of 71

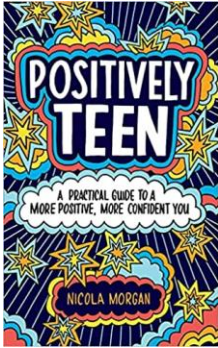
Collections

No updates for this reporting period.

General News

Programs Update

- In a collaboration with the Friends of the Canby Public Library, the Library had a successful young adult book giveaway program. Fifty-two copies of *Positively Teen* were distributed along with a gift bag and other treats.



"Teens and tweens will find an abundance of information, tips, and advice that will be vital as they go through their adolescent years. Written with a caring, informative, and positive tone... encompassing topics such as attitudes and thoughts, health, learning techniques, friendships and communication, and stress and worries. The chapters also contain helpful charts and tools to help teens with many aspects of growing up, such as eating healthy, as well as suggested activities, quizzes, and "Positive Boosts," which encourage teens to take small actions and breaks. A useful addition to health and wellness collections."—**Booklist**

- The Library hosted the Dickens Carolers, a group of four – two men and two women who dress in old English costumes dated from around 1843. The group sings four-part harmony and has a two hour repertoire comprised of favorite carols, both traditional and contemporary. A small audience at the library quickly gathered and enjoyed the holiday music performed by the carolers.



- In true holiday spirit, about 30 folks in Canby participated in a DIY craft to create festive swag decorations for their homes. Two participants proudly returned to the library to share their creations with staff and pose for a photo.





City of Canby Bi-Monthly Report
Department: Parks
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
 From: Jeff Snyder, Parks Maintenance Lead Worker
 Prepared by: Same as above
 Through: Scott Archer, City Administrator
 Date: 1/6/2022

Two Month Deferred Maintenance Report

November and December

City Park Properties	November December 2020	November December 2021	Deferred Maintenance Tasks
	Snapshot of Actual Hours		
Arneson Gardens	35	86	Increase in landscaping/storm debris
Baker Prairie Cemetery	5	31.5	Increase in landscaping/storm debris
Beck Pond trail	4.5	8	Increase in landscaping
Community Park	198.5	207.5	Increase in landscaping/storm debris
Disc Golf	0	8	Increase in debris removal
Eco Park	7.5	8.5	Increase in maintenance
Faist 5 - Undeveloped	0	0	Service as needed
Legacy Park	65	59.5	Decrease in landscaping
S. Locust Park	210	57.5	Increase in landscaping
Forest Road Path	51	36	Decrease in storm debris cleanup and mowing
Fish Eddy	3.5	8.5	Service as needed
Maple Park	134.5	104	Splash pad project compleeted
19 th Loop	0	0	Service as needed
Northwood Park	18.5	16.5	Decrease in landscaping
Simnitt - Undeveloped	0	0	Service as needed
Skate Park	16	16.5	Service as needed
Territorial CLC	0	1	Maintained by volunteers
Timber Park	26	34.5	Increase in landscaping/storm debris
Triangle Park	8.5	11	Increased in landscaping
Wait Park	447.5	433.5	Decrease in storm debris/decorations

Within the body of the November/December snapshot, the difference between the 2020 and 2021 cycles, there has been a decrease of 103.5 hours dedicated towards all park maintenance.

Parks Maintenance

November and December 2021

Park Renovations

The Pickleball court gazebo was delivered in December. We are waiting on permitting to install the gazebo and finish the concrete pour.

Warranty work was completed on the Splash flower tower. The base was not installed correctly. The base was dug up and reinstalled correctly.

The new S. Locust St. Park Classic Recreation 28'x38' Orlando style shelter has been ordered through Landscape Structures. Staff located an extra conduit to supply the new shelter with light and power.

Park Maintenance

Staff started the winterization of all the park assets in early November. All the Christmas lights were sorted, tested and installed on 1st Ave. 2nd Ave. and at Wait Park. The Christmas decorations were all operational by December the 3rd for the Light up the Night event. Storm debris removal and leaf removal has occupied staffs time over the last two months. Playground repairs were addressed as found.

Oregon Machine Works built the department a new debris loader box for our chipper and debris loader.

Staff has started the move into the vacated Canby Utility warehouse and offices. This move will really help the department to organize tools, equipment and improve efficiencies.

Bids have been obtained to address the storm damaged trees as required by FEMA.

The Parks Department spent 19.5 hrs. addressing graffiti and vandalism over the last two months.

Maintenance was performed at the 34 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, Beck Pond, Community Park (River), CPIP sign, Disc Golf Park, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Klohe Fountain, Knights Bridge right of way, Legacy Park, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Northwood Estates Park, NW 1st Ave., NW 2nd Ave., Police Department landscaping, Simnitt Property, Skate Park, Shop Ground, Swim Center, Timber Park, Territorial Estates Future CLC Park, Transit Bus Stop, Triangle Park, Wait Park, Willow Creek Wetlands (19th Loop), WWTP property and Zion Cemetery.

Meetings attended

I attended the Park and Recreation meetings.

I attended a meeting to discuss potential Dog Park locations.

Zion Cemetery

At the cemetery mowing, irrigating repairs/adjustments/winterization was performed. Floral decoration cleanup, building maintenance issues and sexton duties were performed as needed.

The new towable burial tent was assembled. This purchase should reduce labor costs.

For your Information

Please see attached park maintenance actual hours for the months of November and December 2021.

Hours are based on number of employee's (each day) x 7.5hrs.



Parks Department	November 2021 Actual Hours																														Total	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
Adult Center								3.0																								3.0
Arneson Gardens	0.5				1.0			0.5				1.0			1.0			1.5	1.0			1.5		1.0								9.0
Baker Prairie Cem.	0.5						16.5																									17.0
Beck Pond	0.5														1.0			0.5														2.0
Community Park	2.5	0.5		2.0	2.0			2.5	2.0			2.0			2.0	19.5	30.0	17.5	1.0			4.0	4.0	2.0					3.0			96.5
CIP Sign Property																																0.0
Disc Golf Course		2.0																			4.0											6.0
Eco Park	0.5	0.5										1.0						0.5												1.0		3.5
Faist V (5)																																0.0
Holly-Territorial Sign																																0.0
Hulberts-sign property																																0.0
Klohe Fountain																																0.0
Knights Brdg.																																0.0
Legacy Park	1.0	0.5		2.0	2.0		1.0	2.5				1.0			2.0	0.5		0.5	0.5			2.0		5.0						2.0		22.5
S. Locust Park	1.0	0.5		1.0			4.0	10.0				1.0			1.5	0.5		0.5	0.5			2.0	1.0	1.0						5.0		29.5
Logging Rd. Path	1.0	1.0		1.0	2.0		1.0	2.0				2.0			2.0						1.0									1.0		14.0
Fish Eddy-Log Boom	0.5	0.5													0.5			0.5													2.0	
Maple St. Park	2.5	1.0		2.0	4.0		15.0	22.5				1.0			0.5	0.5		0.5	0.5		3.0		2.0						1.5		56.5	
19th Loop																																0.0
Northwood Park	0.5				1.0			0.5				1.0			0.5			0.5				1.0								1.0		6.0
Street Landscaping	15.0	15.0	4.0	19.0											15.0								2.0									70.0
Storm/Collect mow																																0.0
Police Department	0.5														4.0																	4.5
Simmitt Property																																0.0
Skate Park	0.5			0.5	0.5			0.5										0.5				1.0	1.0						0.5			5.0
Shops/tools-trucks				3.0														2.5					2.0						2.0			9.5
Swim Center																																0.0
Territorial-CLC Prop.	0.5																	0.5														1.0
Timber Park	0.5	0.5		1.0	2.0		0.5	1.0				1.0			1.0	0.5		0.5	0.5			1.0	1.0						1.5			12.5
Transit Bus stop	0.5	0.5		0.5	0.5		0.5	1.0				1.0			1.0	0.5			0.5			1.0	1.0						2.0			10.5
Triangle Park									5.0																							5.0
Wait Park	1.0	19.5	41.0	1.0	2.0		1.0	2.0	36.0			17.0			1.5	12.5	15.0	15.0	16.5			19.0	15.0	19.0					24.5	48.0		306.5
Veterans Memorial	0.5								4.0						0.5																	5.0
WWTP property																																0.0
Zion Cemetery	7.5	3.0	7.5	7.5	15.0		7.5	7.5							3.0	3.0		7.5	7.5			9.5	30.0	11.5					1.5			129.0
Administration				4.5	5.5			0.5			7.5				0.5						2.5		4.0						6.0			31.0

Parks Department	December 2021 Actual Hours																															Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
Adult Center																																27.5
Arneson Gardens	2.0	1.0			1.0		2.0		26.0				0.5		5.0	30.0	1.0			1.0	30.0	1.0					1.0		1.0	0.5		77.0
Baker Prairie Cem.								6.0					8.0																			14.5
Beck Pond	1.0				0.5		3.0										1.0										0.5					6.0
Community Park	3.0	24.0	4.0			3.5	2.0	2.0	2.0				20.0	20.0	3.0	1.0	1.0		6.0	1.5	5.0						5.0	3.0	3.0	2.0		111.0
CPIP Sign Property																																0.0
Disc Golf Course																1.5											0.5					2.0
Eco Park			0.5				1.0								1.0					1.0							1.0	0.5				5.0
Faist V (5)																																0.0
Holly-Territorial Sign																																0.0
Hulberts-sign property																																0.0
Klohe Fountain															1.0																	1.5
Knights Brdg.																																0.0
Legacy Park	1.0	1.0	1.0		2.0	6.0	2.0	2.0	2.0	1.0			2.0		2.0	1.0	1.0			3.0	1.0	2.0					4.0	2.5	2.0	1.5		37.0
S. Locust Park	2.5	2.0	2.0		3.0		1.0	1.0	1.0				1.0		2.0	5.0	1.0		2.0		1.0						3.0	1.0	2.0	0.5		28.0
Logging Rd. Path	5.5	2.0	2.0		2.0		3.0	1.0	1.0				1.0						2.0								2.5	2.0	1.0			22.0
Fish Eddy-Log Boom		0.5					1.0									2.0			1.0								1.0		1.0			6.5
Maple St. Park	3.0	6.0	1.0		1.0	10.0	5.0	2.0	1.0				1.5	2.0	3.0	1.0			3.0		2.0						3.0	1.0	1.0	1.0		47.5
19th Loop																																0.0
Northwood Park	1.0	1.0			1.0		1.0								1.0		1.0		1.0		1.0						0.5		1.0	1.0		10.5
Street Landscaping		15.0			2.0												1.0		4.0		3.0								5.0			30.0
Storm/Collect mow						24.0																										24.0
Police Department															18.0																	18.0
Simnitt Property																																0.0
Skate Park	1.0	3.0			2.0		1.0										1.0				1.0								0.5			11.5
Shop/ tools-trucks		2.0			2.0			2.0	22.5						1.0				3.0		6.0							7.5	14.0	27.5		87.5
Swim Center								2.0																								2.0
Territorial-CLC Prop.																																0.0
Timber Park	1.0	1.0			2.0		2.0		1.0				1.0		4.0	0.5	2.0		2.0		1.0						2.0	1.0	1.0	0.5		22.0
Transit Bus stop	1.0	1.0			1.0		2.0		0.5				0.5		1.0				1.0		1.0						1.0	1.0	1.0	0.5		12.5
Triangle Park					1.0	5.0																										6.0
Wait Park	20.5	21.0			12.0		3.0	2.0	2.0				9.0	15.0	2.0	3.0	17.0		3.0		4.0						6.0	2.0	5.5			127.0
Veterans Memorial							1.0										1.0		1.0													3.0
WWTP property																																0.0
Zion Cemetery	7.5	7.5	7.5		12.5	7.5	15.0	4.0	9.0				7.5	7.5	7.5	7.5	7.5		1.0	2.0	1.0						1.0	1.0				114.0
Administration	2.0	4.0			4.0			1.0	5.0				2.5		2.0	1.0	7.5		4.0		7.5							2.0	6.5	7.5		56.5



City of Canby Bi-Monthly Report
Department: Police
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
 From: Chief Jorge Tro
 Prepared by: Katie McRobbie, Administrative Supervisor
 Through: Scott Archer, City Administrator
 Date: 1/10/2021

	NOV	DEC
Calls for Service - Dispatched 911 and Non-Emergency Calls	769	750
PROPERTY CRIMES REPORTED		
Burglary	1	2
Unauthorized Use of Motor Vehicle / Unlawful Entry into Motor Vehicle	3	4
Robbery	2	1
Theft I, II, & III	12	10
Forgery / Counterfeiting	0	1
Trespass	3	1
Vandalism / Criminal Mischief	5	2
PERSON CRIMES REPORTED		
Assault I, II, IV	2	1
Carrying Concealed Weapons (knife, blade, etc.)	0	0
Disorderly Conduct (includes resisting arrest)	2	1
Endangering Welfare of a Minor / Recklessly endangering	0	0
Felon in possession of firearm / restricted weapon	0	0
Harassment, Intimidation or Threats	7	3
Identity Theft	5	6
Interfering with Peace Officer	0	0
Menacing	1	0
Sex Offenses	3	1
Strangulation	0	1
ARRESTS		
Warrant Arrests (and contempt of court, restraining order, parole violations)	13	10
Adult and Juvenile Custodies (includes juvenile curfew)	27	17

DRUG CRIMES		
Possession Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	0	0
Delivery of a Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	1	1
Manufacture Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	0	0
TRAFFIC CRIMES, ACCIDENTS, CITATIONS		
Attempt to Elude	3	0
Driving Under the Influence of Intoxicants (Alcohol & Controlled Substance)	7	2
Other Traffic Crimes (Hit & Run, Driving While Suspended / Revoked, Reckless Driving, UUMV, Failure to Surrender Suspended License / Use Invalid License)	13	7
Traffic Accidents	10	16
Traffic Citations	194	135

CANBY POLICE DEPARTMENT – TRAFFIC UNIT

**SGT. TIM GREEN
OFFICER ALLEN MILLER
OFFICER CHRIS MACOM**

MONTHLY TRAFFIC SAFETY REPORT

DECEMBER 2021

CITATIONS:	135
DUII ARRESTS:	2
TRAFFIC CRIMES:	7
TRAFFIC CRASHES:	Injury (Traffic): 0 Injury (Patrol): 4 Non-Injury (Traffic): 2 Non-Injury (Patrol): 6 Hit & Run (Traffic): 2 Hit & Run (Patrol): 2 TOTAL CRASHES: 16
TRAFFIC COMPLAINTS:	20

CANBY POLICE DEPARTMENT – TRAFFIC UNIT

**SGT. TIM GREEN
OFFICER ALLEN MILLER
OFFICER CHRIS MACOM**

MONTHLY TRAFFIC SAFETY REPORT

NOVEMBER 2021

CITATIONS:	194
DUII ARRESTS:	7
TRAFFIC CRIMES:	13
TRAFFIC CRASHES:	Injury (Traffic): 1 Injury (Patrol): 1 Non-Injury (Traffic): 1 Non-Injury (Patrol): 7 Hit & Run (Traffic): 0 Hit & Run (Patrol): 3 TOTAL CRASHES: 10
TRAFFIC COMPLAINTS:	7



City of Canby Bi-Monthly Report
Department: Development Services
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Don Hardy, Planning Director
Prepared by: Laney Fouse Lawrence, Planning Office Specialist II
Through: Scott Archer, City Administrator
Date: 1/19/2022

The following report provides a summary of Planning and Development Services activities for the months of November and December 2021. Please feel free to call department staff if you have questions or desire additional information about any of the listed projects or activities. This report identifies ongoing planning activities, a list of pre-application and pre-construction applications, a list of project hearings and a list of projects for which the City has performed site plan review for building permits.

Development Services Activities:

- 1. DLCD Housing Needs Analysis (HNA) and Housing Production Strategy (HPS) and Economic Opportunity Analysis (EOA) Grants.** DLCD has awarded \$100,000 in HNA and HPS grants and \$50,000 in EOA grants to the city. Project kickoffs are occurring for both projects in January with advisory group meetings anticipated to start in March.
- 2. Parks Master Plan.** Greenplay has been working on technical analysis that will inform the park master plan. A second public forum will be held in January 2022. The master plan is anticipated to wrap up in Q1 2022.
- 3. Food Carts Joint Work Session.** The planning commission hearing is scheduled for January 24 and February 28 to review proposed code language, followed by City Council review in March or April.

LAND USE APPLICATION ACTIVITY

A. Pre-Application Conferences Submitted November 1 – December 31, 2021:

- 1. PRA 21-29 Travis Walsh, CIDA & Jordan Ward** - The project is an approximately 13,000 square foot wood framed building on a 1.01 site at 1477 N. Manzanita St. The concept is to convert the existing church and support spaces into an apartment complex. The zoning is R-2 High Density Residential.
- 2. PRA 21-28 Thomas Watton, Watton Design Works, Inc** - The owners of the property, located at 2121 N Maple St, are proposing to subdivide the west end of their R-1 Low Density Residential property. It consists of 1.77 acres and abuts city streets on three sides.

3. **PRA 21-27 Kittyhawk, Inc, 301 S Redwood St** – A proposed minor building and land partition to create one additional lot by splitting both the property and current building structure with the condition that a perpetual shared access easement agreement continues to allow access from the main entry and continue to the south end of the property through to the rear of the primary property/equipment. This property is located in the M-1 Light Industrial Zone.
4. **PRA 21-26 Redwood Landing IV Subdivision** – The applicant is seeking to apply for a 16 lot subdivision application to divide (2) existing tax lots surrounded by Redwood Landing Phase 1. The two existing homes would remain when the property is divided. The development would extend N River Alder St south from Redwood Landing Phase 1 and connect N Spruce and N Sweetgum Streets through the site.

B. Pre-Construction Conferences held November 1 – December 31, 2021:

1. **PRC 21-09 State St Homes** – The applicant is seeking approval of their proposed project which includes the development of two buildings with 12 residential units on SW 3rd Ave.
2. **PRC 21-08 Territorial Gardens Subdivision** – The applicant is seeking approval of their pre-construction plans for a 15-unit subdivision located on the corner of NE Territorial Rd and N Locust St.

C. Planning Commission Agenda Items Reviewed November 1 – December 31, 2021: Joint work session between Planning Commission and City Council was held on November 3, 2021 regarding Food Carts. Continued Planning Commission Food Cart work session discussion on November 8, 2021. November 17, 2021 Joint work session between Planning Commission and City Council (Discussion Regarding Framework Update for Zoning Code Changes and Discussion Regarding Transportation System Plan and Traffic with DKS Consultants). Continued Planning Commission work session discussion on November 22, 2021--Discussion on Framework Update for Zoning Code Changes.

D. Site Plans Submitted for Zoning Conformance November 1 – December 31, 2021: 55 site plan review applications were submitted and have been or are being released for building permits.

E. Signs Submitted for Plan Review September 1 – November 1 – December 31, 2021::

1. **SN 21-18** – Fastsigns of Salem – Install wall sign for Astound Broadband (formerly Wave Broadband).
2. **SN 21-19** – Cornerstone – Install monument sign, 2 pole signs and a wall sign for Canby School District.



City of Canby Bi-Monthly Report
Department: Public Works
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Jerry Nelzen, Interim Public Works Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 12/1/2021

Facilities

Facility Maintenance Department added new automatic bathroom doors at the Civic Center.



Facilities	Total Hours
November	256
December	

Streets Department

Paving compaction equipment for the Quiet Zone at N Elm Street and paving at N Ivy Street.



November Streets	Total Hours
Street Sweeping	109
Street Sweeping Maintenance	5
Street Maintenance	119.5
Sidewalks Inspections	8
Driveway Approach Inspections	7
Street Sign Manufacturing	4
Street Sign Maintenance	2
Street Sign Installation	7
Street Lights	5
Tree Trimming	7
Quiet Zone	163.5

December Streets	Total Hours
Street Sweeping	72
Street Maintenance	145.5
Driveway Approaches	2
Street Manufacturing	10
Street Sign Maintenance	8.5
Street Lights	15
Dump Truck	2

Sewer Collections

Our Collections crew installing a cleanout.



November Sewer	Total Hours
Sewer Cleaning	5
Sewer Maintenance/Repair	58
Sewer TV'ing	9
Lift Station Maintenance	8
Locating Utilities	24
Sewer Inspections	19
Vactor Usage	4

December Sewer	Total Hours
Sewer Cleaning	218
Sewer TV	5
Sewer Laterals/Maintenance	66
Lift Station Maintenance	36.5
Locating Utilities	14
Sewer Inspections	2
Vactor Usage	18

Storm Water

Public Works crew fixing sink hole adjacent to drywell.



November Stormwater	Total Hours
Catch Basin Maintenance	22
Drywell Maintenance	14
Storm Line Maintenance/Repair	1
Erosion Control	2
Storm Line Inspections	1
Vactor Usage	6
Drying Beds	31

December Stormwater	Total Hours
Catch Basin Maintenance	2
Drywell Maintenance	2
Erosion Control	5
Vactor Usage	2



City of Canby Bi-Monthly Report
Department: Canby Swim Center
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Eric Laitnen, Aquatic Program Manager
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 1/10/2022

After reopening swimming lessons November and December went pretty well. We were able to run most of the regular programming and we had pretty good numbers for attendance both months. Swimming lessons are going well and we continue to have steady lap swim, Adult/Senior swims and Water exercise numbers. Canby Gators and Canby High School swimming are both in full swing except for the cancelled high school meet due to a lock down situation in Lake Oswego. The Canby Gators are doing well and were honored at Oregon Swimming top 5 awards, which were held virtually again this year. Canby Gators with top 5 swims in the state this year were: Sam Gotkas, Quincy Taliaferro, Riley Lawler, Kali Mull and Lydia Beck.

Numbers are good thru December although we cannot really judge it against last year as we were closed a lot, last year. The numbers are ahead of two years ago on both revenue and attendance. We continue to offer as much as we can and we hope 2022 will continue to be good to us but with more covid cases the last couple of weeks we just need to wait and see what the future offers. We do have some 2nd grade lessons scheduled for later this year but have already needed to move one school out farther in the year hoping that it will get better.

We have continued to host some swim meets for the Canby Gators and have several scheduled for the high school. We continue to remind people to follow masking and distancing protocols and ask people to limit spectators at swimming meets. Hopefully together we can continue and get thru this.

This month we have a long time swimming pool employee Casey O'Brien leaving the pool to work in the field of his study over the last few years. Casey has a degree in computer science and we wish him well in his career as he moves forward.

SUBJECT: November 2021 Attendance Numbers
DATE: 2021-2022

CANBY SWIM CENTER November	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 20-21	YTD TOTAL 21-22
MORNING LAP	66	41	324	245	390	286	1917	1353
ADULT RECREATION SWIM	28	46	139	308	167	354	644	1820
MORNING WATER EXERCISE	0	42	0	154	0	196	0	996
PARENT/ CHILD	0	96	0	0	0	96	0	1356
MORNING PUBLIC LESSONS	0	0	0	0	0	0	0	3000
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	0	70	0	289	0	349	0	1384
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	0	153	0	19	0	172	0	1787
PENGUIN CLUB	0	0	0	0	0	0	0	765
CANBY H.S. SWIM TEAM	0	0	58	161	58	161	324	161
CANBY GATORS	0	0	373	1015	373	1015	1751	3348
MASTER SWIMMING	0	0	0	11	0	11	0	27
EVENING LESSONS	0	589	0	0	0	589	0	4103
EVENING LAP SWIM	0	22	0	20	0	42	0	346
EVENING PUBLIC SWIM	0	124	0	1	0	125	0	1622
EVENING WATER EXERCISE	0	0	0	0	0	0	0	0
ADULT SWIMMING	0	0	0	0	0	0	0	42
GROUPS AND RENTALS	0	0	0	0	0	10	0	44
OUTREACH SWIMMING	0	0	0	0	0	0	0	0
TOTAL ATTENDANCE	94	1,183	894	2,223	988	3,406	4636	22154

SUBJECT: December 2021 Attendance Numbers
DATE: 2021-2022

CANBY SWIM CENTER December	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 20-21	YTD TOTAL 21-22
MORNING LAP	0	28	0	207	390	235	1917	1588
ADULT RECREATION SWIM	0	34	0	336	167	370	644	2190
MORNING WATER EXERCISE	0	13	0	133	0	146	0	1142
PARENT/ CHILD/ Family Swim	0	32	0	4	0	36	0	1392
MORNING PUBLIC LESSONS	0	0	0	0	0	0	0	3000
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	0	54	0	248	0	302	0	1686
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	0	119	0	13	0	132	0	1919
PENGUIN CLUB	0	0	0	0	0	0	0	765
CANBY H.S. SWIM TEAM	0	0	0	403	58	403	324	564
CANBY GATORS	0	0	0	987	373	987	1751	4335
MASTER SWIMMING	0	0	0	7	0	7	0	34
EVENING LESSONS	0	290	0	0	0	290	0	4393
EVENING LAP SWIM	0	28	0	15	0	43	0	389
EVENING PUBLIC SWIM	0	112	0	0	0	112	0	1734
EVENING WATER EXERCISE	0	0	0	0	0	0	0	0
ADULT SWIMMING	0	10	0	0	0	10	0	52
GROUPS AND RENTALS	0	0	0	0	0	0	0	44
OUTREACH SWIMMING	0	0	0	0	0	0	0	0
TOTAL ATTENDANCE	0	720	0	2,353	988	3,073	4636	25227



City of Canby Bi-Monthly Report
Department: Tech Services
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Danny Smith, Library Director
Prepared by: Valerie Kraxberger, IT Office Specialist
Through: Scott Archer, City Administrator
Date: 1/10/2022

The City of Canby Tech Services Department issued:

November 2021

47 Work Orders with 42 being completed

December 2021

51 Work Orders with 51 being completed

Some of the projects we have been working on for November and December are:

- Various hardware issues in Admin and Finance
- Transit dispatch program crashes
- Ongoing PD MDT and WatchGuard issues
- Court cubicle moves and camera displays added
- Email down
- Canby Utility move out
- Transit server move



City of Canby Bi-Monthly Report
Department: Transit
For Months of: September & October 2021

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 1/10/2021

1) Grant Funding and Contracts:

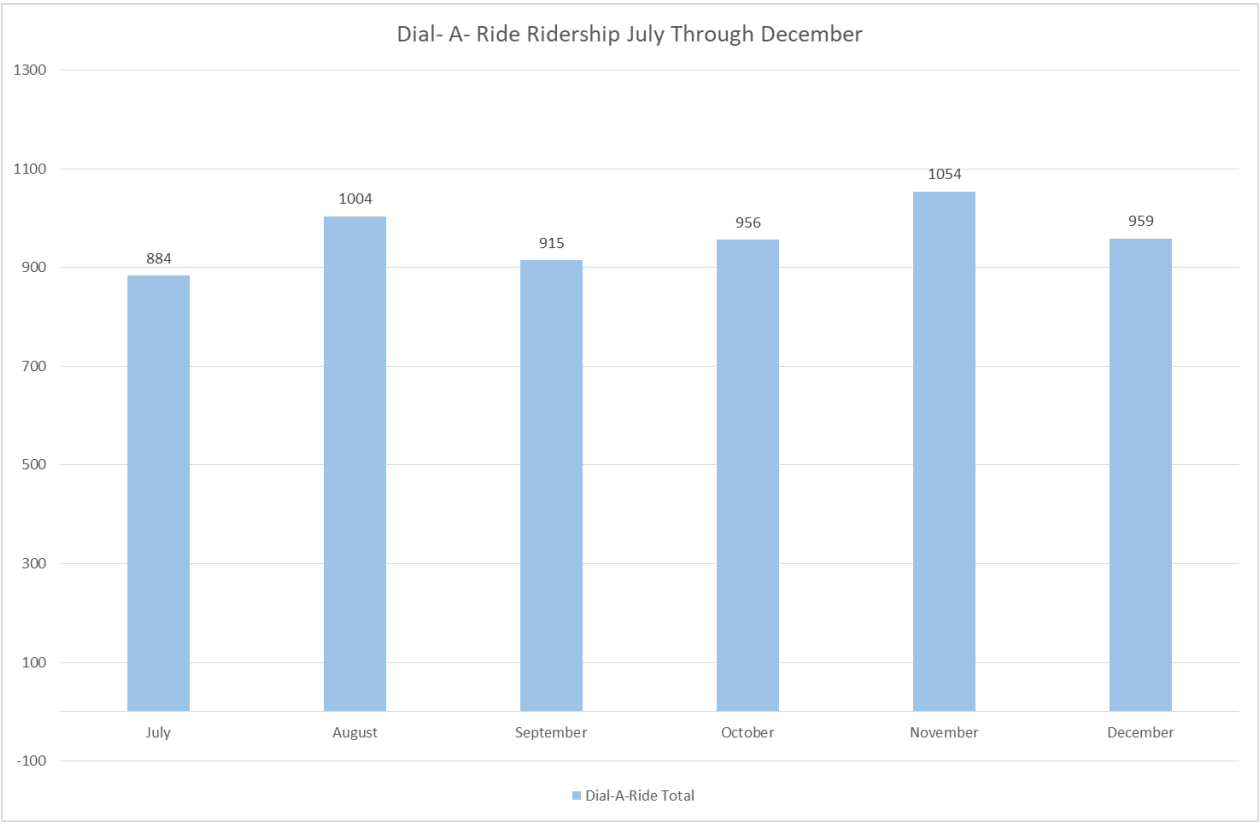
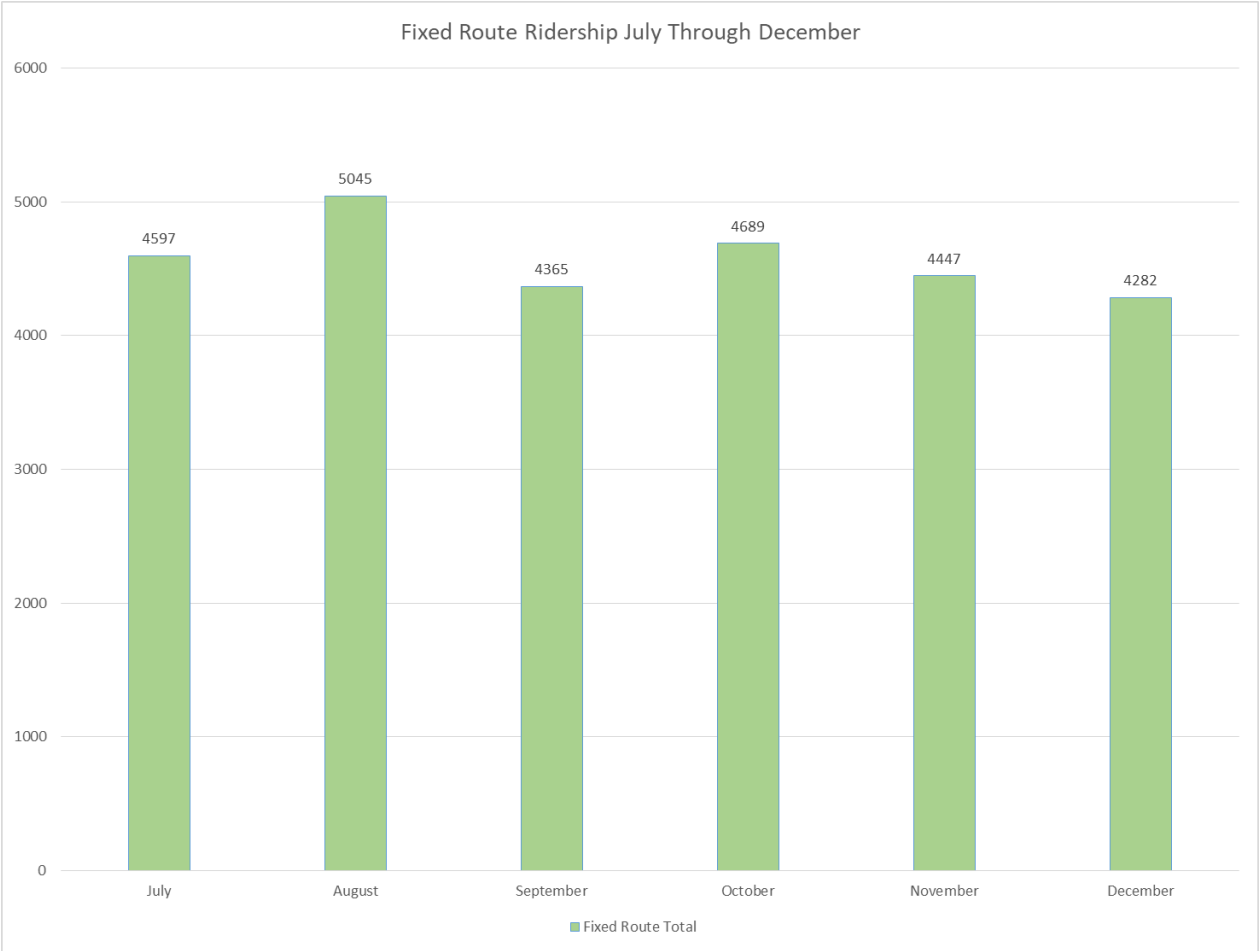
- The following grant activities have taken place:
- Monthly Elderly and Disabled reports have been submitted to TriMet
 - Continued negotiations with TriMet for STIF IGA

2) Ridership:

CAT has continued to operate as normal during the COVID pandemic providing critical trips for those who have no other transportation options. Additionally, fixed route has continued to carry critical workers to places of employment including hospitals, nursing homes, grocery stores etc.

Historically Ridership takes a dip during the winter months especially during the Holidays and poor weather events. Ridership remains low, however continues to see slow recovery. During the months November and December a slight decrease in ridership was seen on fixed route while a slight increase was seen on DAR services.

November average weekday daily fixed route ridership:	201 trips
November average weekend daily fixed route ridership:	58 trips
December average weekday daily fixed route ridership:	179 trips
December average weekend daily fixed route ridership:	56 trips
November average weekday Dial-a-Ride route ridership:	47 trips
November average weekend Dial-a-Ride route ridership:	14 trips
December average weekday Dial-a-Ride route ridership:	40 trips
December average weekend Dial-a-Ride route ridership:	13 trips



3) COVID-19:

- a) Fares began September 7, 2021
- b) All buses are being cleaned and disinfected on a daily basis by drivers.
- c) All drivers have been provided with PPE use while operating their vehicle.
- d) All passengers are required to wear masks. Masks are being provided as needed.

4) Transit Advisory Committee:

The advisory committee will meet on January 27, 2022 at 6:00 PM virtually.

The advisory committee will continue our discussion of the Canby Loop including some potential changes to timing which would take effect April 2022. The advisory committee will also begin to look towards the future and begin to plan for STIF 2024-2026.

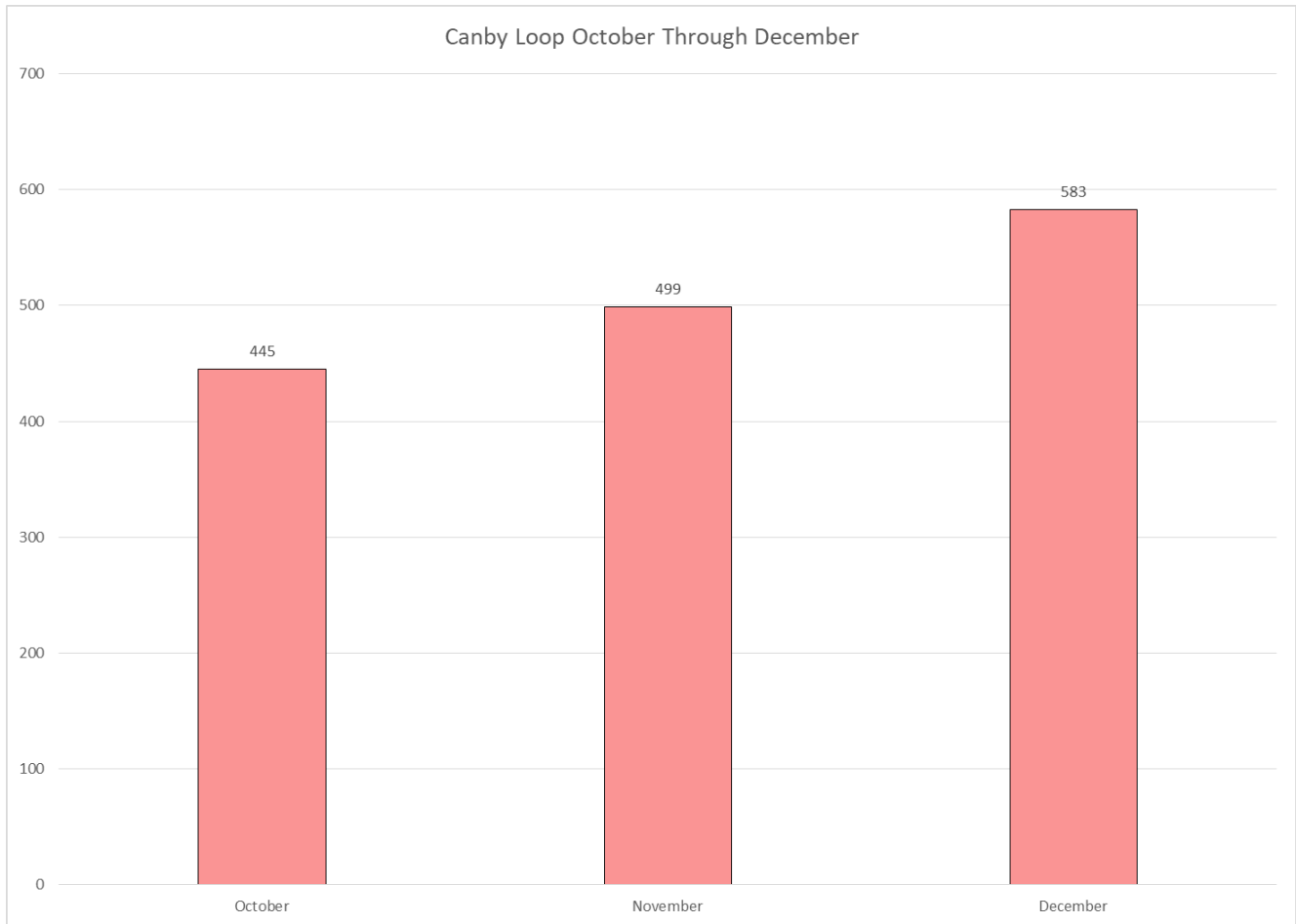
The Transit advisory committee welcomes Bryan Peterson to the committee. There is still one additional opening.

5) City Loop Update:

The Canby Loop began October 4th, 2021:



The circulator runs Monday – Friday from 5:30am to 7:00pm nearly every 35 minutes with a few exceptions for breaks and lunches. The service is seeing steady growth.



Analysis of ridership and service hours are ongoing with potential adjustments being made April 2022.

6) Shelter Project:

The shelter project is tied to ODOT's 99E project. There are 10 stops that will be updated in accordance with the project. Of the stops 6 will be prepared by ODOT and completed by the City. Four will be prepared and completed by the City.

We are beginning the work on engineering the four stops. Shelters to be ordered soon.

7) Building Project:

The building project was put on hold temporarily while a new Finance Director was sought. The next step in the project is selection of a project manager to move the project forward. It is expected that the selection will take place in spring to begin the project.

In the interim CAT has been asked to move next door as the building owner is looking to rent the current space to the next door tenant. The move is awaiting the owners prep of the next door space.



City of Canby Bi-Monthly Report
Department: Wastewater Treatment Plant
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, Wastewater Services Manager
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 1/4/2022

Facility Operation & Maintenance:

The water quality for the months of November and December have been good. Treatment plant is running well and all reports and DMR's were completed on time and without issue. DEQ is still working on our permit renewal and is expected to be completed in the next several months.

Plant Operators split time between process operations, daily maintenance and repairs of equipment, buildings and grounds.

Biosolids Program

- **November** Production: Belt run time = 14 days. 4 loads to Heard Farms, 124 wet tons.
- **December** Production: Belt run time = 18 days. 7 loads to Heard Farms, 216 wet tons.

Pretreatment Inspection/Reporting, Stormwater, FOG Program

- **November** Pump Outs: 26 Inspections: 1 fog, 1 pretreatment
- **December** Pump Outs: 22 Inspections: 1 fog, 2 pretreatment

Pretreatment activities included monthly review of business license, reviewing environmental surveys, plan review, industrial inspection, industrial permit/compliance data review of reports and BMP agreements. Stormwater activities include implementation of stormwater program directives, updates and reporting.

Daily Lab Activity

- Continued OSU Covid 19 Wastewater Study sampling.
- Weekly BOD's, E-coli, solids, NH3 and Alkalinity testing.
- Tier I/II toxics sampling for permit renewal
- Copper BLM and Aluminum sampling for permit renewal.

Personnel Meetings/Training Attended.

- WWTP Safety meeting.
- Multiple virtual ACWA meetings.
- EPA webinars.
- Preconstruction meetings.



City of Canby Bi-Monthly Report
Department: Wastewater Treatment Plant
For Months of: November & December 2021

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, Wastewater Services Manager
Prepared by: Same as above
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