



CITY COUNCIL Agenda

222 NE 2nd Avenue, Canby, OR, 97013 | Ph: (503) 266-4021 | www.canbyoregon.gov

JULY 15, 2026

The City Council meeting may be attended in person in the Council Chambers at
222 NE 2nd Avenue, Canby, OR 97013

The meetings can be viewed on YouTube at:

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

The public may speak at the meeting virtually by contacting the Deputy City Recorder;
ridgleyt@canbyoregon.gov or call 503-266-0637. No pre-registration is required to speak in person.

For questions regarding programming, please contact: Willamette Falls Studio (503) 650-0275;
media@wfmstudios.org

REGULAR MEETING – 7:00 PM

1. CALL TO ORDER

- a. Invocation
- b. Pledge of Allegiance

2. ROLL CALL

3. STAFF INTRODUCTIONS

4. CITIZEN INPUT, PUBLIC COMMENT ON NON-AGENDA ITEMS, & COMMUNITY ANNOUNCEMENTS:

This is an opportunity for audience members to address the City Council on items not on the agenda. If you are attending in person, please complete a testimony/comment card prior to speaking and hand it to the City Recorder. If you would like to speak virtually, please contact the Deputy City Recorder by 4:30 pm on July 15, 2026, with your name, the topic you'd like to speak on and contact information: ridgleyt@canbyoregon.gov or call 503-266-0637.

5. PROCLAMATIONS/ SPECIAL PRESENTATIONS

- a. Zoar Lutheran Church & Canby Kiwanis Community Proclamation

Pg. 1

6. ITEMS REMOVED FROM THE CONSENT AGENDA

7. CONSENT AGENDA

- a. Consider Approval of the June 17, 2026, City Council Meeting Minutes.

Pg. 2

8. APPOINTMENTS

9. PUBLIC HEARINGS

10. ORDINANCES & RESOLUTIONS

- a. Consider **Ordinance No. 1674**: An Ordinance Authorizing the Interim City Administrator to Enter an Agreement effective until June 30, 2029 with a Not-to-Exceed Amount of \$437,192.95 between City of Canby and Lucy Heil, City Prosecutor. (*First Reading*) Pg. 10
- b. Consider **Ordinance No. 1675**: An Ordinance of the City of Canby, Oregon, Amending Title 10 of the Canby Municipal Code to Add Chapter 10.13 Regulating the Operation of Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooters, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use; Declaring an Emergency. (*First Reading*) Pg. 32
- c. Consider **Resolution No. 1465**: A Resolution Referring a Measure Proposing an Amendment to Waive or Modify City Administrator Residency Requirement to the City Charter to the Voters for the November 3, 2026, Election. Pg. 42
- d. Consider **Resolution No. 1466**: A Resolution Referring a Measure Proposing an Amendment to Chapter X of the City Charter to the Voters for the November 3, 2026, Election. Pg. 48
- e. Consider **Resolution No. 1467**: A Resolution Referring to the Electors a Measure Proposing the Renewal of the Five-Year, Local Option Levy for Canby Swim Center Operations and Maintenance at the Rate of \$0.49 per \$1000 Assessed Value Beginning in Fiscal Year 2027-2028. Pg. 60

11. OTHER BUSINESS

- a. UV Project Update
- b. Hotel Rendering Update

12. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORT

- a. Bi-Monthly Reports Pg. 66

13. MAYOR'S BUSINESS

14. COUNCILOR COMMENTS & LIAISON REPORTS

15. CITIZEN INPUT, PUBLIC COMMENT ON NON-AGENDA ITEMS, & COMMUNITY ANNOUNCEMENTS

16. ACTION REVIEW

17. ADJOURNMENT

*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 Teresa Ridgley at 503-266-0637. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov.



COMMUNITY SUPPORT AND VOLUNTEER APPRECIATION PROCLAMATION

WHEREAS, Zoar Lutheran Church has been part of the Canby community since 1892;

WHEREAS, the Kiwanis Club of Canby has been part of the Canby community since 1938;

WHEREAS, members of both organizations have, in cooperation, provided a weekly free dinner for anyone in the Canby community since July 14, 2011;

WHEREAS, over 75,000 hot meals have been served over the past 15 years;

WHEREAS, these volunteers have provided 25,000 hours of service to our community through this program over the past 15 years; and

WHEREAS, both organizations are committed to this ministry and service to the Canby community by continuing to provide hot food and warm fellowship to anyone in need each Tuesday from 5 – 6 at Zoar Lutheran Church.

NOW, THEREFORE, as Mayor of Canby and on behalf of the citizens of our community, I offer our sincere appreciation and thanks to the dozens of volunteers and donors that have provided so much to our neighbors that need a little extra food and companionship, and to Zoar Lutheran Church and the Kiwanis Club of Canby for supporting these volunteers for the past 15 years and for many more years to come.

Given unto my hand this 15th day of July, 2026 in the City of Canby, Oregon.

Brian Hodson
Mayor

**CANBY CITY COUNCIL
WORK SESSION MINUTES
JUNE 17, 2026**

PRESIDING: Traci Hensley

COUNCIL PRESENT: Jason Padden, James Davis, and Daniel Stearns

COUNCIL ABSENT: Brian Hodson, Herman Maldonado, and Paul Waterman

STAFF PRESENT: Randy Ealy, Interim City Administrator; Emily Guimont, City Attorney; Maya Benham, Administrative Director/ City Recorder; Peter Wood, Human Resources Director; Denise LaRue, Finance Director; and Jamie Stickel, Economic Development Director/Communications Specialist.

CALL TO ORDER: Council President Hensley called the meeting to order at 6:10 p.m.

CHARTER DISCUSSION: Councilor Padden gave some background information on what was discussed at the last Charter Review Subcommittee meeting. They had decided to take two items to the voters in November, the updates to Canby Utility and removing the residency restriction for the City Administrator. They wanted to hold off on updating the signing authority amount of the City Administrator until a different election.

Emily Guimont, City Attorney, said Canby Utility's proposed revisions were to put the water and electric functions of Canby Utility on the same footing. The changes were sent to Canby Utility for their review. She hoped in the next couple of weeks to get approval for a resolution to put the changes on the ballot. For the City Administrator residency, they could discuss the language for the ballot tonight and staff could bring a resolution back. There were a few policy decisions in Chapter 10 to discuss regarding Canby Utility. These included changes to the last line in Section 1, striking the phrase "revenue producing," striking the current Section 2 and folding the language into the proposed Section 1 and 2 to keep water and electric on the same footing, adding language in the section on Canby Utility Board to put a practical process in place for dividing liability and state that the Board's insurance would cover all liabilities arising from the department and its conduct, changing the word "energy" to "water and electric" in Subsection H Bond Issues, adding a new subparagraph B under quarterly budget reports to require a joint meeting with Canby Utility Board, and increasing the terms of office from no more than two successive terms to no more than three successive terms.

There was discussion regarding the fees for the EV charging stations and what was allowed in the Charter, concerns about the 5-year borrowing limit for projects, and public outreach needed for these changes.

There was consensus to move forward with the changes to Chapter 10 as proposed.

Ms. Guimont explained the changes for the City Administrator's residency. Currently the City Administrator had to reside in the City, and the change would allow Council to waive or alter that requirement.

There was discussion regarding having the Council policy in place before the election.

Ms. Guimont reviewed the signing authority change, which would increase the amount from \$50,000 to \$100,000 and then increase that \$100,000 by the CPI at the beginning of every fiscal year.

ADJOURN: Council President Hensley adjourned the Work Session at 6:57 p.m.

DRAFT

**CANBY CITY COUNCIL
MEETING MINUTES
JUNE 17, 2026**

PRESIDING: Brian Hodson

STAFF PRESENT: Randy Ealy, Interim City Administrator; Maya Benham, Administrative Director/ City Recorder; Peter Wood, Human Resources Director; Denise LaRue, Finance Director; and Jamie Stickel, Economic Development Director/Communications Specialist.

CALL TO ORDER: Mayor Hodson called the meeting to order at 7:05 p.m.

ROLL CALL: Councilor Padden present; Councilor Maldonado absent; Council President Hensley present; Mayor Hodson present; Councilor Davis present; Councilor Stearns present; and Councilor Waterman absent.

STAFF INTRODUCTION: None

PROCLAMATIONS/SPECIAL PRESENTATIONS: Heritage and Landmarks Commission Presentation Update – Carol Palmer, Chair of the Heritage and Landmarks Commission, provided an update on the Commission's accomplishments, including their renewal as a certified local government, submission of a National Register application for the old city hall building, completion of eight intensive level surveys, development of HLC goals and HLC handbook, collaboration with Planning to integrate the Historic Preservation Plan (HPP) into the Comprehensive Plan, consultations with owners of designated properties on proposed alterations, design review training, initiated meeting of Planning and Economic Development with the Confederated Tribes of the Grand Ronde, and updated their webpage. She then discussed the Commission's project plans for 2026-2027. These included submitting an application for an Oregon Heritage Tree designation for the pine grove at the Fairgrounds, quarterly design review training, adopt and adapt design guideline material from other communities and include them in a mailing to designated site owners, conduct windshield surveys of areas recommended in the HPP, developing a historic preservation award/recognition plan, exploring historic district option for the Fairgrounds, leveraging opportunities for community events, applying for a cemetery grant to finish marker cleaning at Zion Cemetery, and creating a project plan for the 2027 CLG grant. Requests of Council were: improve volunteer recruiting, application, and onboarding, timely notification of changes to rules and requirements, supply property owner information, and get public input on the budget earlier in the process.

Councilor Padden acknowledged the Commission's work and mentioned that improvements to the board and commission application process would be coming, with input from current members to be included in the updates.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS: Olivia Behrendt, Canby resident, spoke about Fourth of July parade crowd control and sidewalk fall lawsuits/claims.

Staff would look at the site and come back with some options.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

CONSENT AGENDA: **Council President Hensley moved to approve the Consent Agenda that included approval of the May 6 and May 20, 2026, City Council Meeting minutes. Motion was seconded by Councilor Padden and passed 4-0.

APPOINTMENTS: None.

PUBLIC HEARINGS:

State Shared Revenue – Mayor Hodson opened the public hearing and read the hearing statement.

Denise LaRue, Finance Director, said the estimated amount of state shared revenue for the next fiscal year was \$215,000.

There was no public testimony.

Mayor Hodson closed the public hearing.

****Council President Hensley moved to adopt Resolution 1457, A RESOLUTION CERTIFYING AND DECLARING THE CITY'S ELIGIBILITY AND ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2027. Motion was seconded by Councilor Davis and passed 4-0.**

2026-2027 Fiscal Year Budget – Mayor Hodson opened the public hearing and read the hearing statement.

Ms. LaRue said the City passed a local option levy of \$0.49 per \$1,000 of assessed property value to fund Swim Center operations. The City also levied the taxes provided for in the adopted budget at the permanent rate of \$3.4886 per \$1,000 of assessed property value. In May of 2026, the Budget Committee met three times to deliberate on the proposed budget, and it was approved.

There was no public testimony.

Mayor Hodson closed the public hearing.

There was discussion regarding the ending balances and results from the current fiscal year, which would be completed by December 31.

Councilor Padden said the total appropriation for next fiscal year budget was \$52,862,796 and \$37,517,612 in unappropriated reserves.

****Councilor Padden moved to adopt Resolution 1458, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES FOR THE 2027 FISCAL YEAR. Motion was seconded by Councilor Davis and passed 4-0.**

Setting Fees for Services and Repealing Resolution 1450 – Mayor Hodson opened the public hearing and read the hearing statement.

Randy Ealy, Interim City Administrator, discussed the 2027 Master Fee Schedule and tying the fees to an inflationary index. All the Department Directors had reviewed the existing fees to make sure they were being used and valid as well as covered costs. Some fees had a considerable jump in price, and he asked if the Council wanted to consider a phased approach.

There was discussion regarding some fees that had not been changed in years and an automatic inflationary adjustment every year on all the fees.

Jamie Stickel, Economic Development Director/Communications Specialist, explained the consultant was working on recommendations for the Street Maintenance Fee to be brought back to the Task Force and City Council. Staff met with the Task Force in April to review the proposed changes to the Municipal Code. The business classifications had been modernized and consolidated from 14 to 7 classifications. Staff had initiated a structural review to align billing rate descriptions with customer classifications and eliminate reporting inconsistencies. The consultants and staff were also working on refining the cost allocation framework to equitably distribute infrastructure costs among designated truck routes, arterials, collectors, and local streets. The Council would meet with the Task Force in July to discuss the fee further.

There was discussion regarding cost recovery and how some of the fees were still not capturing costs, adjusting these fees in a phased approach, timing for updating the Street Maintenance Fee, and how it needed to be done as soon as possible.

There was no public testimony.

Mayor Hodson closed the public hearing.

There was discussion regarding separating out the fees, especially the Street Maintenance and Park Maintenance fees.

****Council President Hensley moved to table Resolution 1459 to a later date. Motion was seconded by Councilor Padden.**

There was further discussion regarding splitting out the fees, especially those that were increased and included in the next fiscal year's budget and approve those on July 1 and wait on the ones that had not been changed and were still being researched.

Mr. Ealy explained the fees that had been increased in the next year's budget were the cemetery and the sewer rates.

Motion failed 2-3 with Councilors Padden and Davis opposed and Mayor Hodson breaking the tie.

****Councilor Padden moved to adopt the fees in the Master Fee Schedule related to sewer increases, cemetery increases, and fees set by State and other regulatory agencies outside the purview of the Council. Motion was seconded by Councilor Davis.**

It was clarified the motion did not include the Park Maintenance Fee increase.

Councilor Stearns thought staff should bring back which fees were included for clarity and they could vote on it on July 1.

****Councilor Padden amended the motion to adopt fees related to sewer increases, cemetery increases, fees set by State and other regulatory agencies outside the purview of the Council, and the Park Maintenance Fee. The amendment was seconded by Council Davis. Motion passed 3-2 with Council President Hensley and Councilor Stearns opposed and Mayor Hodson breaking the tie.**

ORDINANCES & RESOLUTIONS:

Ordinance 1676 – ****Council President Hensley moved to adopt Ordinance 1676, AN ORDINANCE AUTHORIZING THE INTERIM CITY ADMINISTRATOR TO EXECUTE THE FIRST AMENDMENT TO THE PERSONAL SERVICE AGREEMENT WITH HEARD FARMS FOR WASTEWATER SLUDGE HAULING SERVICES; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Davis. Motion passed 4-0 by roll call vote.**

Councilor Padden suggested next time making this a multi-year agreement.

Resolution 1460 – Mr. Ealy explained this was a loan to allow the Library to operate until it received its first distribution of the Library District funding at the end of the calendar year. They would not be charging interest for the loan.

Councilor Padden did not think they should collect the interest for this fiscal year.

****Councilor Davis moved to approve Resolution 1460, A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE CEMETERY PERPETUAL CARE FUND TO THE LIBRARY FUND IN THE AMOUNT OF \$500,000 AND AUTHORIZING REPAYMENT OF THE INTERFUND LOAN IN FISCAL YEAR 2026-2027. Motion was seconded by Councilor Padden and passed 4-0.**

Resolution 1461 – Pete Wood, Human Resources Director, said SAIF required the City to do this every year to cover all the City's volunteers.

****Council President Hensley moved to approve Resolution 1461, A RESOLUTION EXTENDING WORKERS COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF CANBY AND REPEALING RESOLUTION 1439. Motion was seconded by Councilor Davis and passed 4-0.**

Resolution 1462 – Ms. LaRue said this was an appropriation transfer due to a pass-through grant from the County to the Canby Center for \$218,000 that was not recorded in the budget.

****Councilor Stearns moved to approve Resolution 1462, A RESOLUTION APPROVING AMENDED APPROPRIATIONS FOR THE 2025-2026 FISCAL YEAR. Motion was seconded by Councilor Padden and passed 4-0.**

There was consensus to continue the meeting to 9:30 p.m.

OTHER BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORT: Ms. Stickel reported on the downtown business pressure washing program and Independence Day celebration.

Mr. Ealy gave updates on the Police Chief and Public Works Director recruitments and interims for those positions.

Don Hardy, Planning Director, discussed recent legislation effective July 1 for more expedited housing. Subdivisions, planned unit development subdivisions, and residential projects like townhomes and apartments would now be reviewed as a Type II administrative review with notice instead of a Type III Planning Commission hearing process. The City could still develop their own path in the code update process, but developers could choose the State path.

There was discussion regarding discouragement with the new legislation and the need to update the code.

Mr. Ealy said there was a listening session on the Urban Growth Boundary expansion on June 24. The School District was holding a Work Session on June 23 regarding the bond failing and how they would move forward. There was a Council Work Session scheduled for July 8 to discuss the Street Maintenance Fee, illegal fireworks, and E-bikes. The Parks and Recreation Advisory Board voted to name the new park at Auburn Farms Daphne Glen Park. The Human Resources Director and Interim Public Works Director talked to OSHA about a settlement agreement and negotiated a \$2,000 fine.

There was discussion regarding the explosion at Kittyhawk and liability to the City for rebuilding the facility.

MAYOR'S BUSINESS: Mayor Hodson attended the Clackamas County Coordinating Committee's annual retreat. The Region 1 Area Commission on Transportation discussed upcoming summer maintenance and repairs. He thanked Council and staff for the Police Chief candidate meet and greet.

COUNCILOR COMMENTS & LIAISON REPORTS:

Council President Hensley said there was a vacancy on the Traffic Safety Commission.

Councilor Davis asked the citizens to be aware of starting fires, especially as the 4th of July approached.

Councilor Stearns attended the Canby Utility Board meeting where the new charging station was discussed.

Councilor Padden attended the Police Chief meet and greet and Pride in the Park event.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approve the Consent Agenda.
2. Adopted Ordinance 1676.
3. Approved Resolution 1459 for all fees related to sewer, cemetery, fees set by other agencies, and the Park Maintenance Fee.
4. Adopted Resolutions 1457, 1458, 1460, 1461, and 1462.

Mayor Hodson adjourned the meeting at 9:25 p.m.

Maya Benham, CMC
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes – Susan Wood

DRAFT



CITY COUNCIL Staff Report

Meeting Date: 7/15/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Maya Benham, Administrative Director/ City Recorder
Agenda Item: Consider **Ordinance No. 1674**: An Ordinance Authorizing the Interim City Administrator to enter into an agreement effective until June 30, 2029 with a not-to-exceed amount of \$437,192.95 between the City of Canby and Lucy Heil, City Prosecutor. (*First Reading*)
Goal: N/A
Objective: N/A

Summary

Consider Ordinance No. 1674: An Ordinance Authorizing the Interim City Administrator to enter into an agreement effective until June 30, 2029 with a not-to-exceed amount of \$437,192.95 between the City of Canby and Lucy Heil, City Prosecutor.

Background

Ms. Heil has been the Municipal Court City Prosecutor since 2020 and is in good standing. In May, 2025, City Council approved an increase to Ms. Heil's contract to compensate her for the increased workload and to bring her salary consistent with neighboring cities. The Municipal Court dockets have remained full since that time and Ms. Heil continues to spend substantial time supporting the Municipal Court in her prosecutor role.

The City proposes extending Ms. Heil's contract for a three-year period with an annual cost of living increase built into the contract. The cost-of-living adjustment would be equal to the increase city staff receive annually, not to exceed 5%. For the 2026-2027 fiscal year, the city proposes a 3.5% increase to Ms. Heil's contract, which is consistent with the increase received by city employees. Ms. Heil's contract would increase a total of \$2,175 for the 2026-2027 fiscal year.

Attachments

Ordinance No. 1674

Exhibit A to Ordinance No. 1674 - City Prosecutor Agreement

Fiscal Impact

The contract would increase to \$64,275 for July 2026 through June 2027. This has been placed in the 2026-2027 budget line item.

Options

1. Approve Ordinance No. 1674.
2. Do not approve Ordinance No. 1674.

Proposed Motion

"I move to adopt **Ordinance No. 1674**, An Ordinance Authorizing the Interim City Administrator to enter into an agreement effective until June 30, 2029 with a not-to-exceed amount of \$437,192.95 between the City of Canby and Lucy Heil, City Prosecutor to a second reading on August 5, 2026."

ORDINANCE NO. 1674

AN ORDINANCE AUTHORIZING THE INTERIM CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT EFFECTIVE UNTIL JUNE 30, 2029 WITH A NOT-TO-EXCEED AMOUNT OF \$437,192.95 BETWEEN CITY OF CANBY AND LUCY HEIL, CITY PROSECUTOR.

WHEREAS, on September 16, 2020, the City of Canby entered into an agreement with Lucy Heil as City Prosecutor and there have been amendments to the agreement to date;

WHEREAS, in November 2024, Criminal Court returned to Municipal Court with a full case load along with traffic docket;

WHEREAS, in May of 2025, City Council approved an increase to Ms. Heil's contract to compensate for the increased workload of Criminal Court and to bring her salary consistent with neighboring cities; and

WHEREAS, in July 2026, the City of Canby desires to have Ms. Heil continue serving in the capacity as City Prosecutor and allows the City of Canby to continue agreement with Ms. Heil as City Prosecutor for a three-year period with an annual cost of living (not exceeding 5%) increase.

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

Section 1. The Interim City Administrator is hereby authorized to enter into an agreement effective until June 30, 2029, with a not-to-exceed amount of \$437,192.95 between the City of Canby and Lucy Heil, City Prosecutor.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, July 15, 2026 ordered posted as required by the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on August 5, 2026, commencing at the hour of 7:00 PM at the Council Chambers located at 222 NE 2nd Avenue, Canby, Oregon.

Maya Benham, CMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on the 5th day of August, 2026, by the following vote:

YEAS_____

NAYS_____

Brian Hodson
Mayor

ATTEST:

Maya Benham, CMC
City Recorder

PERSONAL SERVICES AGREEMENT

CITY PROSECUTOR SERVICES

This Agreement is entered into between the City of Canby, a municipal corporation of the State of Oregon (“City”), and Lucy Heil. This Agreement is made effective as of July 1, 2026 (the “Effective Date”). This Agreement may refer to the City and Consultant individually as “Party” or jointly as “Parties.”

RECITALS

WHEREAS, the City requires the services of an Oregon certified professional to provide municipal prosecution services to the City (“Services”); and

WHEREAS, the City desires to contract with the Consultant to provide the Services.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals incorporated by this reference and the mutual promises contained in this Agreement, City and Consultant agree as follows:

1. Term

The initial term of this Agreement shall be from the Effective Date until June 30, 2029, unless amended or sooner terminated under the provisions of this Agreement. The City may, at its sole discretion, renew this Agreement an additional three-year term upon written notice delivered to Consultant no later than thirty (30) calendars before the expiration of the then-current term. In no event will this Agreement be in effect for past June 30, 2032. Passage of the Agreement’s initial term or renewal term shall not extinguish, prejudice, or limit either party’s right to enforce this Agreement with respect to any default or defect in performance that has not been corrected.

2. Consultant’s Services

The Consultant’s Services and schedule for performance are set forth in Exhibit A. Any conflict between this Agreement and Consultant’s Proposal shall be resolved first in favor of this Agreement. Consultant will use its best efforts and due diligence in its performance of the Services and will provide such personnel, materials, supplies, and equipment as are necessary to successfully provide the Services. All Consultant personnel shall be properly trained and fully licensed to undertake any activities pursuant to this Agreement, and Consultant shall have all requisite permits, licenses and other authorizations necessary to provide the Services. Consultant’s failure to adhere to the work schedule in Exhibit A is sufficient grounds for the City to terminate this Agreement for breach.

3. Consultant's Identification

Consultant shall furnish to City Consultant's employer identification number, as designated by the Internal Revenue Service, or, if the Internal Revenue Service has designated no employer identification number, Consultant's Social Security number.

4. Compensation

In exchange for the Services, the City shall pay Consultant the following amounts per month:

From July 1, 2026, to June 30, 2027, the City shall pay Consultant \$5,356.25 per month ("Year 1 Amount").

From July 1, 2027, to June 30, 2028 ("Year 2 Amount"), the City shall pay Consultant, per month, the amount equal to the Year 1 Amount increased by the cost-of-living adjustment percentage granted to City management employees on July 1, 2027. Such percentage shall not exceed 5%.

From July 1, 2028, to June 30, 2029 ("Year 3 Amount"), the City shall pay Consultant, per month, the amount equal to the Year 2 Amount increased by the cost-of-living adjustment percentage granted to City management employees on July 1, 2028. Such percentage shall not exceed 5%.

In the event that the City renews this Agreement for a renewal term in accordance with Section 1 of this Agreement, for each year of the renewal term, the City shall pay Consultant, per month, the amount equal to the previous year's amount increased by the cost-of-living adjustment percentage granted to City management employees on July 1 of that year of the renewal term. Such percentage shall not exceed 5%.

In no event shall the Consultant's total fee for the entire initial term and any renewal term of this Contract exceed \$437,192.95.

The City shall pay the Consultant by the end of each month for the current month.

The City shall not pay compensation for any portion of the Services not performed. Payment shall not be considered acceptance or approval of any Services or waiver of any design defects therein. The compensation contemplated in this Section shall constitute full and complete payment for said Services.

Consultant must promptly pay all sums due to subconsultants for services and reimbursable expenses after receiving payment for those services from City.

5. Notice

The Parties designate the following individuals to send and receive any notices required under this Agreement.

For the City:

Maya Benham
222 NE 2nd Avenue
Canby, OR. 97013
benhamm@canbyoregon.gov
503-266-0720

For Consultant:

Lucy Heil
222 NE 2nd Ave
Canby, OR. 97013
heill@canbyoregon.gov

Each Party shall give the other written notice of any intended change of the individual designated above. Any change to Consultant's individual designated above must be approved by the City, such approval not to be unreasonably withheld.

All notices shall be made in writing and may be given by personal delivery, first class mail or email. Mailed notices shall be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices shall be deemed given at the time of actual delivery.

6. Project Information

Consultant agrees to promptly share all information related to the Services with the City and to fully cooperate with all corporations, firms, contractors, governmental entities, and persons involved in or associated with the Services. Consultant shall not provide any information, news, or press releases related to the Services to representatives of newspapers, magazines, television and radio stations, or any other news medium without the prior authorization of the City.

7. Duty to Inform

Consultant shall give prompt written notice to the City if, at any time during the performance of this Agreement, Consultant becomes aware of actual or potential problems, faults or defects in the Services, any nonconformity with the Agreement, or with any federal, state, or local law, rule, regulation, decree, or other mandate, or if Consultant has any objection to any decision or order made by City. Any delay or failure on the part of City to provide a written response to Consultant shall constitute neither agreement with nor acquiescence in Consultant's statement or claim and shall not constitute a waiver of any of City's rights.

8. Consultant is Independent Contractor

Consultant is an independent contractor for all purposes and shall be entitled to no compensation other than the compensation expressly provided by this Agreement. Consultant hereby expressly acknowledges and agrees that as an independent contractor, Consultant is not entitled to indemnification by the City or the provision of a defense by the City under the terms of ORS 30.285. This acknowledgment by Consultant shall not affect Consultant's independent ability (or the ability of Consultant's insurer) to assert that the monetary limitations found at ORS 30.272, the immunities listed at ORS 30.265 or other limitations affecting the assertion of any claim under the terms of the Oregon Tort Claims Act (ORS 30.260 to ORS 30.300).

9. Consultant Representations and Warranties

- i. Consultant has the power, authority, ability, skills, and capacity to enter into and perform this Agreement, and when executed and delivered this Agreement shall be a valid and binding obligation of Consultant enforceable in accordance with its terms.
- ii. The Consultant is validly organized and exists in good standing under the laws of the State of Oregon and the Consultant is duly qualified, registered or licensed to do business in good standing in the State of Oregon.
- iii. The execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby have been duly authorized by all necessary action and do not and will not (a) require any further consent or approval of the board of directors or any shareholders of the Consultant or any other person which has not been obtained or (b) result in a breach of default under the certificate of incorporation or by-laws of the Consultant or any indenture or loan or credit agreement or other material agreement or instrument to which the Consultant is a party or by which the Consultant's properties and assets may be bound or affected. All such consents and approvals are in full force and effect.
- iv. Consultant is engaged as an independent contractor and will be responsible for any federal, state or local taxes applicable to any payments made under this Agreement.
- v. Consultant is not eligible for any federal social security, unemployment insurance, pension, PERS or workers' compensation benefits from compensation or payments paid to Consultant under this Agreement.
- vi. Consultant is not an employee of the City, any special district, local government, the federal government or the State of Oregon.
- vii. Consultant has complied and will continue to comply with all Oregon laws applicable to the performance of Consultant's obligations under this Agreement.

viii. Consultant has the skill and knowledge possessed by well-informed members of its industry, trade or profession and will apply that skill and knowledge with care and diligence to perform the Services under this Agreement in a professional manner and in accordance with standards prevalent in the Consultant's industry, trade or profession under similar conditions and circumstances.

ix. Consultant has read, understands and agrees to be bound by each of the terms and conditions of this Agreement.

x. Consultant prepared its Proposal for these Services independently from all other proposers, and without collusion, fraud or other dishonesty.

xi. Consultant's Services rendered in the performance of Consultant's obligations under this Agreement are provided to the City free and clear of any and all restrictions on or conditions of use, transfer, modification, or assignment, and are free and clear of any and all liens, claims, mortgages, security interests, liabilities, charges, and encumbrances of any kind.

xii. Upon City's request, Consultant shall provide City with evidence reasonably satisfactory to City confirming the foregoing representations and warranties. The representations and warranties set forth in this section are in addition to, and not in lieu of, any other representations and warranties that Consultant provides.

10. Indemnity

i. The Consultant shall indemnify, defend, and hold the City, its officers, agents, volunteers, and employees harmless from and against any and all claims, actions, proceedings, judgments, losses, injuries, damages, costs, expenses, and liabilities, including court costs and attorney's fees, to the extent they arise out of, or result directly or indirectly from, all other negligent acts or omissions of the Consultant, or any of its subcontractors, subconsultants, suppliers, agents or employees arising in connection with the performance of this Agreement.

ii. The obligations of the indemnifications extended by the Consultant to the City shall survive the termination or expiration of this Agreement.

iii. Except to the extent that the death or bodily injury to persons or damage to property arises out of the fault of Consultant or Consultant's agents, representatives, subcontractors or subconsultants, the indemnities in subsection (i) and (ii) do not require Consultant or Consultant's surety (if any) or insurer to indemnify the City for damage arising out of the death or bodily injury to persons or damage to property caused in whole or in part by the negligence of the City.

11. Insurance

Consultant shall obtain and maintain, throughout the terms of this Agreement, professional liability insurance in the minimum amounts required by applicable law.

12. Work Product

All work produced by the Consultant is the exclusive property of the City. “Work Product” includes but is not limited to, technical drawings, prints, blueprints, schematics, research, reports, computer programs, manuals, drawings, plans, recordings, photographs, artwork and any data or information in any form. The Consultant and the City intend that such Work Product shall be deemed “work made for hire” of which the City shall be deemed the author. If for any reason, a Work Product is deemed not to be a “work made for hire,” the Consultant irrevocably assigns and transfers to the City all right, title and interest in such Work Product, whether arising from copyright, patent, trademark, trade secret, or any other state or federal intellectual property law or doctrine. Consultant shall obtain such interests and execute all documents necessary to fully vest such rights in the City. Consultant waives all rights relating to Work Product, including any rights arising under 17 USC 106A, or any other rights of authorship, identification or approval, restriction or limitation on use or subsequent modifications. If the Consultant is an architect, the Work Product is the property of the Consultant-Architect, and by executed of this Agreement, the Consultant-Architect grants the City an exclusive an irrevocable license to use that Work Product.

Notwithstanding the above, all pre-existing trademarks, service marks, patents, copyrights, trade secrets, and other proprietary rights of Consultant are and will remain the exclusive property of Consultant.

13. Public Records and Confidentiality

- i. Public Records Requests. Consultant acknowledges that the City is subject to the Oregon Public Records Act and federal law. Third persons may claim that the Consultant Confidential Information that Consultant submitted to the City hereunder may be, by virtue of its possession by the City, a public record and subject to disclosure pursuant to the Oregon Public Records Act. The City’s commitments to maintain certain information confidentially under this Agreement are all subject to the constraints of Oregon and federal laws. All information submitted by Consultant to the City is a public record and subject to disclosure pursuant to the Oregon Public Records Act, except such portions for which Consultant requests and meets an exemption from disclosure consistent with federal or Oregon law, in accordance with the process set forth in Section 13.iii. Within the limits and discretion allowed by those laws, the City will make a good faith effort to maintain the confidentiality of information.
- ii. Public Records Retention. The City will retain one (1) copy of any public records for the express purposes of complying with State of Oregon public records and archiving laws.

iii. Confidentiality.

- a. Consultant's Confidential Information. During the term of this Agreement, Consultant may disclose to the City certain Consultant confidential information pertaining to Consultant's business ("Consultant Confidential Information"). Consultant shall be required to mark Consultant Confidential Information CONFIDENTIAL with a restrictive legend or similar marking, together with a written statement describing the material which is requested to remain protected from disclosure and the justification for such request. If Consultant Confidential Information is not clearly marked, or the Consultant Confidential Information cannot be marked with a restrictive legend or similar marking or is disclosed either orally or by visual presentation, Consultant shall identify the Consultant Confidential Information as confidential at the time of disclosure or within a reasonable time thereafter. This Agreement itself shall not be considered Consultant Confidential Information. Consultant Confidential Information does not include information that (1) is or becomes (other than by disclosure by City) publicly known; (2) is furnished by Consultant to others without restrictions similar to those imposed by this Agreement; (3) is rightfully in City's possession without the obligation of nondisclosure prior to the time of its disclosure under this Agreement; (4) is obtained from a source other than Consultant without the obligation of confidentiality, (5) is disclosed with the written consent of Consultant, or; (6) is independently developed by employees or agents of City who can be shown to have had no access to the Consultant Confidential Information. Subject to subsection (i) and (ii), the City shall: (1) limit disclosure of Consultant Confidential Information to those directors, elected and appointed officials, employees, contractors and agents of the City who need to know the Consultant Confidential Information in connection with the Services and who have been informed of confidentiality obligations at least as strict as those contained in this Agreement, and (2) exercise reasonable care to protect the confidentiality of the Consultant Confidential Information, at least to the same degree of care as the City employs with respect to protecting its own proprietary and confidential information.
- b. City's Confidential Information. Any and all information that the City provides to Consultant or its employees or agents in the performance of this Agreement that City designates as confidential (either on the document itself or through related correspondence), as well as all reports and other documents and materials that result from Consultant's use of such information and any other Work Product that City designates as confidential, is deemed to be confidential information of City ("City Confidential Information"). City Confidential Information does not include information that (1) is or becomes (other than by disclosure by Consultant) publicly known; (2) is furnished by City to others without restrictions similar to those imposed by this Agreement; (3) is rightfully in Consultant's possession without the obligation of nondisclosure prior to the time of its disclosure under this Agreement; (4) is obtained from a source other than City without

the obligation of confidentiality, (5) is disclosed with the written consent of City, or; (6) is independently developed by employees or agents of Consultant who can be shown to have had no access to the Confidential Information.

- c. Consultant shall treat as confidential any City Confidential Information that has been made known or available to Consultant or that Consultant has received, learned, heard or observed; or to which Consultant has had access. Consultant shall use City Confidential Information exclusively for the City's benefit in the performance of this Agreement. Except as may be expressly authorized in writing by the City, in no event shall Consultant publish, use, discuss or cause or permit to be disclosed to any other person such City Confidential Information. Consultant shall (1) limit disclosure of the City Confidential Information to those directors, officers, employees, subcontractors, subconsultants and agents of Consultant who need to know the City Confidential Information in connection with the Services and who have agreed in writing to confidentiality obligations at least as strict as those contained in this Agreement, (2) exercise reasonable care to protect the confidentiality of the City Confidential Information, at least to the same degree of care as Consultant employs with respect to protecting its own proprietary and confidential information, and (3) return immediately to the City, upon its request, all materials containing City Confidential Information, in whatever form, that are in Consultant's possession or custody or under its control. Consultant is expressly restricted from and shall not use the intellectual property rights of the City without the City's prior written consent.
- d. Retroactivity. This Section shall apply to all City Confidential Information previously received, learned, observed, known by or made available to Consultant and related to this Agreement.
- e. Survival. Consultant's confidentiality obligations under this Agreement shall survive termination or expiration of this Agreement.
- f. Equitable Relief. Consultant acknowledges that unauthorized disclosure of City Confidential Information will result in irreparable harm to the City. In the event of a breach or threatened breach of this Agreement, the City may obtain injunctive relief prohibiting the breach, in addition to any other appropriate legal or equitable relief. The Parties agree that, notwithstanding any other section of this Agreement, in the event of a breach or a threatened breach of the Agreement's terms related to Confidential Information or intellectual property rights, the non-breaching Party shall be entitled to seek equitable relief to protect its interests, including but not limited to injunctive relief. Nothing stated herein shall be construed to limit any other remedies available to the Parties.
- g. Discovery of Documents. In the event a court of competent jurisdiction

orders the release of Confidential Information submitted by one Party, the other Party will notify the Party whose Confidential Information is being requested to be disclosed of the request. The Party receiving the request shall allow the other Party to participate in the response at its own expense. Each Party will comply with any effective court order.

14. Errors

Consultant shall perform such additional work as may be necessary to correct errors in the work required under this Agreement without undue delays and without additional cost.

15. Changes in Work

Only the City Administrator or individual designated in Section 5 may authorize a change order or extra work. Failure of Consultant to secure written authorization for a change order or extra work shall constitute a waiver of all right to adjustment in the contract price or contract time due to such unauthorized change order or extra work, and Consultant thereafter shall be entitled to no compensation whatsoever for the performance of such work.

16. Early Termination of Agreement

- i. The City may terminate this Agreement for convenience at any time for any reason deemed appropriate in its sole discretion. Termination is effective immediately upon notice of termination given by the City.
- ii. Either party may terminate this Agreement in the event of a material breach by the other party that is not cured. Before termination is permitted, the Party seeking termination shall give the other Party written notice of the breach, its intent to terminate, and thirty (30) calendar days to cure the breach. If the breach is not cured within 30 days, the Party seeking termination may terminate immediately by giving written notice that the Agreement is terminated.

17. Remedies and Payment on Early Termination

- i. If the City terminates pursuant to Section 16(i), the City shall pay the Consultant for Services performed in accordance with the Agreement prior to the termination date. No other costs or loss of anticipated profits shall be paid.
- ii. If the City terminates pursuant to Section 16(ii), the City is entitled all remedies available at law or equity. In addition, Consultant shall pay the City all damages, costs, and sums incurred by the City as a result of the breach.

- iii. If the Consultant justifiably terminates the Agreement pursuant to 16(ii), the Consultant's only remedy is payment for Services performed prior to the termination. No other costs or loss of anticipated profits shall be paid.
- iv. If the City's termination under Section 16(ii) was wrongful, the termination shall be automatically converted to one for convenience, and the Consultant shall be paid as if the Agreement was terminated under Section 16(i).
- v. In the event of early termination, the Consultant's Work Product before the date of termination becomes property of the City.

18. Compliance with Applicable Law

Consultant shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement. Without limiting the generality of the foregoing, Consultant expressly agrees to comply with the following laws, regulations and executive orders to the extent they are applicable to the Agreement: (i) Titles VI and VII of the Civil Rights Act of 1964, as amended; (ii) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; (iii) the Americans with Disabilities Act of 1990, as amended; (iv) Executive Order 11246, as amended; (v) the Health Insurance Portability and Accountability Act of 1996; (vi) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended; (vii) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; (viii) ORS Chapter 659, as amended; (ix) all regulations and administrative rules established pursuant to the foregoing laws; and (x) all other applicable requirements of federal, state and municipal civil rights and rehabilitation statutes, rules and regulations. These laws, regulations and executive orders are incorporated by reference herein to the extent that they are applicable to the Agreement and required by law to be so incorporated.

Certain Oregon laws apply to all public contracts in Oregon. The City's performance under the Agreement is conditioned upon Consultant's compliance with the applicable provisions in Exhibit B – OR Statutorily Required Contract Provisions, which are incorporated herein by this reference.

19. Records and Audits

- i. Records Retention. Consultant shall maintain current financial records in accordance with Generally Accepted Accounting Principles (GAAP). Consultant agrees to maintain and retain and retain all financial records, supporting documents, statistical records and all other records pertinent to this Agreement during the term of this Agreement and for a minimum of six (6) years after the expiration or termination date of this Agreement, for a minimum of six (6) years after all other pending matters in connection with this Agreement are closed, whichever is longer.

- ii. **City Audits.** The City, either directly or through a designated representative, may conduct financial and performance audits of the billings and Services at any time in the course of the Agreement and during the records retention period listed above. Audits shall be conducted in accordance with generally accepted auditing standards as promulgated in Government Auditing Standards by the Comptroller General of the United States Government Accountability Office.
- iii. **Access to Records.** The City may examine, audit and copy Contractor's books, documents, papers, and records relating to this Agreement at any time during the records retention period listed above upon reasonable notice. Copies of applicable records shall be made available upon request. Access to said documents shall be granted within seven (7) days written notice, or such other earlier time as is reasonable under the circumstances.

20. Law of Oregon

This Agreement is governed by the laws of the State of Oregon without reference to its conflict of laws provisions that might otherwise require the application of the law of any other jurisdiction. Any action or suits involving any question arising under this Agreement shall be brought in the appropriate court of Clackamas County, Oregon.

21. Mediation, Trial By Jury, Attorneys' Fees

- i. Should any dispute arise between the Parties to this Agreement it is agreed that such dispute will be submitted to a mediator prior to any litigation, and the Parties hereby expressly agree that no claim or dispute arising under the terms of this Agreement shall be resolved other than first through mediation and only in the event said mediation efforts fail, through litigation.
- ii. The Parties shall exercise good faith efforts to select a mediator who shall be compensated equally by both Parties. Mediation will be conducted in Canby, Oregon, unless both Parties agree in writing otherwise. Both Parties agree to exercise good faith efforts to resolve disputes covered by this section through this mediation process. If a Party requests mediation and the other party fails to respond within ten (10) days, or if the Parties fail to agree on a mediator within ten (10) days, a mediator shall be appointed by the presiding judge of the Clackamas County Circuit Court upon the request of either Party.
- iii. Any litigation arising under or as a result of this Agreement shall be tried to the court without a jury.
- iv. In any mediation or litigation arising under this Agreement, each Party shall bear its own fees and costs, including attorney fees.

22. Conflict of Interest

Consultant hereby certifies that it is not a City official/employee or a business with which a City official/employee is associated, and that to the best of its knowledge, Consultant, its employee(s), officer(s) or its director(s) is not a City official/employee or a relative of any City official/employee who: (1) has responsibility in making decisions or ability to influence decision-making on the Agreement or project to which this Agreement pertains; (2) has or will participate in evaluation or management of the Agreement; or (3) has or will have financial benefits in the Agreement. Consultant understands that should it elect to employ any former City official/employee during the term of the Agreement, then that former City official/Consultant employee must comply with applicable government ethics and conflicts of interest provisions in ORS Chapter 244, including but not limited to ORS 244.040(5) and ORS 244.047, and any provisions of the City's Charter, Code, ordinances, or administrative rules.

23. Subcontractors and Subconsultants

The is solely and exclusively responsible to the City for the performance of the Services, notwithstanding any subcontracts that it enters into for the performance of the Services. Consultant shall provide a list of all subcontractors and subconsultants with which Consultant intends to utilize in providing Services. This list shall include such information on their relevant qualifications as may be requested by City. City reserves the right to review and reject the Consultant's use of subcontractors and subconsultants where Owner has a reasonable objection. Consultant shall obtain Owner's written consent prior to entering into any subcontracts for any of the Services required by the Agreement.

24. General Provisions

- i. Successors and Assigns: Each party binds itself, and any partner, successor, executor, administrator or assign to this Agreement.
- ii. Assignment: Consultant shall not assign, sublet or transfer any interest in or duty under this Agreement without the written consent of the City and no assignment shall be of any force or effect whatsoever unless and until the City has so consented. If City agrees to assignment of tasks to a subcontractor or subconsultant, Consultant shall be fully responsible for the acts or omissions of any subcontractors and subconsultants and of all persons employed by them, and neither the approval by City of any subcontractor or subconsultant nor anything contained in this Agreement shall be deemed to create any contractual relation between them and City.
- iii. Severability: In the event any provision or portion of this Agreement is held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the

remaining terms and provisions shall not be affected to the extent that it did not materially affect the intent of the Parties when they entered into the Agreement.

- iv. No Third-Party Beneficiaries: Consultant and City are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.
- v. Non-Discrimination: Each Party agrees not to discriminate on the basis of age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income in the performance of this Agreement.
- vi. Exclusivity: This is not an exclusive contract, and the City retains the right to contract with other entities or contractors for the same or similar goods or services as provided under this Agreement in the City's sole discretion.
- vii. Amendments: Any modification of the provisions of this Agreement shall be reduced to writing and signed by the Parties. Consultant acknowledges that authority for amendments may be subject to the City's ordinance process.
- viii. Integration: This Agreement and attached Exhibits and Attachments constitutes the entire Agreement between the Parties. There are no understandings, agreements, or representations, oral or written, not specified in this Agreement regarding this Agreement.
- ix. No Waiver: No waiver, consent, modification, or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties. Such waiver, consent, modification, or change if made, shall be effective only in specific instances and for the specific purpose given.
- x. Order of Precedence: Should there be any conflict between the terms of this Agreement and the Consultant's proposed contract terms, scope of work, or any other document provided by the Consultant, this Agreement shall control, and nothing in this Agreement shall be considered as an acceptance of any conflicting terms in the Consultant's Proposal.
- xi. Survival: All provisions in this Agreement, which by their nature should remain in effect beyond termination or expiration of this Agreement, will survive until fulfilled.

- xii. Counterparts; Electronic Signatures: The Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original and such counterparts shall together constitute but one and the same Agreement. The City and Consultant may conduct this transaction, including any amendments, by electronic means, including the use of electronic signatures.
- xiii. Independent Legal Review: The Parties, by the signature of their authorized representatives, acknowledge that they have read this Agreement, have performed an independent legal review, understand it, and agree to be bound by its terms and conditions.

IN WITNESS HEREOF, the Parties hereby cause this Agreement to be executed.

CONSULTANT

CITY OF CANBY

Lucy Heil

Date _____

Randy Ealy, Interim City Administrator

Date _____

Scope of Work – Exhibit A

Prosecuting Attorney shall provide effective and efficient legal representation for all criminal misdemeanors and lawyer-represented violation trials in the Canby Municipal Court at all stages of prosecution to include appeals at the Clackamas County Circuit Court and Municipal Court probation hearings.

The Canby Municipal Prosecutor shall:

- Adhere to City Personnel Policies
- Maintain good standing with the Oregon State Bar and stay up to date with changes in the law
- Communicate regularly with court staff, attorneys and police staff and return phone calls and emails within 48 hours
- Maintain regular office hours at a minimum of Mondays and Thursdays from 9 a.m. to 4 p.m. to provide open communication with police officers, court staff and attorneys. Prosecutor will notify staff when office hours will vary
- Review criminal cases submitted by Canby Police and consult with Canby Police as needed
- Make filing decisions with the Municipal Court and provide decline memos to the primary police officer explaining reasons for not filing charges
- Draft complaints and file with Municipal Court
- Refer potential felonies to Clackamas County District Attorney's Office
- Provide discovery to defense attorneys and respond to motions in a timely manner
- Negotiate plea deals with defense attorneys
- Work collaboratively with other court prosecutors as needed on pending cases
- Attend court sessions and represent the City as Prosecuting Attorney on cases filed in the Municipal Court, including but not limited to court and jury trials, probation violation hearings, diversion violation hearings, arraignments, pre-trial conferences and sentencing
- Determine conflicts of interest and seek waivers or find suitable alternatives
- Represent City of Canby in cases appealed to Clackamas County Circuit Court
- Provide coverage for courtroom appearances during vacation or leave of absence. If coverage is unavailable, provide Municipal Court with 60 days notice of absence.
- Maintain a list of community service options for defendants.

Statutorily Required Public Contracting Provisions - Exhibit B

Consultant shall observe all applicable state and local laws pertaining to public contracts. Pursuant to ORS Chapters 279A, 279B and 279C, which require every public contract to contain certain provisions, and other state law, the following provisions shall be a part of this contract, as applicable. All defined terms in this Attachment shall be interpreted in accordance with Solicitation or Contract Document and the relevant statutory provision. For professional services contracts, Contractor shall be read to mean Consultant, and Subcontractor shall be read to mean subcontractor or subconsultant.

1. ORS 279A.110 (Non-discrimination Certification): Contractor shall certify that Contractor has not discriminated and will not discriminate against a Subcontractor in the awarding of a subcontract because the Subcontractor is a disadvantaged, minority owned, woman owned, veteran owned, or emerging small business enterprise (certified under ORS 200.055.), or a business that is owned or controlled by, or employs a disabled veteran (as defined in ORS 408.225).
2. Pursuant to ORS 279B.220 or 279C.505, as applicable, Contractor shall make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract; shall pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract; not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished, and; pay to the Department of Revenue all sums withheld from employees under ORS 316.167.
3. Pursuant to ORS 279B.225, every public contract for lawn and landscape maintenance shall contain a condition requiring the contractor to salvage, recycle, compost or mulch yard waste material at an approved site, if feasible and cost-effective.
4. Pursuant to ORS 279B.230(1) or 279C.530(1), as applicable, Contractor shall promptly, as due, make payment to any person, co-partnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury, to the employees of such contractor, of all sums which the contractor agrees to pay for such services and all monies and sums which the contractor collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.
5. Pursuant to ORS 279B.230(2) or 279C.530.(2), as applicable, in every public contract, all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126.

Personal Services Agreement

6. Pursuant to ORS 279B.235(1) and 279B.020 and ORS 279C.520 and 279C.540 (Hours of Labor, Holidays, and Overtime): Except as otherwise provided in an applicable collective bargaining agreement with a labor organization, Contractor shall not employ and shall require that its Subcontractors not employ any person to perform construction work for more than ten hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency, or where the public policy absolutely requires it, and in such cases, except in cases of Contracts for personal services as defined in ORS 279A.055, the laborer shall be paid at least time and a half pay:
- i. For all overtime in excess of eight hours a day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; and
 - ii. For all overtime in excess of ten hours a day or 40 hours in any one week when the work week is four consecutive days, Monday through Friday; and
 - iii. For work performed on Saturday and on any legal holiday specified in any applicable collective bargaining agreement or ORS 279C.540(1)(b).
 - iv. The requirement to pay at least time and a half for all overtime worked in excess of 40 hours in any one week shall not apply to individuals who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. Section 201 to 209 from receiving overtime.
 - v. Contractor shall and shall require its Subcontractors to give notice in writing to their employees who work under this Contract, either at the time of hire or before commencement of Work on the Contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.
7. Environmental Laws. Contractor shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).
8. Oregon Tax Law Compliance: Contractor must, throughout the duration of this Contract and any extensions, comply with all tax laws of this state and all applicable tax laws of any political subdivision of this state. Contractor (to the best of Contractor's knowledge, after due inquiry), for a period of no fewer than six calendar years preceding the date of this Contract, represents and warrants that it has faithfully has complied with, and will continue to comply with during the term of this Contract: (A) all tax laws of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318; (B) any tax provisions imposed by a political subdivision of this state that applied to Contractor, to Contractor's property, operations, receipts, or income, or to Contractor's performance of or compensation for any work performed by Contractor; (C) any tax provisions imposed by a political subdivision of this state that applied to Contractor, or to goods, services, or property, whether tangible or intangible, provided by Contractor; and (D) any rules, regulations, charter provisions, or ordinances that

implemented or enforced any of the foregoing tax laws or provisions. Failure to comply with this section is a default for which the City may terminate the Contract and seek damages and other relief available under the terms of the Contract or under applicable law.

9. Foreign Contractor. If Contractor is not domiciled in or registered to do business in the state of Oregon, Contractor shall promptly provide to the Oregon Department of Revenue and the Secretary of State Corporation Division all information required by those agencies relative to this Contract. Contractor shall demonstrate its legal capacity to perform these services in the state of Oregon prior to entering into this Contract.
10. Assignment or Transfer Restricted. Unless otherwise provided in the Contract, the Contractor shall not assign, sell, dispose of, or transfer rights, or delegate duties under the Contract, either in whole or in part, without the Contracting Agency's prior Written consent. Unless otherwise agreed by the Contracting Agency in Writing, such consent shall not relieve the Contractor of any obligations under the Contract. Any assignee or transferee shall be considered the agent of the Contractor and be bound to abide by all provisions of the Contract. If the Contracting Agency consents in Writing to an assignment, sale, disposal or transfer of the Contractor's rights or delegation of Contractor's duties, the Contractor and its surety, if any, shall remain liable to the Contracting Agency for complete performance of the Contract as if no such assignment, sale, disposal, transfer or delegation had occurred unless the Contracting Agency otherwise agrees in Writing.



CITY COUNCIL Staff Report

Meeting Date: 7/15/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: James Murphy, Police Captain
Agenda Item: Consider **Ordinance No. 1675**: An Ordinance of the City of Canby, Oregon, Amending Title 10 of the Canby Municipal Code to Add Chapter 10.13 Regulating the Operation of Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooters, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use; Declaring an Emergency. (*First Reading*)

Summary

This item is to consider an Ordinance of the City of Canby, Oregon, Amending Title 10 of the Canby Municipal Code to add Chapter 10.13 Regulating the Operation of Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooters, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use.

Background

Over the last year, the City of Canby has received a growing number of concerns from residents about the safety of electric assisted bicycles (e-bikes), electric mobility devices and off-road vehicle use in our community. While Oregon law regulates the age of e-bike riders, defines which classes of e-bikes are permitted on public streets and prohibits specific vehicles, there are currently no statewide rules that address rider behavior, unsafe operation, misuses in parks, neighborhoods, city streets, public spaces and parental responsibility of all users.

In addition to these concerns, the City has seen a serious injury and a very serious near accident involving a child on an e-scooter. The surrounding communities have fared worse with some catastrophic injuries to e-bike riders. These incidents further highlight the need for local guidance, safety education and clear expectations for how e-bikes and e-scooters should be operated.

Discussion

To improve safety for all road, trail and park users, the City is proposing an E-Bike Safety Ordinance that establishes clear expectations for e-bike operation within the City of Canby. The ordinance defines permitted and prohibited devices, outlines behaviors that constitute unsafe riding such as excessive speed, loss of control, aggressive operation near pedestrians, stunt riding, improper use of earbuds or mobile devices, and failure to yield to pedestrians and prohibits non-pedal, overpowered electric and gas powered devices on City streets, sidewalks, parks and trails. Violations may result in a civil penalty of up to \$500 and repeat offenders may be cited up to \$1000.

Attachments

Ordinance No. 1675

Exhibit A – Chapter 10.13 – Electric Assisted Bicycles, Electric Micromobility Devices and Prohibited Vehicles

Fiscal Impact

No known financial impact.

Options

To approve Ordinance No. 1675

Do not approve Ordinance No. 1675

Recommendation

Staff recommends Ordinance No. 1675 be approved. If the proposed ordinance is adopted, the City will initiate a multi-month education and outreach campaign. During the rollout period, the City will emphasize education-first, then enforcement, including warnings and opportunities to correct unsafe behavior. This approach maintains a balance between addressing dangerous riding, prohibited riding, improving community safety, and still allowing kids the freedom to have fun, be outside, and enjoy their e-bikes and e-scooters responsibly.

Proposed Motion

"I move to approve **Ordinance No. 1675**, An Ordinance of the City of Canby, Oregon, Amending Title 10 of the Canby Municipal Code to Add Chapter 10.13 Regulating the Operation of Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooters, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use; to a second reading on August 5, 2026, Declaring an Emergency."

ORDINANCE NO. 1675

AN ORDINANCE OF THE CITY OF CANBY, OREGON, AMENDING TITLE 10 OF THE CANBY MUNICIPAL CODE TO ADD CHAPTER 13.10 REGULATING THE OPERATION OF ELECTRIC ASSISTED BICYCLES, MOTOR ASSISTED SCOOTERS OR E-SCOOTERS, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, AND VEHICLES MANUFACTURED FOR OFF-ROAD USE; DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Canby seeks to promote public safety and ensure the safe use of public streets, sidewalks, bicycle lanes, pathways, parks, and other public property;

WHEREAS, the increased use electric assisted bicycles, motor assisted scooters or e-scooters, electric personal assistive mobility devices, and vehicles manufactured for off-road use has resulted in higher speeds, unsafe operation, and conflicts within shared public spaces, which have created unsafe conditions currently experienced in the City of Canby; and

WHEREAS, the City desires to align local regulations with the Oregon Vehicle Code while establishing reasonable local regulations and enforcement discretion.

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

Section 1. Title 10 of the Canby Municipal Code is amended to add Chapter 13.10 as attached as Exhibit A to this Ordinance and incorporated herein by this reference.

Section 2. In order to protect the public health and safety from the currently unsafe conditions created by the unregulated use of electric assisted bicycles, motor assisted scooters or e-scooters, vehicles manufactured for off-road use, and electric personal assistive mobility devices, the City Council declares an emergency and this Ordinance shall become effective immediately upon its adoption.

Section 3. The Interim City Administrator or designee is authorized to take all administrative actions necessary to fix any formatting, typographical, or scrivener's errors within this Ordinance.

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SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, July 15, 2026, ordered posted as required by the Canby City Charter; and scheduled for second reading on Wednesday, August 5, 2026, commencing at the hour of 7:00 PM in the Council Chambers located at 222 NE 2nd Avenue, 1st Floor Canby, Oregon.

Brian Hodson
Mayor

ATTEST:

Maya Benham, CMC
City Recorder

Exhibit A

Chapter 10.13– Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooter, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use

10.13.010 Purpose

- A. The purpose of this Chapter is to regulate the operation of electric assisted bicycles, electric personal assistive mobility devices, motor assisted scooters or e-scooters, and vehicles manufactured for off-road use to promote public safety, reduce conflicts in shared public spaces, and protect pedestrians, bicyclists, and other users of the public right-of-way; and
- B. This Chapter is intended to supplement and be consistent with the Oregon Vehicle Code.

10.13.020 Definitions

The following definitions shall apply only to this chapter:

- A. **“Electric Assisted Bicycle”** means a vehicle that:
 - 1. Is designed to be operated on the ground on wheels;
 - 2. Has a seat or saddle for use of the rider;
 - 3. Is designed to travel with not more than three wheels in contact with the ground;
 - 4. Has both fully operative pedals for human propulsion and an electric motor; and
 - 5. Is equipped with an electric motor that
 - a. Has a power output of not more than 1,000 watts; and
 - b. Is incapable of propelling the vehicle at a speed of greater than 20 miles per hour.
- B. **“E-Bike”** shall mean the same as “Electric Assisted Bicycle.”
- C. **“Class 1 Electric Assisted Bicycle”** means an electric assisted bicycle that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- D. **“Class 2 Electric Assisted Bicycle”** means an electric assisted bicycle that may be propelled by its motor without a rider pedaling and ceases to provide assistance once the bicycle reaches a speed of 20 miles per hour.
- E. **“Class 3 Electric Assisted Bicycle”** means an electric assisted bicycle that provides assistance only when the rider is pedaling, ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and is equipped with a speedometer.

Exhibit A

F. **“Motor assisted scooter or e-scooter”** means a vehicle that:

1. Is designed to be operated on the ground with not more than four wheels;
2. Has a foot support or seat for the operator’s use;
3. Can be propelled by motor or human propulsion; and
4. Is equipped with a power source that
 - a. On or before December 31, 2026, is incapable of propelling the vehicle at a speed greater than 24 miles per hour on level ground; or
 - b. On or after January 1, 2027, is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground; and
5. If the power source is a combustion engine, has a piston or rotor displacement of 35 cubic centimeters or less regardless of the number of chambers in the power source; or if the power source is electric, has a power output of not more than 1,000 watts.

G. **“Electric personal assistive mobility device”** means a device that:

1. Is self-balancing on two non-tandem wheels;
2. Is designed to transport one person in a standing position; and
3. Has an electric propulsion system.

H. **“Vehicle,”** for the purposes of this chapter, means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. “Vehicle” does not include a manufactured structure.

I. **“Vehicle Manufactured for Off-Road Use”** means a vehicle that:

1. Does not meet federal motor vehicle safety standards for public roadway operation; and
2. Is capable of traveling faster than 24 mph on level ground; and
3. If the power source is a combustion engine, has a piston or rotor displacement of more than 35 cubic centimeters regardless of the number of chambers in the power source; or
4. If the power source is electric, has a power output of more than 1,000 watts.

Exhibit A

- 5. Examples of “Vehicles Manufactured for Off-Road Use” include, but are not limited to, mini-motorcycles, mini-choppers, pocket bikes, go-karts and all-terrain vehicles.
- J. “**Guardian**” means a parent, legal guardian, or person legally responsible for supervising a minor.
- K. “**Minor**” means any person younger than eighteen (18) years of age.
- L. “**Highway**” means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

10.13.030 General Operating Regulations

- A. A person shall not operate an electric assisted bicycle, motor assisted or e-scooter, or electric personal assistive mobility device:
 - 1. While carrying more persons on the device than the number for which it is designed; or
 - 2. On a sidewalk, park boardwalk, or other public property that is designated for pedestrian use.
- B. No minor shall operate any electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device except that minors of sixteen years of age or older may operate a Class 1 Electric Assisted Bicycle.
- C. All minors must wear protective headgear of a type approved under state law when operating an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway or on any premises open to the public.
 - 1. This requirement does not apply when wearing protective headgear would violate a religious belief or practice of the person.
- D. A person shall not operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on any portion of a highway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.
- E. Notwithstanding section D, above, a person may operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway for any of the purposes listed below as long as that person then immediately returns to or enters a bicycle lane or path. A person must comply with all regulations applicable to motor vehicles when operating an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway under this section.

Exhibit A

1. Overtaking and passing another bicycle, a vehicle, or a pedestrian that is in the bicycle lane or path because passage cannot safely be made in the lane or path.
 2. Preparing to execute a left turn at an intersection or into a private road or driveway.
 3. Avoiding debris or other hazardous conditions.
 4. Preparing to execute a right turn where a right turn is authorized.
 5. Continuing straight at an intersection where the bicycle lane or path is to the right of a lane from which a motor vehicle must turn right.
- F. A person shall not operate electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device to overtake or pass another person:
1. Without providing an audible warning; or
 2. On the right, unless overtaking or passing the other person on the left would be unsafe due to debris, road conditions, or some other similar obstacle.

10.13.040 Reckless or Careless Operation

- A. A person shall not operate an electric assisted bicycle, motor assisted scooter or e-scooter, electric personal assistive mobility device, or vehicle manufactured for off-road use in a careless or reckless manner. A careless or reckless manner includes, but is not limited to:
1. Stunt riding such as wheelies, riding on handlebars, jumping, trick riding, or other similar conduct;
 2. Moving between the bicycle lane, bicycle path, roadway, and/or sidewalk quickly, unpredictably, or without providing a visual or audible signal;
 3. Using a mobile device or wearing devices that hinder the ability to hear road noises such as earbuds, earphones, headphones, or headsets in both ears;
 4. Attempting to elude law enforcement or community services officers;
 5. Operating an electric assisted bicycle, motor assisted scooter or e-scooter, electric personal assistive mobility device, or vehicle manufactured for off-road use while under the influence of intoxicants;
or

Exhibit A

6. Other similar conduct that endangers or would be likely to endanger any person or property.
- B. No person shall operate a vehicle manufactured for off-road use on any highway, public street, sidewalk, bicycle lane, pathway, trail, boardwalk, park, or other public property within the City.

10.13.050 Violations

- A. Any person who violates or fails to comply with the provisions of this chapter commits a violation of this chapter and is subject to the penalties set forth in Section 10.13.060, below.
- B. Any person who is the guardian of a minor and such minor violates or fails to comply with Section 10.13.030 or Section 10.13.040 commits a violation of this chapter and is subject to the penalties set forth in Section 10.13.060, below.

10.13.060 Penalty

- A. A violation of this chapter is punishable by a fine as follows:
1. Any person who violates Section 10.13.030 of this chapter shall be subject to a fine in the amount of \$250.00. Any subsequent violation of Section 10.13.030 within twelve months of the initial violation of Section 10.13.030 or within twelve months of any subsequent violation of Section 10.13.030 shall be subject to a fine in the amount of \$500.00.
 2. Any person who violates Section 10.13.040 of this chapter shall be subject to a fine in the amount of \$500.00. Any subsequent violation of Section 10.13.040 within twelve months of the initial violation of Section 10.13.040 or within twelve months of any subsequent violation of Section 10.13.030 shall be subject to a fine in the amount of \$1,000.00.
- B. If a minor of 11 years of age or younger violates or fails to comply with Section 10.13.030 or Section 10.13.040, then only the guardian of such minor shall be subject to a penalty for the violation of Section 10.13.050(B). The minor shall not be subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040. The penalty for the guardian's violation of Section 10.13.050(B) shall be in the amount established by Section 10.13.060(A) based on whether the minor violated or failed to comply with Section 10.13.030 or Section 10.13.040.
- C. If a minor of at least 12 years of age violates or fails to comply Section 10.13.030 or Section 10.13.040, then either the guardian of such minor shall be subject to a penalty for the violation of Section 10.13.050(B) or the minor shall be subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040. In no event will both the minor and the guardian be subject to a penalty. If the guardian is subject to a penalty for the violation of Section 10.13.050(B), then the penalty shall be in the amount established by Section 10.13.060(A) based on whether the minor violated or failed to comply

Exhibit A

with Section 10.13.030 or Section 10.13.040. If the minor is subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040, then the amount of the penalty shall be as established in Section 10.13.060(A).

- D. Nothing in this chapter shall be construed as limiting any judicial remedies that the city may have at law or in equity for enforcement of this code.



CITY COUNCIL Staff Report

Meeting Date: 7/15/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Same as above
Agenda Item: Consider **Resolution No. 1465**: A Resolution referring a Measure proposing an amendment to waive or modify City Administrator residency requirement to the City Charter to the Voters for the November 3, 2026, Election.

Summary

This item is to consider Resolution No. 1465: Referring a measure to allow Canby City Council to consider waiving or modifying city administrator residency requirement for the November 3, 2026, Election.

Background

In December of 2025, the City Council convened a Charter Review Subcommittee to review the Charter for any revisions to propose to the voters. The Subcommittee recommended that Chapter V, Section 2 of the Charter be revised to give the City Council authority to consider waiving the City Administrator residency requirement in accordance with rules for the purpose of assisting in City Administrator recruitment.

Discussion

At the July 7, 2026 City Council Work Session (via City Council consensus) directed City staff to draft such a revision to Chapter V, Section 2 of the Charter to refer to the voters of Canby at the November 3, 2026, election.

Next Steps

Mayor, City Council, staff and legal counsel will be drafting **policies and procedures** for guidance when considering waiving or modifying a residency requirement during the city administrator hiring process, such as miles or minutes from residence to city limits.

Attachments

Resolution No. 1465
Exhibit A to Resolution No. 1465

Fiscal Impact

There is no fiscal impact to this Charter amendment.

Options

To approve Resolution No. 1465
Do not approve Resolution No. 1465

Recommendation

Staff recommends Resolution No. 1465 be adopted.

Proposed Motion

"I move to adopt **Resolution No. 1465**, A Resolution Referring a Measure Proposing an Amendment to Waive or Modify City Administrator Residency Requirement to the City Charter to the Voters for the November 3, 2026, Election."

RESOLUTION NO. 1465

A RESOLUTION REFERRING A MEASURE PROPOSING AN AMENDMENT TO WAIVE OR MODIFY CITY ADMINISTRATOR RESIDENCY REQUIREMENT TO THE CITY CHARTER TO THE VOTERS FOR THE NOVEMBER 3, 2026, ELECTION

WHEREAS, the Oregon Constitution gives city voters the right to adopt and revise charters to grant cities legal authority, establish their form of government, and to create and assign duties and requirements to city official positions;

WHEREAS, The City of Canby's current Charter establishes the City Administrator position as the administrative head of the City and gives the City Council the authority to appoint and supervise the position;

WHEREAS, Chapter V, Section 2 of the current Charter requires the City Administrator to be a resident of the City of Canby;

WHEREAS, in December of 2025, the City Council convened a Charter Review Subcommittee to review the Charter for any revisions to propose to the voters;

WHEREAS, the Subcommittee recommended that Chapter V, Section 2 of the Charter be revised to give the City Council authority to waive or modify this residency requirement in accordance with rules for the purpose of assisting in City Administrator recruitment; and

WHEREAS, the City Council approves this recommendation and has directed City staff to draft such a revision to Chapter V, Section 2 of the Charter to refer to the voters of Canby at the November 3, 2026, election.

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

A measure election is hereby called on November 3, 2026, for the purpose of submitting to the electors of the City of Canby a measure amending the City Charter, for which the text amendment, ballot title, and explanatory statement certified and filed by the City Council shall be as set forth in Exhibit A and incorporated by reference herein; and

The Clackamas County Elections Office will conduct the election, and the precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of Canby; and

The Interim City Administrator, City Recorder, and City Attorney are hereby authorized, empowered, and directed for and on behalf of the City to do and perform all acts and things necessary or appropriate to cause the ballot measure to appear on the ballot for the November 3, 2026, election and to otherwise carry out the purposes and intent of this resolution.

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This resolution shall take effect immediately upon its adoption.

ADOPTED this 15th day of July, 2026, by the City Council.

Brian Hodson
Mayor

ATTEST:

Maya Benham, CMC
City Recorder

RESOLUTION 1465

EXHIBIT A

BALLOT MEASURE

CAPTION: Amend City of Canby City Charter Chapter V Section 2

QUESTION: Shall Canby amend Charter Chapter V Section 2, City Administrator residency requirement?

CAPTION: This measure would amend the City's Charter. The Charter currently requires the City Administrator position to live within Canby. If adopted, this measure would amend the Charter to give the City Council the authority to waive or modify this residency requirement and would require the City Council to adopt rules to govern its authority to waive or modify this residency requirement. If this measure is not adopted, the City's Charter would remain the same.

EXPLANATORY STATEMENT

This measure would amend the City's existing home rule charter. The Oregon Constitution gives city voters the right to adopt and amend charters. A charter grants legal authority to a city, establishes a city's form of government, and creates city officials. Canby voters last amended the City's current Charter in 2009.

The Charter establishes the City Administrator position. The City Administrator is a City employee who serves as the administrative head of the City. The City Administrator is appointed and supervised by the City Council. Chapter V, Section 2, of the current Charter requires the City Administrator to live within City limits.

In December of 2025, the City Council convened a Charter Review Subcommittee to review the City's Charter for potential revisions to propose to the voters. The Subcommittee recommended that the City Administrator residency requirement be revised to give the City Council authority to waive or alter the requirement to assist in City Administrator recruitment. The City Council has approved sending this revision to the voters. If this measure is approved, the Charter would be revised to add the double-underlined sentence to Section 2 of Chapter V:

Section 2. CITY ADMINISTRATOR. (a) **Qualifications.** The City Administrator shall be the administrative head of the government of the City and shall be appointed by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. A City Administrator need not be a resident of the City of Canby or the State at the time of appointment, but promptly thereafter shall become and remain a resident of the City during the term of the office. The Council may waive or alter this residency requirement and shall adopt rules to govern such waiver or alteration. Before taking office, the City Administrator shall give a bond in such amount and with such surety as may be approved by the Council. The premiums on such bond shall be paid by the City.

RESOLUTION 1465
EXHIBIT A

If this measure is not approved, then Chapter V, Section 2 of the City's Charter would remain the same.



CITY COUNCIL Staff Report

Meeting Date: 7/15/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Same as above
Agenda Item: Consider **Resolution No. 1466**: A Resolution Referring a Measure Proposing an Amendment to Chapter X of the City Charter to the Voters for the November 3, 2026, Election.

Summary

This item is to consider a Resolution No. 1466: A Resolution Referring a Measure Proposing an Amendment to Chapter X of the City Charter to the Voters for the November 3, 2026, Election.

Background

The Canby City Council and Canby Utility Board (CUB) have been meeting throughout 2025 and 2026 to discuss CUB's future plans for a Willamette River public drinking water intake site and construction of a new water filtration plant. That said, it was discovered that the City Charter would need to be amended to allow the CU Board to place revenue back bonds and loans more than certain amounts per existing City Charter constraints.

Discussion

Through public discussion and Council work sessions, it has been determined that the City Council is in agreement with placing the City Charter amendment question on the November 3, 2026 ballot. Council, staff and legal counsel agree that such a City Charter amendment meets the needs of CUB to safely plan and provide for future growth and water infrastructure expansion projections inside the City of Canby.

Other proposed adjustments to Chapter X language include modifying the General Manager job description to more closely mirror that of the City Administrator; modernize language and grammar; and increase the CUB members' maximum number of successive terms in office from two to three terms.

Attachments

Resolution No. 1466
Exhibit A to Resolution No. 1466

Fiscal Impact

This Charter amendment would allow CU staff to place revenue bonds in excess of one year's gross revenue without a vote of the people, which is similar to existing permissions already afforded to the City of Canby.

Options

To approve Resolution No. 1466
Do not approve Resolution No. 1466

Recommendation

Staff recommends Resolution No. 1466 be adopted.

Proposed Motion

"I move to adopt **Resolution No. 1466**: A Resolution Referring a Measure Proposing an Amendment to Chapter X of the City Charter to the Voters for the November 3, 2026, Election.

RESOLUTION NO. 1466

A RESOLUTION REFERRING A MEASURE PROPOSING AN AMENDMENT TO CHAPTER X OF THE CITY CHARTER TO THE VOTERS FOR THE NOVEMBER 3, 2026, ELECTION

WHEREAS, the Oregon Constitution gives city voters the right to adopt and revise charters to grant cities legal authority, establish their form of government, and to create and assign duties and requirements to city official positions;

WHEREAS, since 1970, Chapter X of City Charter has established the utility department of electric service for the City of Canby (“electric department”), the utility department of water service of the City of Canby (“water department”), and the Canby Utility Board (“Board”);

WHEREAS, before 1982, Chapter X of the City Charter granted exclusive authority and control over both the electric department and the water department to the Board;

WHEREAS, on November 2, 1982, the voters amended the City Charter to transfer the exclusive authority and control over the water department from the Board to the City Council while allowing the City Council the option to delegate all or a portion of its authority and control over the water department to the Board;

WHEREAS, since 1982, the City Council has delegated all of its authority and control over the water department to the Board so that the Board has exercised exclusive authority and control over both the water department and the electric department for more than forty years;

WHEREAS, despite this delegation of authority and control over the water department to the Board, Chapter X of the City Charter prevents the Board from issuing revenue bonds for the water department;

WHEREAS, additionally, Chapter X of the City Charter prevents the Board from issuing revenue bonds, incurring other forms of debt, or making expenditures for the electric department in amounts more than the department’s gross revenues for the preceding fiscal year without voter approval; and from incurring more than 50% of the department’s gross revenues for the preceding fiscal year in short-term loans;

WHEREAS, the Board has begun the process to design, secure funding for, and construct the development of a new water treatment plant that is necessary to continue to serve the Canby population now and in the future and such process will require the Board to issue debt to fund the development, including issuing revenue bonds and procuring other types of loans;

WHEREAS, in December of 2025, the Council convened a Charter Review Subcommittee to review the City Charter for the purposes of recommending potential changes to the Charter;

WHEREAS, the Board and the City Council have been in consistent communication regarding options and opportunities for the Board to secure funding to develop the new water treatment plant;

WHEREAS, in light of the above, and in consultation with the Board and the City Council, the Subcommittee recommended that Chapter X of the City Charter be revised to delegate exclusive authority over both electric and water utilities in the City to the Board and to permit the Board to issue revenue bonds, make expenditures, and otherwise incur debt for both the water department and the electric department without the restrictions and limitations currently imposed by Chapter X of the City Charter and subject to applicable state law; and that Chapter X of the Charter be further revised to modernize certain language, to increase the number of successive terms that members of the Board may hold; and to clarify the role of the General Manager position; and

WHEREAS, the City Council approves this recommendation and has directed City staff to draft such revisions to Chapter X of the Charter to refer to the voters of Canby at the November 3, 2026, election.

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

1. A measure election is hereby called on November 3, 2026, for the purpose of submitting to the electors of the City of Canby a measure amending Chapter X of the City Charter, for which the text amendment, ballot title, and explanatory statement certified and filed by the City Council shall be as set forth in Exhibit A and incorporated by reference herein; and
2. The Clackamas County Elections Office will conduct the election, and the precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of Canby; and
3. The Interim City Administrator, City Recorder, and City Attorney are hereby authorized, empowered, and directed for and on behalf of the City to do and perform all acts and things necessary or appropriate to cause the ballot measure to appear on the ballot for the November 3, 2026, election and to otherwise carry out the purposes and intent of this resolution.

This resolution shall take effect immediately upon its adoption.

ADOPTED this 15th day of July, 2026, by the City Council.

Brian Hodson
Mayor

ATTEST:

Maya Benham, CMC
City Recorder

RESOLUTION 1466

EXHIBIT A

BALLOT MEASURE

CAPTION: Amend City of Canby City Charter Chapter X

QUESTION: Shall Canby amend Charter Chapter X, regarding Canby Utility Board?

CAPTION: This measure would amend Chapter X of the City's Charter. Chapter X currently establishes a water department and electric department. It grants the Canby Utility Board ("Board") exclusive authority over the electric department and grants the City Council exclusive authority over the water department. It restricts the Board's ability to issue bonds, incur debt, and make expenditures for the electric department and the water department. If adopted, this measure would amend Chapter X to create a single water and electric department, grant the Board exclusive authority over the department, and remove certain existing restrictions on the Board's ability to issue revenue bonds, incur debt, and make expenditures for the department. If adopted, this measure would also modernize language and grammar within Chapter X, increase the number of successive terms that members of the Board may hold, and clarify the General Manager position's role. If this measure is not adopted, the City's Charter would remain the same.

EXPLANATORY STATEMENT

This measure would amend Chapter X of the City's existing Charter. Chapter X establishes a water department and an electric department that are responsible for providing water and electric utilities to Canby. Chapter X also establishes the Canby Utility Board ("Board").

Before 1982, the Charter granted the Board exclusive jurisdiction, control, and management of the electric department and the water department. In 1982, the voters amended the Charter to transfer exclusive jurisdiction, control, and management of the water department from the Board to the City Council and gave City Council the option to delegate all or a portion of its control of the water department back to the Board. In 1982, the City Council delegated its exclusive jurisdiction, control, and management of the water department to the Board. Since then, the Board has exercised exclusive jurisdiction, control, and management of both departments.

Chapter X does not allow the Board to issue revenue bonds for the water department. Additionally, Chapter X requires the Board to obtain voter approval before issuing revenue bonds, incurring other forms of debt, or making expenditures for the electric department in amounts greater than the department's gross revenues from the prior fiscal year. Chapter X further prohibits the Board from having outstanding short-term loans in an amount more than 50% of the electric department's gross revenues from the prior fiscal year.

The Board is developing a new water treatment plant facility to provide water for Canby's current and future water needs. These restrictions impact the Board's ability to obtain funding, including issuing bonds, for this facility. The Board and the City Council have been in consistent communication about funding options.

RESOLUTION 1466

EXHIBIT A

In December of 2025, the City Council convened a Charter Review Subcommittee to review the City's Charter for revisions to propose to the voters. In consultation with the City Council and the Board, the Subcommittee recommended that Chapter X be amended as follows:

- Combine the electric and water departments into a Department of Water and Electric Services ("Department")
- Grant the Board exclusive authority and control over the Department and authority to issue water revenue bonds
- Remove language requiring the voters to approve certain electric department costs that exceed the department's gross revenue for the prior fiscal year
- Clarifies existing voter rights under state law about bond issuance
- Change language limiting the Board's total of outstanding short-term loan for the electric department from 50% to 100% of the electric department's gross revenue for the prior fiscal year
- Modernize language and grammar
- Increase Board members' maximum number of successive terms of office from two to three
- Clarify General Manager position's role
- Require the Board to provide quarterly operation reports to the City Council

The City Council approved sending the Subcommittee's recommendations to the voters. If this measure is approved, the Charter would be amended as explained above. The full text of the proposed amendments can be found at the City's website.

If this measure is not approved, then Chapter X would not change.

RESOLUTION 1466

EXHIBIT A

TEXT CHANGES

CHAPTER X

UTILITIES

Section 1.— ~~UTILITY DEPARTMENTS~~DEPARTMENT: There is hereby created ~~a utility department~~the Department of ~~electric service~~Water and Electric Services of the City of Canby and ~~a utility department of water service of the City of Canby~~. Each department~~(hereinafter referred to as the Department)~~, which shall be responsible for the development, production, purchase, and distribution of all water ~~or~~and electric ~~revenue-producing utilities~~utility services of the City.

~~Section 2. WATER DEPARTMENT.~~ The City Council shall have jurisdiction, control and management of the Water Department and all of its operations and facilities. The City Council shall have all the powers and duties necessary to construct, acquire, expand and operate the water system, and to do any and all acts or things that are necessary, convenient or desirable in order to operate, maintain, enlarge, extend, preserve and promote an orderly, economical and businesslike administration of the Water Department. The City Council may assign or delegate all or a portion of its powers and duties over the Water Department ~~to~~shall be under the sole authority of Canby Utility Board; ~~provided, however, that the City Council shall retain ultimate jurisdiction, control and management of the Water Department and its operations and facilities.~~ as set forth in Section 2.

Section 3.— 2. CANBY UTILITY BOARD. There is hereby created the Canby Utility Board of the City (hereinafter referred to as the Board), which shall have exclusive jurisdiction, control, and management of the ~~Electric~~ Department and all its operations and facilities. The Board shall have all the powers and duties possessed by the City to construct, acquire, expand, and operate the water and electric ~~system~~utility services, and to do any and all acts or things that are necessary, convenient, or desirable in order to operate, maintain, enlarge, extend, preserve, and promote an orderly, economical, and businesslike administration of the water and electric ~~system~~utility systems of the Department. The Board shall operate as a separate unit of City government; and, except as provided in this Charter, both the Board and the ~~Electric~~ Department shall be free from the jurisdiction, direction, and control of other City Officers and of the City Council. The Board may sue and be sued in its own name. All damage claims arising from the operation of the Board and the ~~Electric Department shall be the responsibility of and be liquidated by the Board~~Department shall be the responsibility of and be liquidated by the Board from the appropriated funds of the respective water and electric utility systems of the Department. The Board shall ensure that the Department is properly insured against liabilities and such insurance shall be paid for from the appropriated funds of the Department. Without consent of the City Council, the Board shall have no authority to obligate any City funds, property, or rights except for those of the Department, and no other funds or property of the City shall be used as collateral for or to pay for any debts of the Board or Department.

Section 4.— 3. ORGANIZATION OF THE CANBY UTILITY BOARD.—

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(a)— **Number and Qualification of Board Members.**— There shall be five (5) members of the Canby Utility Board appointed by the Mayor and confirmed by a majority of the Canby City Council. They shall hold office until their successors are appointed and qualified. They are subject to removal at any time by the Mayor and with the approval of a majority of the Council members with or without cause and with or without notice. At the first Council meeting after the first of the next month after this Charter takes effect, two (2) Board members shall be appointed to serve terms of three years, two (2) Board members shall be appointed to serve terms of two years, and one (1) Board member shall be appointed to serve a term of one year. Their successors shall be appointed for terms of three years. No Board member may serve more than ~~two~~three successive terms. No person shall be eligible for appointment as a Board member or entitled to hold such office unless at the time of appointment and continuing thereafter, such person is a qualified elector within the meaning of the State Constitution and has resided in the City of Canby during the six months immediately preceding appointment and continues to reside in the City for the term of the appointment. The City Council shall be the final judge of the qualifications and appointment of Board members, but no Councilmember or Mayor (during their term of office) shall be eligible to appointment as a member of that Board.

(b)— **Vacancies.** Vacancies shall be filled for the unexpired term by the Council. No vacancy in the Board shall impair the right of remaining Board members to exercise all the powers of the Board to transact its business.

(c)— **Compensation.** The compensation for the services of each Board member shall be whatever amount the Board fixes.

(d)— **Organization of the Board.**— Within ten (10) days after their appointment and at its first meeting in January each year thereafter, the Board members shall elect one of their number as ~~Chairman~~Chair. If the ~~Chairman~~Chair is absent at any meeting, a pro-tem shall be appointed by the members present. The ~~Chairman~~Chair shall preside over all meetings of the Board and in doing so, shall, so far as possible, follow Roberts Rules of Order. The ~~Chairman~~Chair shall, with the approval of the Board, sign all Resolutions and Orders of the Board and all notes, contracts, deeds, mortgages, bonds, and other agreements of the Board. No action shall be taken by the Board except by the affirmative vote of the majority of the members.

(e)— **Quorum.** Three (3) Board members shall constitute a quorum.

(f)— **Secretary-Clerk.**— The Board shall appoint and fix the ~~comensation~~compensation of a Secretary-Clerk who is not a member of the Board and who shall serve at the pleasure of the Board and is subject to removal at any time and for any reason. Before entering upon the duties of the office, the Secretary-Clerk shall post a bond in such amount and with such surety or sureties as the Board may approve and to assure the faithful performance of duties. The Secretary-Clerk shall attend all meetings of the Board unless excused therefrom by the Board, keep an accurate record of its proceedings in a book provided for that purpose, sign the approved minutes of its meetings and may, with approval of the Board, sign or cosign checks for disbursement of funds.

RESOLUTION 1466

EXHIBIT A

~~—(g)—~~ **Meetings.** The Board shall hold a regular meeting at least once a month at a time and place to be fixed by the Board. Special meetings may be called by the ~~Chairman~~Chair of the Board, or by two members of the Board. Notice of all meetings shall be given by the Secretary-Clerk in the manner and for the time required for public meetings by ORS 192.640. All regular or special meetings of the Board shall be open to the public.

~~—Section 5.—~~4. ORGANIZATION OF THE ~~ELECTRIC~~ DEPARTMENT.—

- (a) ~~(a)—Employees.~~ The Canby Utility Board shall have the authority to employ a General Manager who shall be the administrative head of the Department and who shall be supervised and report to the Canby Utility Board.
- (b) The General Manager shall have the following duties and powers:
- (1) Hire and remove all other employees of the Department and have general supervision and control over them and their work, except for the Secretary-Clerk.
 - (2) Enforce all policies, resolutions, franchises, leases, contracts, permits, and privileges of the Department.
 - (3) Act as the purchasing agent for the Department.
 - (4) Prepare and submit to the Canby Utility Board the Department's annual budget.
 - (5) Perform other such duties as may be prescribed from time to time by the Canby Utility Board. and such supervisors, bookkeepers, attorneys, laborers, mechanics and other employees, as may be determined, and fix compensation thereof, and discharge the same at pleasure, and for any reason.

~~—(b)—Compensation.~~ The Board shall have the authority to fix compensation of the Clerk and other employees of the Board and change the same from time to time.

~~—~~ ~~Section 6.—~~5. POWERS AND DUTIES OF THE CANBY UTILITY BOARD.—

(a) ~~—~~ **Real Estate and Contracts.** The Board, in the efficient and economical operation of the ~~Electric~~ Department, both inside and outside the City limits, may:

~~—(1)—~~ purchase and sell water, electric power, and energy ~~and~~ services to public and private corporations and to other consumers;

~~—(2)—~~ construct necessary plants, transmission lines, and other facilities;÷

~~—(3)—~~ purchase real estate and franchises in its name; and

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—(4)— enter into all contracts, leases, and agreements in furtherance thereof.

—(b)— **Extension of Services.**— The Board may adopt regulations governing extension of water and electric utility services of the ~~Electric~~ Department both inside and outside the City limits. The regulations shall provide the conditions under which the extensions shall be made to render them compensatory and shall provide that each extension project shall, when completed, become the property of the ~~Electric~~ Department whether on public or private property. The Board may provide for the form of refunds where advances by the persons benefited are necessary to make extensions compensatory.

—(c)— **Joint Operations with Others.**— The Board may contract with any public or private corporation or any individual, both inside and outside the City limits:

—(1)— for the joint use of poles and other property belonging either to the ~~Electric~~ Department or to the other contracting party or jointly to both parties;

—(2)— for the joint acquisition of real property and franchises and the joint financing, construction, and operation of plants, transmission lines, and other facilities, whereby any property acquired may become the property of both the ~~Electric~~ Department and the other contracting party; and

—(3)— for the purchase of energy.

—(d)— **Eminent Domain.**— The Board may enter upon any land or water for the purpose of making surveys and may exercise the right of eminent domain on behalf of the City whenever public necessity or convenience requires.

—(e)— **Use of Thoroughfares for Utility Installations.**— ~~Canby Utility~~ The Board may use the ground over, under, or along any road, railroad, highway, street, sidewalk, thoroughfare, ~~or alley, or other public place~~ in the operation of the ~~Electric~~ Department, but shall, in all cases ~~and, be~~ subject to the applicable general regulation of the City; ~~and~~ cause the surface of the public way to be restored in its usual condition.

—(f)— **Rates.** The Board shall fix rates to be charged for water and electricity utility services sold and services rendered by the ~~Electric~~ Department. Rates shall be fair, reasonable, and compensatory and shall be uniform for all consumers within the same class, but different rate schedules may be applied to different classes of consumers as determined by the Board. Rates shall be sufficient to pay all operating and maintenance costs of the ~~Electric~~ water and electric utility services of the Department ~~and, its operations,~~ and all bond interest and bond redemption costs. The Board may require reasonable deposits for security for payment of charges for water and electric utility services and may provide for the return of deposits when satisfactory consumer credit has been established. Any proposed change in rates and the notice of a public hearing thereon shall be advertised once a week for two successive weeks in a newspaper having a general circulation in the City of Canby. Such notice shall state the proposed rate change, the reasons therefor, and the time and place of the public hearing which shall be held within ten (10) days after the last publication of such notice. At the public hearing the Board shall discuss the

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matter and consider any objections or recommendations. The Board is not bound, however, by any public remonstrances or objections to its proposed rate change.

(g)— **Authority for Expenditures.**— No money shall be drawn from the funds of the Department nor shall any obligation for the expenditure of money be incurred except as authorized by the Board. No claim against the Department shall be paid unless evidenced by a voucher approved by the General Manager or by some other employee designated by ~~him~~them.

(h)— **Bond Debt Issues.**— Subject to the voter review process under applicable state law, tThe Board may authorize the sale and issuance of revenue bonds, or otherwise issue debt, necessary to finance the acquisition, construction, reconstruction, improvements, replacement, and extensions of the water and electric utility systemservices system. The Board has the power to provide funding for the operation, maintenance, or expansion of existing facilities. ~~A vote of the registered voters will be required for any exploration, construction or development of energy sources over the amount of that department's gross revenues for the preceding fiscal year.~~

(i)— **Short Term Loans.**— The Board may borrow money for periods not to exceed five (5) years and may issue negotiable notes, payable from the revenues of the ~~Electric~~ Department, as evidence of the loans. Total loans outstanding at any one time for the ~~Electric~~ Department shall not exceed ~~fifty percent (50%) of that department's~~the Department's gross revenue for the preceding fiscal year.

(j)— **No Power to Tax.**— The Board shall have no power or authority to levy ad valorem taxes on any taxable property; however, the City Council may, when in its judgment it is deemed necessary or advisable, levy such taxes for the use and benefit of said Board or for the joint use and benefit of the City and said Board.

Section 67.— ANNUAL ACCOUNTING AND BUDGET-; QUARTERLY OPERATIONS REPORTS.

(a) The Canby Utility Board shall prepare a budget for each fiscal year and file a copy of such budget with the City Council prior to July 1. The Board shall make an annual accounting to show the financial condition of the ~~Electric~~ Department prepared according to generally accepted public utility accounting principles, and file a copy of the same with the City Council each year.

(b) The Canby Utility Board shall prepare a report of Department operations and file a copy of such report with the City Council for each quarter of each fiscal year. The contents of such report shall be established by policy that shall be mutually agreed upon and adopted by the Canby Utility Board and the City Council.

Section 78.— GENERAL PROVISIONS.—

(a)— **Disposition of ~~Public Utilities.~~ Water and Electric Utility Services.** The Canby Utility Board shall have no authority to cease to operate or to sell, lease, or abandon, or in any other way dispose of the water or electric utility systemservices and ~~department controlled by~~

RESOLUTION 1466

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~~the Department~~ without the prior express written approval of the City Council and the approving vote of a majority of the votes cast by the registered voters of the City at a general or special election called by the Council and held for that purpose.

(b)— **Existing Obligation.**— Contracts, obligations, and bond issues relating to the water and electric utility systems services of the City legally incurred, approved or authorized prior to the taking effect of this Charter provision shall not be impaired and shall be binding upon the Board ~~insofar as they apply to the Electric Utility Department.~~



CITY COUNCIL Staff Report

Meeting Date: 7/15/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Nathan Templeman, Aquatic Program Manager
Agenda Item: Consider **Resolution No. 1467**: A Resolution Referring to the Electors a Measure Proposing the Renewal of the Five-Year, Local Option Levy for the Canby Swim Center Operations and Maintenance at the Rate of \$0.49 per \$1000 Assessed Value beginning in Fiscal Year 2027-2028.

Summary

The Canby Swim Center is requesting the Canby City Council to put forth on the November 3, 2026 Ballot a Renewal of the Canby Swim Center's 5 year local option Levy at the same rate of \$.49 per \$1,000 assessed property value. Levy for five years beginning Fiscal year 2027-2028. On July 8, 2026, the City Council met during a work session to discuss the renewal of the levy. There was consensus for staff to move forward with placing the levy on the November ballot.

Background

The Canby Swim Center has been operating on a 5 year levy system for 25 years now and it has made it possible to continue operations and provided the opportunity to keep the facility in shape and make improvements.

Discussion

The proposed renewal preserves the City's ability to operate, program, maintain, repair, renovate, modernize, and responsibly steward its aquatic facilities and services. The intent is to provide operational flexibility as community needs evolve while maintaining the distinction between an operating levy and separate capital funding for new construction or facility expansion.

Attachments

- Resolution No. 1467
- Exhibit A to Resolution No. 1467

Fiscal Impact

Expected Revenue for 5 years - \$6,199,090

2027-2028:	\$1,144,520
2028-2029:	\$1,190,301
2029-2030:	\$1,237,913
2030-2031:	\$1,287,429
2031-2032:	\$1,338,927

Options

1. Adopt Resolution No. 1467 to submit to the Electorate for the November 3, 2026 Election.
2. Do not Adopt Resolution No. 1467 to the Electorate for the November 3, 2026 Election.

Recommendation

Staff is recommending adoption of Resolution No. 1467, to submit to the Electorate for the November 3, 2026 Election.

Proposed Motion

"I move to adopt **Resolution No. 1467**: A Resolution Referring to the Electors a Measure Proposing the Renewal of the Five-Year, Local Option Levy for the Canby Swim Center Operations and Maintenance at the Rate of \$0.49 per \$1000 Assessed Value beginning in Fiscal Year 2027-2028."

RESOLUTION NO. 1467

A RESOLUTION REFERRING TO THE ELECTORS A MEASURE PROPOSING THE RENEWAL OF THE FIVE-YEAR LOCAL OPTION LEVY FOR CANBY SWIM CENTER OPERATIONS AND MAINTENANCE AT THE RATE OF \$0.49 PER \$1,000.00 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2027-2028

WHEREAS, there is a current local option tax levy of \$0.49 per \$1,000.00 of assessed property value to provide funds for Canby Swim Center operations and maintenance;

WHEREAS, this current levy provides 80% of the revenue needed to operate the Canby Swim Center;

WHEREAS, the current local option levy expires at the end of the 2026-2027 fiscal year;

WHEREAS, there is no source of revenue available to provide that 80% of Canby Swim Center revenue needed to operate the Canby Swim Center other than a local option levy; and

WHEREAS, Canby City Council desires to send a five-year renewal local option tax levy to the electors of the City of Canby to renew the current local option tax levy for Canby Swim Center operations and maintenance at the same rate as the current local option tax levy, \$0.49 per \$1,000.00 in assessed property value.

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

1. A measure election is hereby called on November 3, 2026, for the purpose of submitting to the electors of the City of Canby a measure amending the City Charter, for which the text amendment, ballot title, and explanatory statement certified and filed by the City Council shall be as set forth in Exhibit A and incorporated by reference herein; and
2. The proceeds of the levy, if approved by the voters, would be used to fund the operations of the Canby Swim Center, specifically to fund the functions, services, programs, operations, maintenance, repair, renovations, and modernizations of the Canby Swim Center services and facilities.
3. The Clackamas County Elections Office will conduct the election, and the precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of Canby; and
4. The Interim City Administrator, City Recorder, and City Attorney are hereby authorized, empowered, and directed for and on behalf of the City to do and perform all acts and things necessary or appropriate to cause the ballot measure to appear on the ballot for the November 3, 2026, election and to otherwise carry out the purposes and intent of this resolution.

This resolution shall take effect immediately upon its adoption.

ADOPTED this 15th day of July, 2026, by the City Council.

Brian Hodson
Mayor

ATTEST:

Maya Benham, CMC
City Recorder

RESOLUTION 1467

EXHIBIT A

CAPTION: Renewal of five-year local option levy for Canby Swim Center

QUESTION: Shall the City renew the five-year local option levy for Canby Swim Center at \$0.49 per \$1,000.00 of assessed value? This measure renews current local option taxes.

SUMMARY: This measure asks the Canby voters to approve the renewal of the current local option tax levy for Canby Swim Center operations at the same rate as the current levy: \$0.49 per \$1,000.00 of assessed property value.

The current levy, which expires at the end of the 2026-2027 fiscal year, funds 85% of Canby Swim Center operations and maintenance. The City of Canby does not have other sources of funding to replace the current levy funds.

If approved, this renewal levy would renew for five years, beginning fiscal year 2027-2028. This renewal levy would continue to fund Canby Swim Center operations and maintenance, specifically the functions, services, programs, operations, maintenance, repair, renovations, and modernizations of the Canby Swim Center services and facilities. This renewal levy is estimated to provide the following amounts per year:

2027-2028:	\$1,144,520
2028-2029:	\$1,190,301
2029-2030:	\$1,237,913
2030-2031:	\$1,287,429
2031-2032:	\$1,338,927

The tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at this time.

EXPLANATORY STATEMENT

Since 1970, the Canby Swim Center has provided swimming lessons for all ages, water exercise and therapy classes, lap swimming, water safety training, parent-child classes, the Canby Gators swim club, and the Penguin Club (a junior swim team during the summer). The Canby Swim Center also partners with Canby Schools to provide a place for practice and competitions. It is also available for private rentals and events.

Currently, funding for the maintenance and operation of the Canby Swim Center is provided by three sources: Fees, concession sales, and the five-year local option levy for operations and maintenance that was last approved by voters in 2021. According to the forecasted Swim Center budget for 2027, the use fees will only provide approximately 15% of the total revenue needed to operate the Canby Swim Center. There is no source of revenue to provide the remaining 85% of the needed revenue other than the local option levy.

RESOLUTION 1467

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The Canby Swim Center is currently staffed with a full-time, certified Facility Operator, a full-time, certified Program Manager, a full-time Program Coordinator, and two Head Lifeguards as well as part-time certified lifeguards and swim instructors.

If approved, this renewal levy would allow the City to continue to fund Canby Swim Center operations and maintenance, specifically the functions, services, programs, operations, maintenance, repair, renovations, and modernizations of the Canby Swim Center services and facilities. This proposed renewal local option levy is the same rate as the current levy: \$0.49 per \$1,000.00 of assessed property value. The total amount of funds estimated to be raised by this renewal levy over the five-year period is approximately \$6,199,090. The estimated per-year amounts are as follows:

2027-2028:	\$1,144,520
2028-2029:	\$1,190,301
2029-2030:	\$1,237,913
2030-2031:	\$1,287,429
2031-2032:	\$1,338,927

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at this time.



City of Canby Bi-Monthly Report
Department: Administration
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Maya Benham, Administrative Director/ City Recorder
Prepared by: Teresa Ridgley, Deputy City Recorder
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives:

N/A

Statistics:

Boards and Commissions Vacancies (current)

Board/ Commission/ Committee	Vacancy	Applications Received	Status
Bike & Pedestrian Committee	1	2	Term ends 6/30/2029
Traffic Safety Commission	1	1	Term ends 6/30/2027; Accepting applications until 7/10/2026
Heritage & Landmarks Commission (Regular & Student Positions)	2	0	1 Term ends 6/30/2029. Student position term ends at end of school year.
Transit Advisory Committee	2	0	Terms end 3/31/2029.

Public Records Requests

Processed 14 public records requests.

Liquor License/ Noise Variance Applications

There was one liquor license and no noise variance applications.



City of Canby Bi-Monthly Report
Department: Municipal Court
For Months of: May and June, 2026

To: The Honorable Mayor Hodson & City Council
 From: Maya Benham, Administrative Director/ City Recorder
 Prepared by: Jessica Roberts, Municipal Court Supervisor
 Through: Randy Ealy, Interim City Administrator
 Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Not Applicable

Statistics:

Monthly Statistics	May	June
Misdemeanors		
Offenses Filed	23	17
Cases Filed	15	9
Warrants Issued	16	7
Misdemeanor Case Detail		
Diversion/Deferred Sentence	5	4
Offenses Dismissed	4	4
Offenses Sentenced	4	7
Traffic & Other Violations		
Offenses Filed	301	284
Cases/Citations Filed	224	202
Parking Citations Filed	5	7
Traffic & Other Violations Case Detail		
Diversion (Good Driver Class/MIP)	16	28
Dismissal (Fix It Tickets)	23	21
Dismissed by Judge, City or Officer	15	24
Sentenced by Judge	32	47
Handled by Violations Bureau	51	82
Guilty by Default	40	56
Traffic and Criminal Trials		
Court Trial (Misdemeanor)	0	0
Jury Trial	0	0
Traffic Trial	2	9
Defendant Accounts Referred to Collections	\$0	\$38,347.25
Fines & Surcharges Collected	\$46,952	\$62,737

Explanation of terms:

Canby Municipal Court has jurisdiction over all city and state traffic offenses, City Code violations and misdemeanors committed within city limits.

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” refers to a single defendant’s matter before the court.
2. 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 Thursday. A court clerk processes the default convictions.
3. The court’s Violations Bureau Order allows court clerks to accept pleas, offer a deferred sentence program (if qualified) and set a payment plan, under the Judge’s authority.

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 six 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 6 months)
 - 1st Offender - Minor in Possession of Alcohol/Marijuana citation
4. 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.

Department Activities:

In May and June, court defendants completed 110 court ordered hours of community service with the Canby Transit Department. The community service helped the Transit Department with cleaning buses, bus stops and the surrounding roads as well as multiple other projects.



City of Canby Bi-Monthly Report

Department: Economic Development

For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Jamie Stickel, Economic Development Director
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Goal 3.1 Receive Recommendations from Street Maintenance Fee Task Force and Update Fees

- Economic Development Director, Jamie Stickel, brought forth an update to City Council at the June 17th City Council meeting regarding the Street Maintenance Update with Kittelson & Associates. Kittelson has modernized business classifications using the Institute of Transportation Engineers 12th Edition Trip Generation Manual, which has consolidated 14 previously used categories into 7 land-use classifications. Staff has initiated a structural review to align billing rate descriptions with actual customer classifications and eliminate reporting inconsistencies. Through this process, staff and Kittelson are working on refining the cost-allocation framework to equitably distribute infrastructure costs among designated truck routes, arterials/collectors, and local residential roads. The creation of an auditing process linking GIS maps directly to account data and active business licenses will allow for better connection between commercial and industrial buildings and those businesses with business licenses. Kittelson & Associates is finalizing options for the fee structure based on input from the Street Maintenance Task Force and City Council, and providing scenarios based off an annual revenue target. The annual revenue target is then reverse engineered to provide calculations for residential and non-residential categories, which is a similar process to how the current Street Maintenance Fee was determined. Staff are working toward a July 22nd City Council joint work session with the Street Maintenance Task Force and Kittelson.

Canby Business Connection: The City's Canby Business Connection initiative continues to highlight and support local businesses through featured stories in the *Canby Advantage Magazine*. Each month, the program showcases a local business to increase community awareness, celebrate entrepreneurship, and encourages residents and visitors to shop, dine, and support local.

In May, the Business Connection featured Sip & Slice, Canby's first speakeasy, recognizing the unique dining destination created by local owners Travis and Heidi Goins. The feature highlighted the business's innovative concept, handcrafted cocktails, elevated barbecue-inspired menu, and the distinctive experience it brings to Canby's restaurant scene. June's feature showcased Wally's Chinese Kitchen, celebrating the restaurant's long-standing presence in the community, its commitment to fresh, made-to-order cuisine, and the dedication of owners Winnie and Jaden to preserving a local favorite while continuing its tradition of exceptional service.

Each Business Connection feature offers more than just a business profile; it shares the stories behind the people and businesses that help shape Canby's local economy. By highlighting the passion, creativity, and investment of local entrepreneurs, the initiative encourages residents to discover and support businesses throughout the community while strengthening connections between businesses and the customers they serve. Through the Canby Business Connection, the City's Economic Development program continues to

Canby Business Connection
A Glimpse Into Local Businesses

Sizzling Szechuan & Cantonese Classics

Wally's Chinese Kitchen

Wally's Chinese Kitchen is a family-owned and operated restaurant that has been serving the community for over 30 years. The restaurant is known for its authentic Szechuan and Cantonese cuisine, featuring a variety of dishes that are both flavorful and healthy. The owners, Winnie and Jaden, are passionate about their food and their community, and they strive to provide a warm and welcoming atmosphere for all their customers.

Wally's Chinese Kitchen is located at 222 NE 2nd Ave., Canby, OR 97013. You can reach them at 503.266.7001 or visit their website at www.wallyschinesekitchen.com.

CITY OF CANBY
ECONOMIC DEVELOPMENT
222 NE 2nd Ave., Canby, OR 97013
503.266.7001
www.canbyoregon.gov/business

promote local commerce and recognize the businesses whose success contributes to Canby's vibrant and resilient economy.

MOU with the Department of Industry and Trade of Bac Ninh Province, Vietnam:

On Tuesday, May 26th, the City of Canby hosted a delegation from the Department of Industry and Trade in Bac Ninh, Vietnam. City staff coordinated with members of the United Vietnam Alliance and Dragonberry Produce, both of which were instrumental in establishing a Sister City Program in March 2026. The event featured the signing of a Memorandum of Understanding (MOU) between the City of Canby and Bac Ninh, Vietnam as the two establish strong ties in trade and commerce. The parties agreed to promote positive relationships, maintain ongoing communication, and support business partnership in green transformation, agro-processing, and smart agriculture. The MOU was officially signed by both parties at a ceremony, held in the City Council Chambers.



Mt Hood Territories Partnerships: The City of Canby's Economic Development team continues its valuable partnership with Mt. Hood Territory (Clackamas County's tourism department) to expand awareness of Canby as a destination for visitors and travelers throughout the region. Through coordinated marketing efforts, the campaign showcased the many experiences Canby has to offer, including its vibrant downtown, local businesses, dining, parks, events, and unique community character.

A featured component of the campaign highlighted the historic Canby Ferry as a memorable stop along a broader Oregon travel itinerary, encouraging visitors to explore Canby while experiencing one of the state's most distinctive transportation landmarks. By positioning the ferry as both a destination and a gateway to the community, the campaign helped introduce new audiences to the attractions and businesses that make Canby a worthwhile place to visit.

The collaborative marketing efforts were highly successful, generating thousands of engagements across the City's social media channels while significantly increasing online visibility for Canby. This partnership continues to strengthen the City's tourism and economic development initiatives by promoting local businesses, encouraging visitor spending, and reinforcing Canby's reputation as a welcoming destination with unique experiences to offer year-round.

First Thursday Night Market: The City of Canby's First Thursday Night Market continued to grow as a successful community gathering, drawing many to Canby's Downtown throughout May and June. The May market celebrated Historic Preservation Month, highlighting Canby's rich heritage and encouraging visitors to explore the stories behind the historic buildings that shape downtown and the surrounding community. June's Touch-A-Truck-themed market welcomed families from across the region, featuring a community scavenger hunt that invited children to search downtown for the toy vehicles representing the equipment and services that help keep the City running.



These two markets also marked the successful launch of the Children's Entrepreneurship Market, giving young business owners an opportunity to showcase their products while gaining hands-on entrepreneurial experience. In addition, Cutsforth's Mini Cruise-In joined the event for the season, bringing another popular attraction that increased activity throughout downtown and complemented the market experience.

Attendance continued to grow during both events, generating increased foot traffic for local businesses, restaurants, and market vendors. The First Thursday Night Market continues to create meaningful opportunities for community connection while supporting downtown businesses and encouraging residents

and visitors alike to shop, dine, and explore Canby. Staff are excited to see the continued momentum and positive economic impact as the market season progresses.

Canby Civic Engagement Academy: The final two Canby Civic Engagement Academy meetings were held on May 14th and June 11th. The May meeting was held in the Willamette Room at City Hall and featured presentations by community partner organizations: Canby Fire, Canby School District, and Canby Utility. The final meeting was held at the Canby Public Works facility and featured presentations on Public Works, Wastewater Treatment Plant, and Canby Area Transit/Fleet/IT. After completion of the Civic Engagement Academy, participants were provided with a survey to share their experiences with the program. The survey informs staff of opportunities to develop the program, understand what worked well, and receive feedback from participants.

N Fir Street & NW 2nd Avenue Redevelopment: The N Fir Street and NW 2nd Avenue Redevelopment project continues to move along with staff and Kittelson Associates meeting on a bi-monthly basis. The redevelopment project is the final Urban Renewal District project and will be designed to scale to the amount of funding the City has available. The effort will complete downtown streetscape projects by redeveloping N Fir Street (between NW 1st Avenue & NW 2nd Avenue) and NW 2nd Avenue between N Fir and N Elm Street. The redevelopment will address safety upgrades to the sidewalks and curbs downtown. Kittelson & Associates met with City staff on June 15th to provide a first look at 30% design plans and detailing utilities along the site. As work continues, City staff and Kittelson will coordinate with the downtown business and property owners adjacent to the site.

Walnut Street Groundbreaking: The City of Canby held a groundbreaking event for the Walnut Street Extension on Saturday, May 30th. The event, held adjacent to Jarboe's Restaurant, was well attended and featured speaker Jason Sprague (Canby Excavating, contractor for the Walnut Street Extension project) and Mayor Brian Hodson. The ceremonial groundbreaking highlighted the transportation project which is critical to circulation and mobility in the city of Canby. This new street will extend from the heart of the Canby Pioneer Industrial Park along SE 1st Avenue, north to a new traffic signal on Highway 99E. The road will create a direct path for trucks and other vehicle trips generated by the industrial park. The project will alleviate congestion at other intersections along Highway 99E and will direct truck circulation away from neighborhoods and problematic intersections outside the city. Further, the Walnut Street Extension will include the construction of the new 50' wide roadway, sidewalks, bike lanes, and incorporate sanitary sewer, storm drainage system, water line, and dry utilities (gas, communications, electric services and street lights).



Heritage & Landmarks Commission: The nomination for the National Register designation of the Canby Historic City Hall was included in the Certified Local Government Grant. Heritage and Landmarks Commission (HLC) chair, Carol Palmer, wrote the nomination over the course of many months. The HLC reviewed the application at a special meeting on Wednesday, June 3rd. During the meeting, Ms. Palmer walked the board through the various points on the application and aligned them with the research and documentation provided in the National Register Nomination. The HLC voted 4-0-1 to approve the recommendation that it is in the opinion of the commission that the property meets the National Register Criteria. The one abstention was chair Palmer, who recused herself from the vote since she had written the application. On June 26th, the State Advisory Commission on Historic Preservation (SACHP) approved the application for a National Register designation for Canby's Historic City Hall. The application will be forwarded to the National Parks Service for final approval, and a final decision will be issued in 3-4 months.

Touch-a-Truck: The Touch-A-Truck event rolled into downtown Canby for its third year, once again attracting hundreds of residents and visitors for an evening of discovery, interaction, and family fun. Attendees had the

opportunity to get up close with an impressive lineup of vehicles and equipment, gaining a behind-the-scenes look at the tools and machinery that support essential City services and community infrastructure. The event showcased the teamwork and dedication of multiple City departments, including Economic Development, Canby Police Department, Public Works, and Parks, as well as several community partners such as Canby Utility and Canby Fire District. Together, they created an engaging experience that encouraged learning, exploration, and meaningful connections between residents and the people who serve the community every day. The annual Touch-A-Truck was held in conjunction with the First Thursday Night Market and Canby Public Library Open House on June 4, 2026. The pairing of these popular events helped draw visitors to the city center, support local businesses, and create a welcoming gathering place where families could connect, learn, and celebrate their community.

Canby Power Planning: The City of Canby continues to partner with Canby Utility, Portland General Electric, and Bonneville Power Administration to address needs and constraints for electricity both now and into the future. On June 10th, the City of Canby hosted a meeting with the three agencies and staff from planning and economic development to continue to have a better understanding of the efforts underway from CUB, PGE, and BPA and how they affect Canby, particularly with the City's Urban Growth Boundary Expansion work underway. Earlier in the month, staff met separately with Kari Duncan, Canby Utility, and developers in the Canby Pioneer Industrial Park to discuss momentum and how to prioritize necessary upgrades to Canby's power.

Downtown Pressure Washing: As the City prepares for summer – and summer events – in downtown Canby, the City Administrator made the determination to bring on a business to pressure wash downtown sidewalks. The City keeps a list of businesses with Canby business licenses and staff utilized that list to find three businesses to provide bids for the service. A local Canby company, Foam and Flow LLC, was chosen to complete the work in downtown Canby. The work was scheduled to begin after the Canby Area Chamber of Commerce's "Wine & Art Walk" as they had a local artist decorate City sidewalks with chalk art.

Canby Brochures: The City's Economic Development team is currently developing a new series of Canby map brochures designed to better showcase the community's businesses, attractions, and amenities. The project includes an updated Downtown map highlighting shopping, dining, and key destinations, as well as a broader citywide map that provides visitors and residents with an easy-to-navigate overview of Canby.

Significant effort is being invested in creating a map system that is both visually engaging and easy to update on a regular basis. By streamlining the design and maintenance process, the City will be able to keep business information current while adapting the maps to reflect new developments and opportunities as Canby continues to grow.

Once completed, the new maps will serve as a valuable resource, supporting business recruitment, tourism, community events, and visitor outreach. The brochures will provide another tool to promote Canby's local businesses, encourage exploration throughout the community, and highlight the many amenities that make Canby an attractive place to live, work, shop, and visit.

Canby Independence Day Celebration: As the City of Canby nears July 4th, preparation for the Canby Independence Day Celebration continues to ramp up. The yearly event, held at Wait Park, is set to be a successful and busy day in downtown Canby. The event features a parade, car show, street fair, family-friendly beer garden, live music – both at Wait Park and in the beer garden, free kids activities, pancake breakfast, and this year features a flyover from the Oregon National Guard, scheduled for 11:30a. The event is led by the Economic Development Department, which coordinates closely with other City departments and external partners to ensure a successful and well-organized celebration. Building on the strong foundation of previous years, the 2026 event is gearing up to be the biggest year yet. Agencies have been working collaboratively to address logistics and planning needs. This year's celebration is scheduled for Saturday, July 4th in downtown Canby – coinciding with the 250th celebration of America. A fireworks display hosted by Canby Fire District will follow the daytime activities at Trost Middle School. The City looks forward to welcoming the community for another memorable Independence Day.



City of Canby Bi-Monthly Report
Department: Finance
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Denise LaRue, Finance Director
Prepared by: Katy Joyner, Financial Analyst
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives: See Department Activities

Statistics: Attached

Department Activities:

In addition to providing services and responding to inquiries from both internal and external customers, the Finance Department reports the following items of interest for this period.

- The FY2026-2027 Budget was approved by the Budget Committee in May and adopted by City Council in June. A supplemental budget for FY2025-2026 for the General Fund was also adopted in June.
- The Master Fee Schedule was updated for FY2026-2027 and presented to City Council, however further discussions were needed to address changes, and an additional meeting was scheduled for July 1st.
- The interim audit work begins in June, while staff also works to make sure all invoices are paid and new purchase orders and contracts are in place for the new fiscal year.
- The GFOA Budget Presentation Award application process will begin in early July and will be submitted before the end of July.
- The Finance Team participated in the following meetings, training and events this period:
 - o Council Meetings
 - o Leadership Meetings
 - o OPPA Conference
 - o Safety Meetings
 - o Finance Team meetings
 - o Budget planning meetings

Statistics FY 2025 & 2026

JUL-AUG FY26	SEP-OCT FY26	NOV-DEC FY26	JAN-FEB FY26	MAR-APR FY26	MAY-JUN FY26
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Accounts Payable

Invoices	480	464	522	490	547	531
Invoice Entries	1,156	1,154	983	1,219	1,498	1,301
Encumbrances	61	27	38	40	22	13
Manual Checks	5	2	3	2	2	1
Total Checks and Voucher	334	318	213	319	333	340

Payroll

Timesheets Processed	430	530	426	416	413	516
Total Checks and Vouchers	502	610	498	484	482	596
New Hires/Separations	0 / 5	6 / 2	1 / 4	2 / 2	2 / 2	2 / 3

Transit Tax Collection

Forms Sent	73	1,235	1,851	126	1,229	1,222
Accounts Opened/Closed	36 / 22	32 / 31	31 / 38	25 / 22	33 / 46	40 / 13
Returns Posted	1,283	903	475	60	806	403

Utility Billing

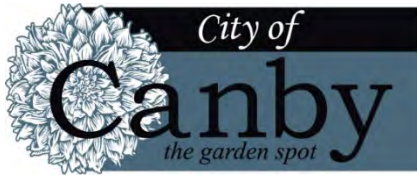
Bills sent	11,101	10,564	10,588	10,605	10,623	10,634
Counter payments	88	68	78	73	86	75
Accounts opened/closed	66 / 55	65 / 48	60 / 45	47 / 43	81/70	73/59
Lien payoffs completed	55	48	20	20	25	73
Lien payoff inquiries	55	52	22	42	79	69
Collection / Past Due Notices sent	199	185	205	189	190	184
Accounts sent to WCB	0	0	0	0	0	0

General Ledger

Total Journal Entries	257	211	253	302	309	270
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Cash Receipts Processed

Finance	1,152	889	674	1,227	1,093	810
Utility	276	223	176	195	207	237



City of Canby Bi-Monthly Report
Department: Fleet
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
 From: Todd Wood, Transit/ Fleet/ IT Director
 Prepared by: Robert Stricker, Lead Mechanic
 Through: Randy Ealy, City Administrator
 Date: 7/15/2026

May-26

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	0	\$0.00	\$0.00	\$0.00	\$0.00
Adult Center	0	\$0.00	\$0.00	\$485.58	\$485.58
IT Department	0	\$0.00	\$0.00	\$0.00	\$0.00
Facilities	0	\$0.00	\$0.00	\$75.39	\$75.39
Wastewater Collections	2	\$69.84	\$38.79	\$729.43	\$838.06
Wastewater Treatment	4	\$151.17	\$374.28	\$68.21	\$593.66
Parks	2	\$458.99	\$341.62	\$1,376.16	\$2,176.77
Police	9	\$1,742.43	\$1,951.98	\$9,144.28	\$12,838.69
Streets	4	\$2,063.25	\$413.02	\$3,105.68	\$5,581.95
Fleet Services	0	\$0.00	\$0.00	\$133.71	\$133.71
Canby Area Transit (CAT)	14	\$3,509.93	\$2,395.37	\$17,932.19	\$23,837.49
Total	35				Total \$46,561.30

Jun-26

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	0	\$0.00	\$0.00	\$0.00	\$0.00
Adult Center	0	\$0.00	\$0.00	\$547.92	\$547.92
Facilities	0	\$0.00	\$0.00	\$153.09	\$153.09
IT Department	0	\$0.00	\$0.00	\$0.00	\$0.00
Wastewater Collections	0	\$0.00	\$0.00	\$591.82	\$591.82
Wastewater Treatment	1	\$29.07	\$0.00	\$211.48	\$240.55
Parks	8	\$1,414.08	\$845.69	\$2,500.15	\$4,759.92
Police	12	\$2,691.44	\$1,845.02	\$7,380.25	\$11,916.71
Streets	5	\$367.78	\$1,596.41	\$2,654.29	\$4,618.48
Fleet Services	0	\$0.00	\$0.00	\$81.81	\$81.81
Canby Area Transit (CAT)	11	\$3,572.20	\$2,584.76	\$15,862.45	\$22,019.41
Total	37				Total \$44,929.71



City of Canby Bi-Monthly Report
Department: Human Resources
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Peter Wood, HR Director
Prepared by: Same as above
Through: Randy Ealy, Interim City Administrator
Date: July 15, 2026

2025-2027 Council Goals & Objectives: N/A

Human Resources Summary

The City of Canby's Human Resources Department continues to advance the long-term goals and objectives of the City and Council through effective HR management. The City recently completed the Police Chief hiring process and is working to replace Chief Jorge Tro.

Recruitment efforts are being conducted for the following positions: Parks Lead (Internal Candidates), Parks Maintenance Worker I, Wastewater Maintenance Technician, Swim Center Program Coordinator, Swim Center Head Lifeguard, and Police Officer - Lateral. The Public Works Director recruitment will begin again shortly.

Key Recruiting Statistics

Office Specialist II. The City plans to interview candidates on July 15, 2026.

The remaining positions close on or around July 12, 2026.

Upcoming Retirements

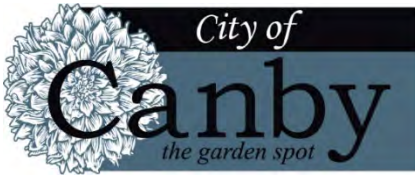
Chief Tro's retirement, effective July 10, 2026; anticipate 1-2 Canby Police Department retirements in the next 90-120 days.

Human Resources Events and Processes

Health Benefits Fair. The City will host a health benefits fair with our business partners on August 12, 2026. City employees and dependents will have the opportunity to meet with our health partners from 11:00 to 1:00.

Training: The City recently hosted OSHA Wildland Fire Exposure Training at City Hall. Additionally, the City scheduled confined space and fall training for August 20, 2026. City Wide Training is scheduled for all employees for September 16, 2026, on creating a culture of civility and respect.

Rewrite of City Personnel Policy is ongoing and is a significant project. The policy was last revised in 2006 and requires updates to reflect current Human Resources practices and statutory changes.



City of Canby Bi-Monthly Report
Department: IT
For Months of: May & June, 2026

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit/ Fleet/ IT Director
Prepared by: Same as above
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Goal 1: Promote Financial Stability

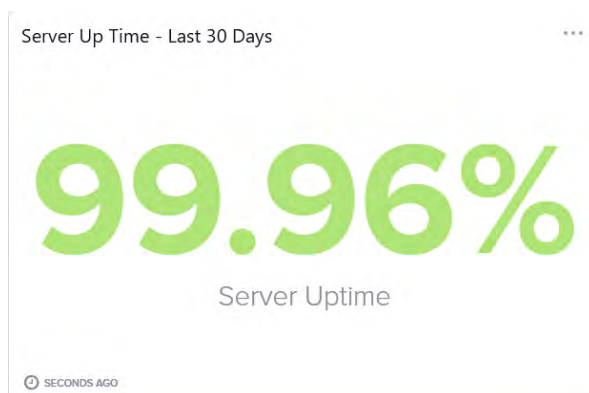
[See Department Activities Below](#)

Tickets:

Tickets Resolved in FY 26: 853
Tickets Resolved this period: 110
Open Tickets as of this report: 51



Server Status during this period:



System Security Status:

PROCESS INSIGHTS

During this time frame, your cybersecurity platform analyzed **28,535,102 process events** to identify suspicious processes that could lead to malware execution.

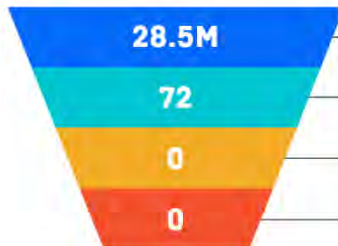
Of those events, there were **72 process signals detected** through automated and human analysis. None of the detected signals were suspicious in nature, thus no further investigation was warranted by your security team.

SUMMARY

During the time frame of this report, your cybersecurity platform analyzed **28,592,390 events** from **186 entities** on your network.

Of those events, there were **366 signals detected** through automated and human analysis. None of the detected signals were suspicious in nature, thus no further investigation was warranted by your security team. This defense strategy continues to reduce your risk, which maximizes your security and minimizes cyberattack damage to your business.

PROCESS INSIGHTS EVENT TRIAGE



PROCESS EVENTS ANALYZED

PROCESS SIGNALS DETECTED

PROCESS SIGNALS INVESTIGATED

PROCESS INCIDENTS REPORTED



ENTITIES PROTECTED



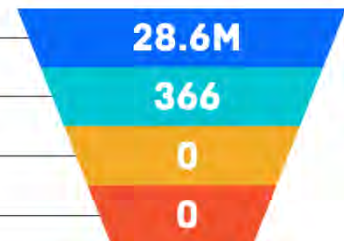
186 18

EVENTS ANALYZED

SIGNALS DETECTED

SIGNALS INVESTIGATED

INCIDENTS REPORTED



PERSISTENT FOOTHOLDS

During this time frame, your cybersecurity platform analyzed **54,081 autorun events** to discover persistent footholds that, if not remediated quickly, could become malicious threats to your business.

Of those events, there were **269 autorun signals detected** through automated and human analysis. None of the detected signals were suspicious in nature, thus no further investigation was warranted by your security team.

RANSOMWARE CANARIES

During this time frame, your cybersecurity team monitored **2,815 canary files deployed** on Windows endpoints, which acted as early warning signals for ransomware on your network.

Like the old canary in the coal mine, Ransomware Canaries enable faster and earlier detection of potential ransomware incidents. When deployed, small lightweight files are placed on all protected endpoints—and if those files are modified or changed in any way, an investigation is conducted.

CANARIES IN YOUR MINE

524

Protected User Profiles

with **2,815** total canary files, deploying multiple canary files per user

0

Ransomware Incidents Reported

across **186** endpoints

Department Activities:

Ordered Network storage and servers for the PD.

Staff continue to replace outdated PCs with newer supported devices.

The City website needs to be moved to a new platform, and this will result in a change to the website. That change is currently being implemented, expect to see a new version of the website in a few months.

Staff is working on ordering a new Tri Caster for council chambers to improve reliability for council meeting broadcasts.

Polar is currently evaluating all switches due for replacement in 2027.



City of Canby Bi-Monthly Report
Department: Library
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
 From: Marisa Ely, Library Director
 Prepared by: Same as above
 Through: Randy Ealy, Interim City Administrator
 Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Promote Financial Stability: *Develop a Plan to Fund Current and Expanded Library Services*

Statistics

 CANBY PUBLIC LIBRARY MAY/JUN '26 SNAPSHOT	
Items added to the collection - 1,194 	Room reservations 233
Holds filled 7,792	 New cards 247
Checkouts  Digital: 10,755 Physical: 44,130	Outreach & Inreach: 10 events - 831 participants
Items checked in 40,201	 Adult events - 12 Participants - 112
Reference interactions - 3,228 	Children's events - 14 Participants - 385
Visitors 17,419	 Teen events - 9 Participants - 32

Department Activities:

- Grant-funded *Career Center* stats:

Computer sessions: 22	Pages printed: 511	Supplies used: 9	Users who found success: 10
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- Outreach: Attended four outreach events in May, including Bridging Cultures events, Canby Adult Center Resource Fair, and a high school visit, interacting with 299.
- Our *annual Library Open House* on June 4th was a success, with participation from the Library Advisory Board, Library Foundation, Friends of the Library, Canby Kiwanis, Bridging Cultures, Canby Pride, Canby Fire, and library volunteers. We had over 300 visitors and they completed 48 Bingo activity sheets! (pictured)
- The library moved to a new programming and meeting room reservation system called *LibCal*. It is much easier to use for patrons and staff.
- Our Summer Teen Intern, Finley, started on June 16th and she will be assisting our Children's Librarian with the annual Summer Reading Program that runs from June 1 – August 31st!
- Our new Maker Lab display is up thanks to Luana Hill, who is an active Maker Lab volunteer! (pictured)
- The LINCC Library Trail program (where folks visited each LINCC library) wrapped up on May 31st. This all-ages countywide program had 201 Canby patrons sign up, with 21 participants finishing. 3 people won prize bundles and one person won the grand prize gift card. (pictured)



- Upcoming events:
 - *Lego Building Competition, July 9th at 5pm*
 - Summer Reading Performances:
 - *Bilingual Music with Nathalia, July 10th at 11am* (Wait Park)
 - *Juggling with Rhys Thomas, July 17th at 11am* (Wait Park)
 - *Traditional Japanese Drumming with Entaiko, July 24th at 11am* (Wait Park)
 - *BEE AMAZED! With U of O's Museum of Natural and Cultural History, July 31st at 11am* (Wait Park)
 - *Planning and Planting Your Fall and Winter Garden, July 11th at 1pm*
 - *Clackamas County Repair Fair, July 18th at 10am*





City of Canby Bi-Monthly Report
Department: Police
For Months of: MAY & JUNE 2026

To: The Honorable Mayor Hodson & City Council
 From: Chief Jorge Tro
 Prepared by: Katie McRobbie, Administrative Supervisor
 Through: Randy Ealy, Interim City Administrator
 Date: 7/15/2026

2025-2027 Council Goals & Objectives: *N/A - See Department Activities below.*

STATISTICS:

	MAY	JUNE
Calls for Service - Dispatched 911 / Non-Emergency Calls / Self-Dispatched Calls	1217	1268
PROPERTY CRIMES REPORTED		
Burglary	0	0
Unauthorized Use of Motor Vehicle / Unlawful Entry into Motor Vehicle	1	1
Robbery	0	0
Theft I, II, & III	10	9
Forgery / Counterfeiting	0	0
Trespass	2	3
Vandalism / Criminal Mischief	8	3
PERSON CRIMES REPORTED		
Assault I, II, IV	1	2
Carrying Concealed Weapons (knife, blade, etc.)	0	0
Disorderly Conduct (includes resisting arrest)	3	2
Endangering Welfare of a Minor / Recklessly Endangering	2	0
Felon in Possession of Firearm / Restricted Weapon	0	0
Harassment, Intimidation or Threats	8	3
Identity Theft	3	1
Interfering with Peace Officer	1	0
Menacing	2	0
Sex Offenses	1	1
Strangulation	2	0
ARRESTS		
Warrant Arrests (includes contempt of court, restraining order violations, parole violations)	18	16
Adult and Juvenile Custodies (includes juvenile curfew)	37	31

DRUG CRIMES		
Possession Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	1	3
Delivery of a Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	0	0
Manufacture Controlled Substance (Cocaine, Heroin, Marijuana, Meth)	0	0
TRAFFIC CRIMES, ACCIDENTS, CITATIONS		
Attempt to Elude	2	0
Driving Under the Influence of Intoxicants (Alcohol & Controlled Substance)	9	10
Other Traffic Crimes (Hit & Run, Driving While Suspended / Revoked, Reckless Driving, Failure to Surrender Suspended License / Use Invalid License)	15	15
Traffic Accidents	8	11
Traffic Citations	577	467

CODE COMPLIANCE		
	MAY	JUNE
Total Complaints Received (Includes Self-Initiated)	89	118
Email Complaints; Including MyPDConnect online complaints	25	52
Voice Mail Complaints	15	23
Radio Dispatch (MDT, Lobby Walk-Ins)	4	9
Sex Offender Registrations	2	4
Proactive / Self-Initiated	28	19
Type of Complaints		
Property Maintenance (Noxious Weeds, Vegetation, Trash)	5	3
Planning Code / Zoning Code (Illegal Camping, etc)	5	18
Parking (Chalked)	14	22
Parking (Impound Tags)	3	7
Graffiti	4	3
Finance / Business License Violations	6	4
Animal Complaints		
Noise (Barking, etc.)	2	5
Special Animal Permit Violations	1	1
Outcomes / Resolutions		
Violations Confirmed	12	28
Violations Abated Voluntarily	6	15
Parking Citations Issued	4	8
UTC Issued / Enforcement Action	0	0
Notices of Violation / Compliance Letters	11	26
Towed Vehicles (Including Tow Notices)	0	1
Meetings	3	3
Reports Written (Original and Supplemental)	0	1
Routine Patrol	40%	40%

POLICE DEPARTMENT ACTIVITIES & EVENTS:

- Launched Online Reporting via MyPDConnect December 2025. Online Reports submitted in May and June 2026:

Report Counts by Month Submitted

Date range 05/01/2026 to 06/30/2026

Year/Month Submitted	Report Count
2026-05	22
2026-06	44

- Hosted Meet the Police Chief Candidates
- Annual Bike Rodeo at Kight Elementary
- Annual Touch-a-Truck Event
- Annual Police vs. Fire Softball Game
- Police Department EVOC Training
- Monthly Clackamas County Law Enforcement Executive Meeting
- Monthly CPD / CFD Meeting
- Monthly C800 Board Meeting
- Monthly Clackamas County Department of Communications (C-COM) Meeting



City of Canby Bi-Monthly Report
Department: Development Services
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Don Hardy, Planning Director
Prepared by: Laney Fouse Lawrence, Planning Technician
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Promote Financial Stability (Adjust System Development Charges)

- City Council adopted the City's new System Development Methodology Report on July 1, 2026.

Align Resources to Address Future Community Growth (Complete the Housing Production Strategy/HPS)

- On July 30, 2026, the City received final approval from DLCD/HAPO for its adopted Housing Production Strategy (HPS).

Complete the Comprehensive Plan Update

- City Council adopted the Comprehensive Plan Update on May 20, 2026 and the second reading for the approving ordinance was held on June 3, 2026.

Complete the Transportation System Plan Update

- City Council unanimously adopted the TSP on May 6, 2026.

Complete the UGB Expansion Process

- A listening session was held in Council Chambers on June 24, 2026 for property owners in the study area for the proposed UGB amendment. Approximately 60 people attended.
- A UGB Expansion Report is currently being finalized and will be submitted to DLCD in mid-July, per state noticing requirements.
- A Community Summit will be held in late July.
- Hearings for the UGB amendment will be on August 24 (Planning Commission) and September 16 (Council).

Complete the City's Development Code Update

- The consultant team for the code audit is currently performing its initial assessment of the existing code's compliance with state law, including recently passed housing laws.

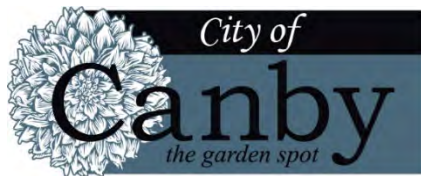
Statistics:**Land Use Application Activity:**¹

1. **Pre-Application Conferences** held for the period of May 1 – June 30, 2026: 1 Diesel Repair Shop
2. **Pre-Construction Conferences** held for the period of May 1 – June 30, 2026: No Pre-Construction meetings were held.
3. **Site Plans Submitted for Zoning Conformance**, May 1 – June 30, 2026: 33 site plan review applications were submitted and have been or are being released for building permits
4. **Signs Submitted for Plan Review**, May 1 – June 30, 2026: 2 signs: Tievoli Commons and Millar's Point S

Planning Commission Activity:

1. Agenda Items Reviewed May 1 – June 30, 2026: During this period, the Planning Commission:
 - a. Held a public hearing to approve the Senior Living and Memory Care project. This item was heard on April 27, 2026, but was continued to June 9, 2026.
 - b. Participated in a work session on Planning Commission procedures, led by Staff, on June 22, 2026.

¹ Note that the applications listed here do not capture the department's full backlog of active land use applications and site plan reviews, many of which were either submitted prior to this reporting period or have been submitted but are currently deemed incomplete applications.



City of Canby Bi-Monthly Report
Department: Public Works
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit/ Fleet/ IT Director
Prepared by: Ruth Kyle Reyes, Finance Tech II
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

Facilities Maintenance Department

Statistics:

Facilities	Total Hours
May	140
June	150

Department Activities:

During this reporting period, the facilities team completed a critical infrastructure upgrade by installing a new ventilation system for the Public Works backup generator. Alongside this project, seasonal debris was cleared by power washing the exterior building windows. Aswell as attending to the daily staff and routine maintenance requests.



Parks Department

Statistics:

Parks	Total Hours
May	N/A
June	784

Department Activities: While we recently welcomed a new team member to the Parks department, the division continues to operate below full staffing levels, currently short one regular FTE and seasonal support. Despite these capacity constraints, the Parks crew has demonstrated exceptional dedication, successfully managing both routine maintenance schedules and responsive service demands.

Sewer Collections Department

Statistics:

Sewer	May Total Hours	June Total Hours
Sewer Cleaning	41	0
Sewer Maintenance/Repair	66	2
Sewer TV'ing	7	18
Lift Station Maintenance	15	56
Locating Utilities	39	30
Sewer Inspections	4	0

Department Activities:

Sewer Collections Department dedicated significant hours to routine operations. Key efforts included extensive utility locating to safeguard underground lines, alongside comprehensive lift station maintenance to ensure uninterrupted system operations. Additionally, the crew utilized specialized camera equipment for sewer TV'ing line diagnostics, providing the data necessary to stay ahead of future maintenance and preventative repairs.

Streets Department

Statistics:

Streets	May Total Hours	June Total Hours
Street Maintenance	346.5	292
Sidewalk Inspections	18	0
Driveway Approach Inspections	2	3
Street Sign Manufacturing	10	24
Street Sign Maintenance	5	5
Street Light Repair	0	0
Tree Maintenance	76	41
Dump Truck	6	0

Department Activities:

The crew successfully balanced distinct community projects with routine work order completions. Key milestones included executing tree trimming maintenance, completing a sign installation on S. Ivy, and carefully relocating the city's 9/11 artifact from the School District to its new home at the Police Department. Alongside these specialized tasks, the team maintained its steady pace on daily operations, ensuring standard public works service requests across the city were resolved efficiently and kept on schedule.



Storm Water

Statistics:

Storm Water	May Total Hours	June Total Hours
Catch Basin Maintenance	48	104
Drywell Maintenance	16	4
Erosion Control Inspections	2	7
Storm line Maintenance/Repair	7	7
Storm Line Inspections	10	8
Drying Beds	0	0

Department Activities:

Storm Water department prioritized system capacity and preventative regulatory oversight. A major portion of operational hours was dedicated to extensive catch basin maintenance to ensure proper drainage flow, paired with essential drywell maintenance across the network. Additionally, the team conducted active field oversight with routine erosion control inspections.

Miscellaneous

Miscellaneous	May Total Hours	June Total Hours
Meetings	11	17
Equipment Cleaning	0	30
Training	16	0

The team collective allocated substantial hours to mandatory training sessions and regular departmental meetings to coordinate regional projects and maintain compliance standards. Furthermore, personnel dedicated, focused effort toward routine equipment cleaning, ensuring that the city's fleet and specialized maintenance tools remain in optimal, safe working condition for field deployments.



City of Canby Bi-Monthly Report
Department: Canby Swim Center
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Nathan Templeman, Aquatic Program Manager
Prepared by: Same as Above
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives: N/A. See Department Activities.

Statistics (see attached):

Combined attendance for May–June 2026 totaled 10,875 visits, compared to 12,285 over the same period in 2025 (–11.5% year over year). May attendance totaled 5,084 visits compared to 5,942 in May 2025, while June attendance totaled 5,791 visits compared to 6,343 the prior year. The year-over-year gap narrowed considerably from the March–April reporting period, when combined attendance was down 22.4%.

Several core programs showed strong or improving participation during the reporting period. Afternoon Public Swim exceeded prior-year participation in both May and June, while Evening Lap Swim continued to show substantial growth. Canby Gators attendance for the two-month period remained relatively close to the prior year, with 1,590 visits compared to 1,691 in May–June 2025. School and public lessons continued to account for a substantial share of overall facility participation. Parent/Child/Family Swim and Evening Public Swim remained below prior-year levels.

As noted previously, the method used to classify certain organized programs and lesson participation was adjusted during FY 25–26, with several activities now tracked under pass-based participation rather than single-admit usage. This change impacts direct comparison of admit/pass subcategories year over year, though overall attendance totals remain comparable.

Year-to-date attendance for FY 25–26 through June stands at 51,391 visits, compared to 59,000 at the same point in FY 24–25 (–12.9%).

Department Activities

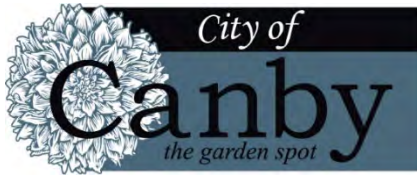
Planning for the Swim Center renovation continued during the reporting period. The project team has been working through design development, site constraints, and construction requirements while preparing the project for permitting and contractor solicitation. Bidding is now open and closes July 23.

MAY 2026 Canby Swim Center Monthly Attendance Numbers

	ADMIT 2025	ADMIT 2026	PASS 2025	PASS 2026	TOTAL 2025	TOTAL 2026	YTD TOTAL 24-25	YTD TOTAL 25-26
MORNING LAP	53	39	329	279	382	318	4169	3278
ADULT RECREATION SWIM	23	40	446	350	469	390	4921	3778
MORNING WATER EXERCISE	85	92	153	142	238	234	2571	2156
PARENT/CHILD/FAMILY SWIM	268	0	0	109	268	109	2676	2153
MORNING PUBLIC LESSONS	0	0	0	0	0	0	3262	3574
SCHOOL LESSONS	1073	0	0	924	1073	924	2691	2244
NOON LAP	122	112	383	386	505	498	5031	4251
AFTERNOON PUBLIC	257	289	2	10	259	299	4404	3191
PENGUIN CLUB	0	0	154	120	154	120	1161	1180
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	1221	1235
CANBY GATORS	0	0	1082	940	1082	940	7016	6850
MASTER SWIMMING	0	0	44	16	44	16	235	136
EVENING LESSONS	1097	0	0	923	1097	923	9728	8434
EVENING LAP SWIM	39	61	22	71	61	132	850	957
EVENING PUBLIC SWIM	223	149	45	14	268	163	2291	1934
ADULT LESSONS	32	0	0	18	32	18	238	213
GROUPS AND RENTALS	0	0	0	0	0	0	62	20
OUTREACH SWIMMING	10	0	0	0	10	0	130	16
TOTAL ATTENDANCE	3,282	782	2,660	4,302	5,942	5,084	52,657	45600

JUN 2026 Canby Swim Center Monthly Attendance Numbers

	ADMIT 2025	ADMIT 2026	PASS 2025	PASS 2026	TOTAL 2025	TOTAL 2026	YTD TOTAL 24-25	YTD TOTAL 25-26
MORNING LAP	58	28	368	324	426	352	4595	3630
ADULT RECREATION SWIM	55	38	397	389	452	427	5373	4205
MORNING WATER EXERCISE	89	122	187	133	276	255	2847	2411
PARENT/CHILD/FAMILY SWIM	452	0	0	186	452	186	3128	2339
MORNING PUBLIC LESSONS	1108	0	0	936	1108	936	4370	4510
SCHOOL LESSONS	195	0	0	281	195	281	2886	2525
NOON LAP	114	96	295	256	409	352	5440	4603
AFTERNOON PUBLIC	434	503	20	20	454	523	4858	3714
PENGUIN CLUB	0	0	224	190	224	190	1385	1370
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	1221	1235
CANBY GATORS	0	0	609	650	609	650	7625	7500
MASTER SWIMMING	0	0	20	8	20	8	255	144
EVENING LESSONS	1120	0	0	1087	1120	1087	10848	9521
EVENING LAP SWIM	53	49	40	85	93	134	943	1091
EVENING PUBLIC SWIM	416	367	29	38	445	405	2736	2339
ADULT LESSONS	30	0	0	5	30	5	268	218
GROUPS AND RENTALS	15	0	0	0	15	0	77	20
OUTREACH SWIMMING	15	0	0	0	15	0	145	16
TOTAL ATTENDANCE	4,154	1,203	2,189	4,588	6,343	5,791	59,000	51,391



City of Canby Bi-Monthly Report
Department: Transit
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit/ Fleet/ IT Director
Prepared by: Same as above
Through: Randy Ealy, Interim City Administrator
Date: 7/15/2026

2025-2027 Council Goals & Objectives:

Goal 1: Promote Financial Stability

[See Grant Activities below](#)

Goal 3: Plan a transportation system that eases the impacts of growth

[See Transit Statistics below](#)

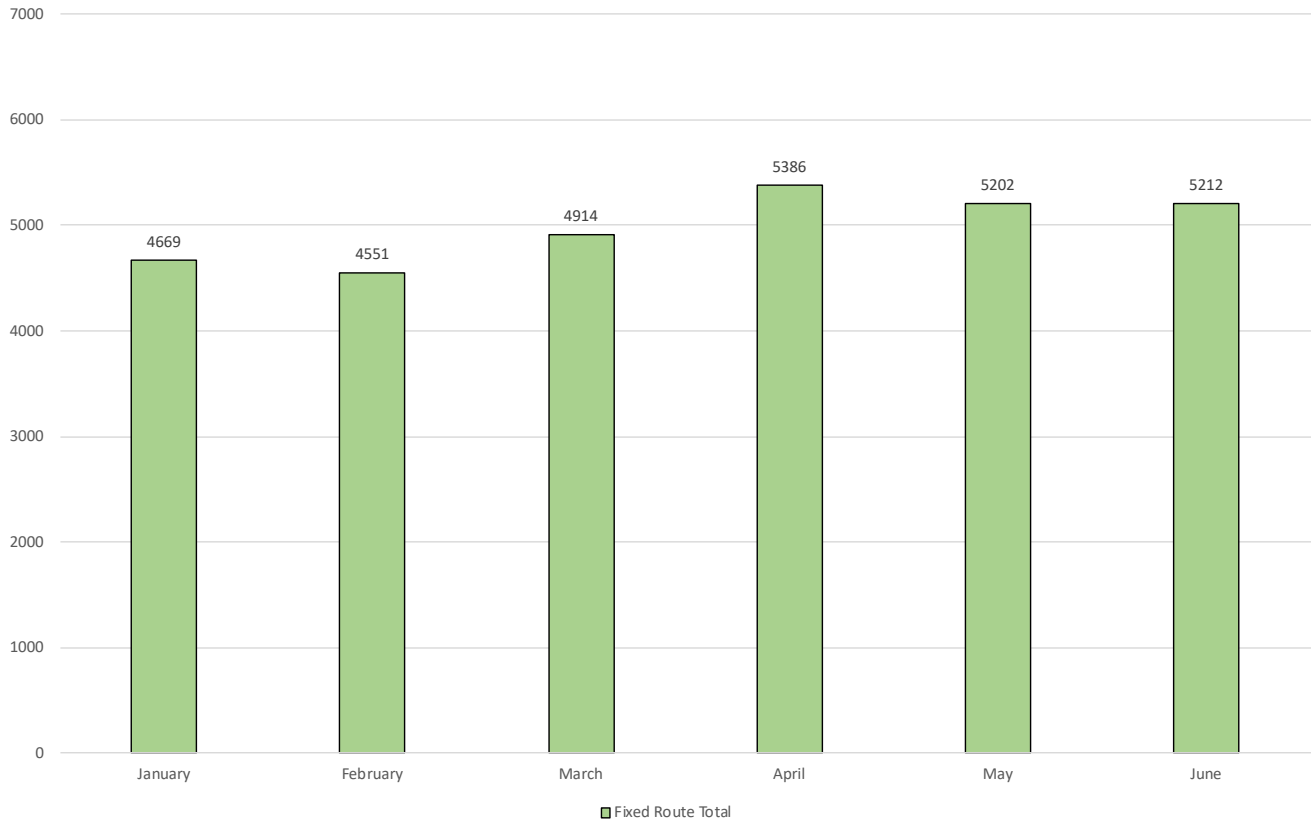
Statistics:

May average daily weekday daily 99x route ridership:	226 trips
May average daily weekend daily 99x route ridership:	135 trips
June average daily weekday daily 99x route ridership:	212 trips
June average daily weekend daily 99x route ridership:	137 trips

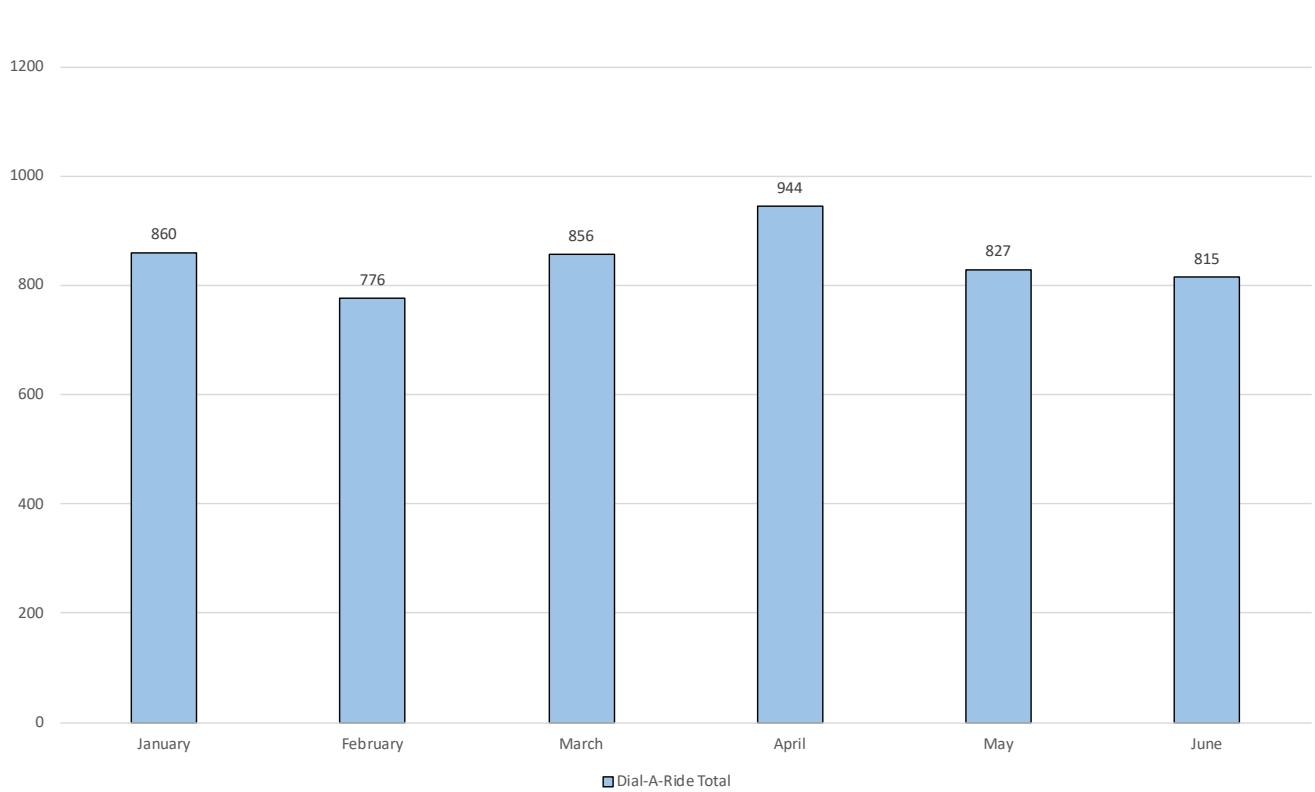
May average daily weekday Dial-a-Ride route ridership:	35 trips
May average daily weekend Dial-a-Ride route ridership:	27 trips
June average daily weekday Dial-a-Ride route ridership:	33 trips
June average daily weekend Dial-a-Ride route ridership:	24 trips

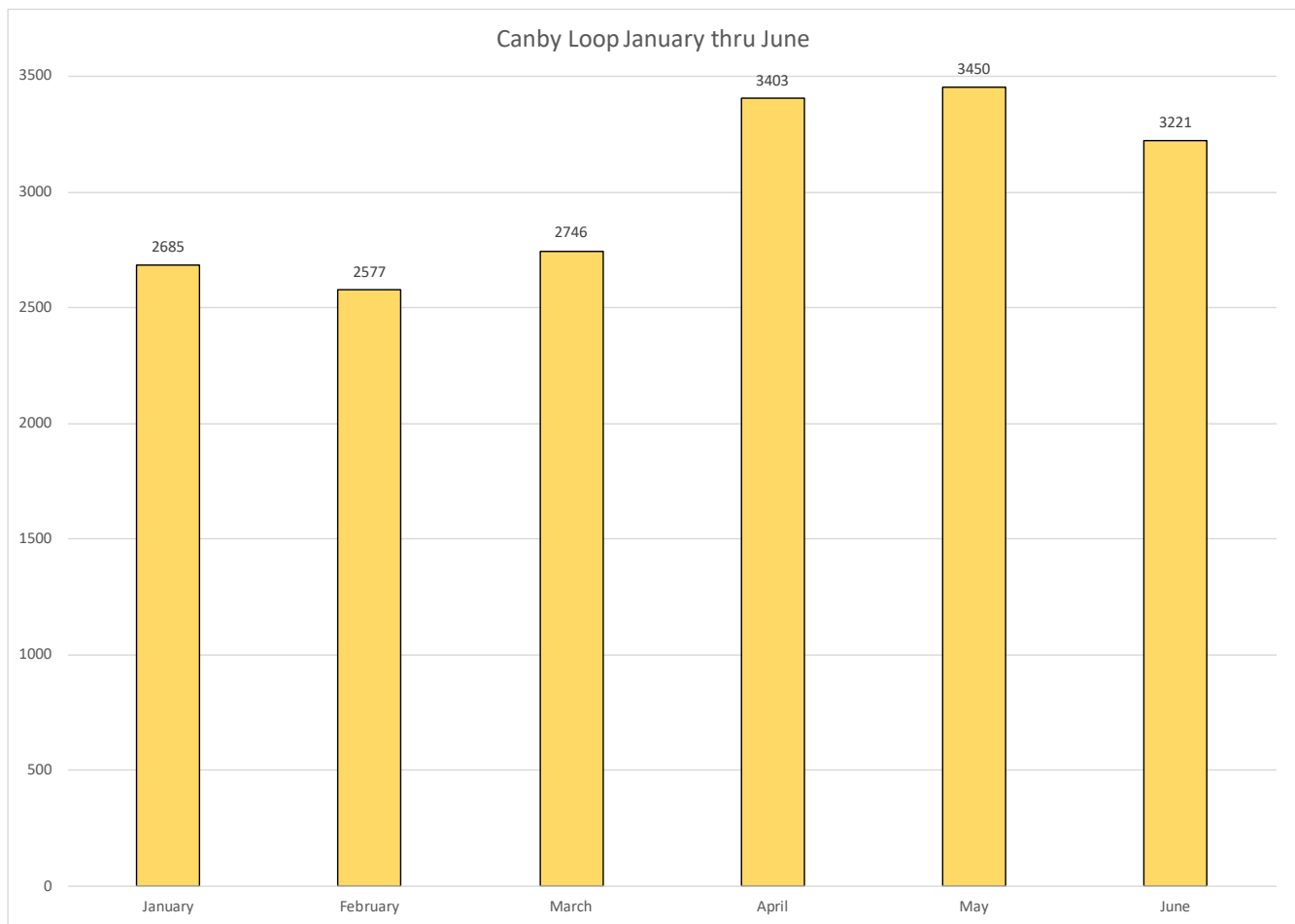
May average daily weekday daily Loop route ridership:	147 trips
May average daily weekend daily Loop route ridership:	99 trips
June average daily weekday daily Loop route ridership:	132 trips
June average daily weekend daily Loop route ridership:	76 trips

99x Ridership January thru June



Dial-A-Ride Ridership January thru June





Department Activities:

1) Grant Activities:

Submitted Reports for 5311, 5310, STIF

Submitted Quarterly Charter Reports

Applied for next biennium's 5310, 5311 grants

Applied for vehicle replacement grants for 4 new vehicles to replace our aging fleet.

2) New Vehicles:

Transit has received a new Cut Away bus for use on the 99x. It will begin service in Late July and help bolster our aging fleet.

3) Upcoming Changes to State Funding:

In order to align state funding cycles with federal funding cycles, the State will transition its grant funding schedule from July–June to October–September, beginning in 2027. This transition will create a temporary funding gap for federal transit funds between July and October 2027. To address this gap, Transit has applied for state funding to provide interim support during the transition period.

4) Transit Advisory:

Transit advisory has updated meeting from every other month to every Quarter to better align with regulatory reporting. The next meeting will be July 23rd in the Mt Hood Room at 6pm. We will be discussing End of Year results, Finances, and upcoming route changes to the 99x.



City of Canby Bi-Monthly Report
Department: Wastewater Treatment Plant
For Months of: May & June 2026

To: The Honorable Mayor Hodson & City Council
 From: Patrick Mahoney, WWTP Supervisor
 Prepared by: Same as above
 Through: Randy Ealy, Interim City Administrator
 Date: 7/15/2026

Wastewater Treatment Plant (WWTP) NPDES Permit Compliance

NPDES Permit Parameter	NPDES Permit Limit	WWTP - May Monthly Avg	WWTP - June Monthly Avg
Biochemical Oxygen Demand (CBOD)	10 mg/l	2 mg/l	2 mg/l
Total Suspended Solids (TSS)	10 mg/l	2 mg/l	1 mg/l
BOD Removal Efficiency	85%	99%	99%
TSS Removal Efficiency	85%	99%	99%

The WWTP Team Gets Work Done and Welcomes a New Operator, Michael Nichols

The WWTP maintained 100% NPDES permit compliance throughout May and June, with zero safety incidents reported.

- Hiring new WWTP maintenance technician.
- 7 Tours given.
- OSU partnership research sampling for: The Flu, SARS-CoV-2, RSV and Measles.
- Clackamas Community College WET Program Tour & Internship.
- Finished major maintenance and repairs to Belt Filter Press to improve reliability and extend service life.
- Supervisor Training with CIS.
- Ordinance #1676 (Heard Farms) & #1666 (4 new RAW pumps) passed.
- Gordian/APEX UV Disinfection CIP proposal and reviews.

Solids Processing			
Month	WWTP Solids Processed	WWTP - Belt Press Operation	Solids Hauled to Heard Farms
May	790,900 gallons	19 days	~160 wet tons/8 loads**KAHUT
June	874,600 gallons	20 days	234 wet tons/7 loads