

The report concluded that this information was being provided pursuant to Chapter 6, Section 27 of the Oregon City Charter of 1982.

With no further business, the meeting adjourned at 10:45 p.m., with the Commission convening an Executive Session per ORS 192.660 (1)(d) Labor Negotiations.

*Irmgard Marggi*  
IRMGARD MARGGI, Clerk of the Commission

SPECIAL MEETING Oregon City, Oregon, June 29, 1988

A special meeting of the City Commission was held in the Commission Chambers of City Hall on the above date at 7:00 p.m.

Roll call showed the following present:

Mayor Kenneth M. Mitchell	Thomas Fender III, City Manager
Commissioner David D. Spear	Jean K. Elliott, City Recorder
Commissioner Thomas F. Lemons	
Commissioner Carol A. Powell	
Commissioner Wayne G. Wilson	

Mayor Mitchell opened the meeting by calling for items for Commission consideration on future agendas. Alayne Woolsey, 818 4th Street, presented a discussion of reimbursement of expenses for the Oregon-California Trails Association (OCTA) conference. This matter was referred to the Civic Improvement Trust for discussion at their next meeting.

Commissioner Lemons joined the meeting at this point.

Commissioner Powell requested that a date be scheduled to conduct a performance evaluation regarding the City Manager. The date of July 19, 1988 was selected for an executive session. On this date will be the performance evaluation of the Municipal Judge at 6:00 p.m. with the City Manager to follow.

Manager's Report No. 88-119, Transfer of Appropriations for Fiscal Year 1987-88 - Resolution No. 88-43, was presented. The report noted that at the June 9, 1988 meeting, the City Commission was presented a resolution to transfer appropriations to provide a means to return the \$500,000 lottery fund grant. At that meeting, a motion was adopted approving the return of the funds, however, no action was taken with regard to the resolution.

The report continued that on the June 29, 1988, Special Meeting agenda, there was Resolution No. 88-43 which presented changed to certain appropriations as follows:

Infrastructure Development Fund: Increase: Debt Service appropriation to return loan funds and pay interest.  
Decrease: Construction and Engineering Capital Outlay for projects not to be completed.

The report concluded that to make the transfer of appropriations as needed, it was necessary for the City Commission to approve a resolution.

It was moved by Lemons, seconded by Powell, to adopt Resolution No. 88-43 as read.

Roll call: Powell, Aye; Spear, Aye; Lemons, Aye; Wilson, Aye; Mitchell, Aye.

#### RESOLUTION NO. 88-43

WHEREAS, ORS 294.450 provides the legal basis for transfers of appropriations within a fund, and

WHEREAS, the City Commission adopted a budget for 1987-88 and by Resolution No. 87-15 made appropriations for the current fiscal year; and

WHEREAS, the need now exists to transfer additional appropriations within the General Fund to prevent a deficit.

NOW THEREFORE BE IT RESOLVED by the City Commission of Oregon City that the Changes to Appropriations as attached and made a part hereof, be authorized.

Adopted, signed and approved this 29th day of June, 1988.

/s/ Kenneth M. Mitchell  
Mayor-Commissioner

/s/ Carol A. Powell  
Commissioner

/s/ Thomas F. Lemons  
Commissioner

/s/ David D. Spear  
Commissioner

/s/ Wayne G. Wilson  
Commissioner

Comprising the City Commission  
of Oregon City, Oregon

Manager's Report No. 88-120, Dissolution of Funds - Resolution No. 88-45, was presented. The report noted that ORS 294.475 entitled "Elimination of unnecessary fund; disposition of balance" stated as follows: "Subject to the provisions contained in the charter of any city or county or in any law relating to municipal corporations, when the necessity for maintaining any fund of the municipal corporation has ceased to exist and a balance remains in the fund, the governing body shall so declare by ordinance or other order and upon such declaration such balance shall forthwith be transferred to the general fund of the municipal corporation unless other provisions have been made in the original creation of the fund."

The report continued that on the June 29, 1988 agenda there was proposed Resolution No. 88-45 which dissolved the Infrastructure Development Fund and transferred any fund balance to the General Fund with identification consistent with the purpose.

The Infrastructure Development Fund was created to record loan and grant receipts and payment of principal, interest and construction costs for Red Soils. The final payoff was made in the year ended June 30, 1988. All purposes for which this Fund was created have ceased to exist for the foreseeable future.

The report concluded by recommending that the Infrastructure Development Fund and all assets be closed to the General Fund. The total resources of the fund in fiscal year 1987-88 were expected to be \$551,708.45, of which \$8,317.61 was paid for engineering; \$541,920.84 was paid for principal and interest; and, \$1,470.00 transferred to the General Fund.

It was moved by Powell, seconded by Wilson, to adopt Resolution No. 88-45.

Roll call: Spear, Aye; Lemons, Aye; Wilson, Aye; Powell, Aye; Mitchell, Aye.

#### RESOLUTION NO. 88-45

WHEREAS, a fund known as the Infrastructure Development Fund has been maintained to fund principal, interest and construction payments on Red Soils water and sewer development; and

WHEREAS, after payment of the final obligation on said development and repayment, a need no longer exists for the maintenance of said fund; and

WHEREAS, a surplus balance of \$1,470.00 exists in said fund.

NOW THEREFORE BE IT RESOLVED by the City Commission of Oregon City that pursuant to ORS 294.475 said Infrastructure Development Fund is dissolved and the proceeds thereof in the amount of \$1,470.00 are hereby transferred to the General Fund and applied against administrative costs of the City.

Adopted, signed and approved this 29th day of January, 1988.

/s/ Kenneth M. Mitchell  
Mayor-Commissioner

/s/ Carol A. Powell  
Commissioner

/s/ Thomas F. Lemons  
Commissioner

/s/ David D. Spear  
Commissioner

/s/ Wayne G. Wilson  
Commissioner

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Manager's Report No. 88-121, Fiscal Year 1988-89 Operating Budget Adoption, Appropriation Authorization and Levying of Taxes - Resolution No. 88-44, was presented. The report noted that ORS 294.435 "Governing body to adopt budget, make appropriations and declare tax levies;..." (1) states in part the following: "...The budget estimates and proposed tax levy of any fund as shown in the budget document may be amended prior to adoption. However, the amount of estimated expenditures for each fund shall not be increased by more than 10 percent thereof, and the amount of the total ad valorem taxes to be certified by the municipal corporation for levy for all funds shall not exceed the amount shown in the budget document as published..."

The following were amendments to the City's 1988-89 expenditures and revenues for a total 1988-89 budget of \$9,454,892.

Expenditures1. General Fund - Library:

Capital Outlay increase of \$13,000 for carryover of funds for equipment purchase which will not be available until the 1988-89 fiscal year.

2. General Fund - Non-Departmental:

Capital Outlay increase of \$25,000 for carryover of funds for Linn Avenue sidewalk construction.

Adjustments to 1988-89 Budget Not Requiring an Increase in Total Funds1. General Fund - City Commission:

Materials and Services increase of \$2,800 to be transferred from Non-Departmental - Contingency for public functions, i.e. Volunteer Appreciation Dinner; Kid's Day; and, Employee Breakfast.

2. Infrastructure Development Fund:

Decrease to zero (0) - to be closed in 1987-88.

3. Parks Trust Fund:

Decrease to \$4,000 from \$14,500 as that is total resources available.

4. Police Department:

Decrease of \$11,000 in Capital Outlay for patrol car purchased in 1987-88 fiscal year balanced by decrease in Beginning Cash Balance.

The report further noted that the proposed amendments be approved for incorporation into the 1988-89 operating budget.

The 1988-89 budget continues reductions implemented in 1987-88 fiscal year as follows:

Police Department - Communications was consolidated with Clackamas County as a contracted service.

Fire Department - Three positions were eliminated. In addition, pending obtaining alternative financing for tax reductions, Federal Revenue Sharing funds to purchase a fire engine are being used for tax reduction.

City Commission - Membership in the National League of Cities and conference participation will not be restored.

Maintenance Services - Positions adjusted by a reduction of a Utility Worker are not restored.

Finance/Personnel - A position eliminated is not restored. Continued are programs to maximize the abilities of the current computer capability.

Development Services - With a desire to increase through developmental annexation, the taxable value of property in Oregon City, the positions of City Engineer and Principal Planner are filled. Staffing levels will be equal to 1980-81 when a recession and sewer moratorium began a reversal of the previously energetic growth in Oregon City.

Adoption of 1988-89 Budget, Appropriation of Expenditures and Levying of Taxes - ORS 294.311 "Definitions" (3) "Appropriations" states the following: (3) "Appropriation" means an authorization granted by the governing body to make expenditures and to incur obligations for specific purposes, and shall be limited to a single fiscal year."

The report concluded that on the June 29, 1988 agenda, there was proposed Resolution No. 88-44 which would adopt the budget, appropriate expenditures and levy the taxes provided in the operating budget. The report also advised that even though the results of the June 28, 1988 Special City election were unknown at the writing of this report it was necessary to adopt the budget and make appropriations. Following the adoption, documentation would be filed with the Department of Revenue, County Clerk and County Assessor as required by State statute.

It was moved by Powell, seconded by Wilson, to adopt Resolution No. 88-44 as read and approve the amendments<sup>37</sup> proposed to the 1988-89 operating budget.

Roll call: Lemons, Aye; Wilson, Aye; Powell, Aye; Spear, Aye; Mitchell, Aye.

#### RESOLUTION NO. 88-44

BE IT RESOLVED that the City Commission of the City of Oregon City, Oregon, hereby adopts the budget approved by the Budget Committee and as herein amended for the year 1988-89 in the total sum of \$9,454,892 now on file at City Hall.

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 1988, and for the purposes shown below are hereby appropriated as follows:

#### GENERAL FUND:

City Commission	\$ 22,600	
General Maner	128,281	
Legal Department	61,000	
Municipal Court	124,897	
Development Services Department	351,181	
Police Department	1,461,764	
Fire Department	1,398,826	
Recreation Department	368,568	
Library	406,554	
Maintenance Services Department	598,359	
Finance/Personnel Department	275,918	
Non-Departmental	839,004	
TOTAL		\$6,036,952

#### WATER FUND:

Personal Services	\$ 254,709	
Materials & Services	408,650	
Capital Outlay	440,863	
Debt Service	261,165	
Other	162,613	
Transfers	205,000	
TOTAL		\$1,733,000

## SEWER FUND:

Personal Services	\$ 248,435	
Materials & Services	48,450	
Capital Outlay	125,815	
Other	135,000	
Transfers	<u>90,000</u>	
TOTAL		\$ 647,700

## CEMETERY FUND:

Personal Services	\$ 108,776	
Materials & Services	29,750	
Capital Outlay	281,200	
Other	<u>71,574</u>	
TOTAL		\$ 491,300

## OTHER FUNDS:

## Assessments Collection:

Debt Service	\$ 15,000	
Capital Outlay		
Other	<u>63,940</u>	
TOTAL		\$ 78,940

## Federal Revenue Sharing:

Transfer	\$ 250,000	
Contingency	80,000	
Other	<u>-0-</u>	
TOTAL		\$ 330,000

## 9-1-1 Reserve:

Transfer	\$ -0-	
Materials & Services	35,000	
Capital Outlay	<u>10,000</u>	
TOTAL		\$ 45,000

## Parks Trust:

Contingency	\$ -0-	
Capital Outlay	<u>4,000</u>	
TOTAL		\$ 4,000

## Cable TV System Improvements:

Materials & Services	\$ 6,400	
Contingency	-0-	
Capital Outlay	<u>1,600</u>	
TOTAL		\$ 8,000

## State Revenue Sharing:

Materials & Services	\$ -0-	
Contingency	-0-	
Transfer	<u>80,000</u>	
TOTAL		\$ 80,000

## TOTAL ALL CITY FUNDS

\$9,454,892

BE IT RESOLVED that the City Commission of the City of Oregon City, Oregon, hereby levies the taxes provided for in the adopted budget in the aggregate amount of \$3,082,716 and that these taxes are hereby levied on all taxable property within said district as of 1:00 A.M., January 1, 1988. The following allocations constitute the above aggregate levy:

GENERAL FUND	\$2,642,800	
ESTIMATED TAXES NOT RECEIVED	<u>343,416</u>	\$2,986,216
BRUSH PICKUP FUND	\$ 85,403	
ESTIMATED TAXES NOT RECEIVED	<u>11,097</u>	\$ 96,500
		\$3,082,716

Adopted, signed and approved this 29th day of June, 1988.

/s/ Kenneth M. Mitchell  
Mayor-Commissioner

/s/ Carol A. Powell  
Commissioner

/s/ Thomas F. Lemons  
Commissioner

/s/ David D. Spear  
Commissioner

/s/ Wayne G. Wilson  
Commissioner

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Manager's Report No. 88-122, Intergovernmental Agreement Between Clairmont Water District and the City of Oregon City-Water Service Area - Resolution No. 88-46, was presented. The report noted that at its June 21, 1988 work session, the City Commission discussed an Intergovernmental Agreement between the City and Clairmont Water District which would establish the water service responsibility in the Maple Lane/Holly Lane area. This Agreement is the result of discussions between the District, the Boundary Commission and the City regarding provision of water service to the Country Village development. The Clairmont Water District has approved the agreement.

The report continued that on the June 29, 1988 agenda, there was proposed Resolution No. 88-46 which contained the Intergovernmental Agreement and identified a service area whereby the City would wheel water through the District's facilities for annexed properties. The District would continue to own and operate the facilities, collect System Development fees and install water meters over the 20-year life of the agreement. At the end of the 20 years, the City would have the option to take over the facilities. The City would have the meter reading, billing and collection responsibility and would pay District 90 percent authority and the customers would be City customers. This would allow the City to use District facilities to meet the goal of being the sole service provider and allow District to continue to operate its facilities and amortize its costs over the 20-year period.

The report concluded by recommending adoption of Resolution No. 88-46.

It was moved by Lemons, seconded by Wilson, to adopt Resolution No. 88-46.

Roll call: Wilson, Aye; Powell, Aye; Spear, Aye; Lemons, Aye; Mitchell, Aye.

Manager's Report No. 88-118, 1988-89 Police Uniform Cleaning - Bid Award, was presented. The report noted that On May 31, 1988, the City received bids for the cleaning of police uniforms for fiscal year 1988-89. Three bids were received: 1) Wampler's Quality Dry Cleaners, 927 Molalla Avenue, for a total amount of \$6,986.25; 2) Elite Cleaners, 1103 Linn Avenue, for a total amount of \$5,267.00; and, 3) Sullivan's Laundry & Dry Cleaners, 19195 S. Molalla Avenue, for a total amount of \$5,348.30.

The report further noted that the bids were reviewed by the Chief of Police with the determination that the bid submitted by Elite Cleaners for a total amount of \$5,267.00 be awarded. A computation of the bids was attached to the report.

The report concluded that Article 18 of the Agreement Between the City and the Oregon City Police Employees Association provides that uniform cleaning costs be paid by the City.

It was moved by Lemons, seconded by Spear, that the bid submitted by Elite Cleaners, 1103 Linn Avenue, for the total amount of \$5,267.00 is hereby awarded effective July 1, 1988 through June 30, 1989.

Roll call: Powell, Aye; Spear, Aye; Lemons, Aye; Wilson, Aye; Mitchell, Aye.

Manager's Report No. 88-123, Mutual Release of All Claims - Tri-City Service District and City of Oregon City - Newell Trunk Sewer, Schedule 11-A, was presented. The report noted that at its July 12, 1984 meeting, the City Commission directed that a consulting engineering firm prepare a relative-cost analysis with regard to a gravity sewer extension to serve the Clackamas Community College area. The relative-cost analysis was to include refined construction costs of options outlined in a feasibility study.

At its October 25, 1984 meeting, the City Commission directed the Mayor and City Recorder to sign an agreement which authorized Tri-City Service District (TCSD) to negotiate with the Oregon Department of Transportation (ODOT) for inclusion of all work necessary to complete the project within the road construction of the Oregon City Bypass by ODOT.

The report continued that on the June 29, 1988 agenda, there was a Mutual Release of All Claims as presented by Tri-City Service District. The Release included a brief overview of the issue of increased costs due to rock excavation and included an accounting of those costs. As part of the settlement, TCSD would reimburse the City \$29,589.32 for overpayment on the City's total share of the project costs. City staff has reviewed the accounting of costs for the project with the determination that it accurately reflected the agreements and understanding made at the time.

The report concluded by recommending that the Mutual Release of All Claims be approved. It was moved by Lemons, seconded by Spear, to approve the Mutual Release of All Claims and direct the Mayor and City Recorder to execute the Claim.

Roll call: Spear, Aye; Lemons, Aye; Wilson, Aye; Powell, Aye; Mitchell, Aye.



Manager's Report No. 88-124, Request for Proposals for Traffic Engineering Services - Transportation Plan, was presented. The report noted that on the June 29, 1988 agenda, there was presented for Commission consideration a Request for Proposals for Traffic Engineering Services for the Transportation Plan. Implementation of this Plan will complete the City's infrastructure studies and provide the necessary information for updating the existing transportation element of the City's Comprehensive Plan. It is a necessary planning tool for determining existing and future transportation capital improvement needs.

The report continued that the RFP was prepared by Development Services staff and had been reviewed and approved by the Traffic Safety Board. Approved within the 1987-88 Supplemental Budget was \$15,000 for the development of the Transportation Plan.

The report concluded by recommending that the City Commission approve advertising the Request for Proposals for Traffic Engineering Services to the City could go forward with the Transportation Plan.

It was moved by Spear, seconded by Lemons, to approve advertising the Request for Proposals for Traffic Engineering Services.

Roll call: Lemons, Aye; Wilson, Aye; Powell, Aye; Spear, Aye; Mitchell, Aye.

Manager's Report No. 88-125, Request for Proposals - Traffic Signal Maintenance and Miscellaneous Electrician Services, was presented. The report noted that at its June 21, 1988 work session, the City Commission discussed the provision of electrical maintenance service under a maintenance contract and bid out the signal upgrade analysis as part of the Transportation Plan. As a result of that discussion, staff was directed to prepare a Request for Proposals (RFP) for Commission approval.

The report continued that on the June 29, 1988 agenda, there was presented for Commission consideration a Request for Proposals for Traffic Signal Maintenance and Miscellaneous Electrician Services. Miscellaneous Electrician Services had been included in the RFP to cover emergency electrical needs without having to call for additional bids or hire hourly labor outside of the bid process.

The report concluded by recommending that the City Commission approve advertising the Request for Proposals for Traffic Signal Maintenance and Miscellaneous Electrician Services to provide the City's electrical needs. During the interim period prior to contracted services, there will be need to hire hourly labor for emergency repairs.

It was moved by Lemons, seconded by Spear, to approve advertising the Request for Proposals for Traffic Signal Maintenance and Miscellaneous Electrician Services as outlined in Commission Report 88-125 and any emergency equipment repairs that need to be done during the interim time be done by Coleman Electric.

Roll call: Wilson, Aye; Powell, Aye; Spear, Aye; Lemons, Aye; Mitchell, Aye.

Manager's Report No. 88-126, Lease Agreement Between Tri-City Service District and the City of Oregon City for Water Line, was presented. The report noted that on the June 29, 1988 agenda, there was a request for approval of a Lease Agreement between Tri-City Service District and the City which would provide for the City to lease from TCSD a 10-inch water line connecting District's sewage treatment plant with the City's water system for a term of ninety-nine (99) years. Normally, the City receives ownership to water lines that are required to be operated and maintained by the City, but in this case, EPA requires the water line remain in the ownership of TCSD for the Pollution Control Plant.

The report continued that the Lease Agreement met the ownership requirement of EPA and allowed the City to operate and maintain the waterline. The responsibility for this maintenance was previously agreed to as part of the original project. The agreement was reviewed by the City Attorney and was being presented for Commission approval.

The report concluded that upon City Commission approval, the Lease Agreement would be forwarded for County Commission approval.

It was moved by Wilson, seconded by Spear, to approve the Lease Agreement and authorize the Mayor and City Recorder to execute the agreement for the period commencing July 6, 1988 and ending July 6, 2087.

Roll call: Powell, Aye; Spear, Aye; Lemons, Aye; Wilson, Aye; Mitchell, Aye.

At this time, the Manager noted that Agenda Item 10 was set aside because of no need for the discussion to be held. Instead, he noted that electrical difficulties had been encountered in Clackamette Park in relation to the upcoming Riverfest activities. He explained that with the abandonment of the sewage treatment plant, electrical service to the Fire Training Tower which holds the beer tent for the festivity was without power and that the area was in need of a 400 amp service. Discussion of what was needed was held by the Commission, the Manager and Don Rider, representing the Tri-City Chamber of Commerce. They explained that an effort would be put forth to cost share this need with the City, County, Chamber and Portland General Electric.

Commissioner Lemons left the meeting at 7:52 p.m. noting that he would be in favor of whatever it took to provide the service necessary for Riverfest.

The Manager summarized the proposal to be the installation of permanent power as opposed to a temporary installation; requesting PGE to set the pole, transformer and lock; increase the amps from 200 to 400; and, request the County donate the permits. It was moved by Spear, seconded by Wilson, to accept the proposal as presented.

Roll call: Spear, Aye; Lemons, absent; Wilson, Aye; Powell, Aye; Mitchell, Aye.

With no further business, the meeting adjourned at 7:55 p.m. Mayor Mitchell announced the convening of an Executive Session per ORS 192.660 (2) Labor Negotiations.

*Jan K. Elliott*

JEAN K. ELLIOTT, City Recorder