

REGULAR MEETING

Oregon City, Oregon, June 20, 1990

A regular meeting of the City Commission was held in the Commission Chambers of City Hall on the above date at 8:00 p.m.

Roll call showed the following present:

Mayor David D. Spear	Charles Leeson, Interim City Manager
Commissioner Daniel W. Fowler	Jean K. Elliott, City Recorder
Commissioner Suzanne VanOrman	Edward Sullivan, City Attorney
Commissioner Carol A. Powell	
Commissioner Robert M. Light	

It was moved by Light, second by Powell, to approve the minutes of June 6, 1990.

Roll call: Powell, Aye; Fowler, Aye; Light, Aye; VanOrman, Aye; Spear, Aye.

On the Mayor's call for future agenda items, there was no audience input.

Commission Report No. 90-158, Supplemental Budget No. 2 for Fiscal Year 1989-90 - Public Hearing - Resolution No. 90-35, was presented. The report noted that on May 7, 1990, the Budget Committee approved Supplemental Budget No. 2 for fiscal year 1989-90. At its May 16, 1990 meeting, the City Commission accepted the supplemental budget with the public hearing scheduled for Wednesday, June 20, 1990 at 8:00 p.m.

First Notice of Public Hearing was published on Tuesday, June 5, 1990 with Second Notice published on Tuesday, June 12, 1990. Listed within those publications were resources and requirements needed for the different funds.

Attached to this report was an explanation of the activity related to the funds involved. Also attached was proposed Resolution No. 90-35. If there was no opposition to Supplemental Budget No. 2, it was recommended that Resolution No. 90-35 be adopted.

Mayor Spear declared the public hearing open and called for testimony. With none offered, the hearing was declared closed.

It was moved by VanOrman, second by Fowler, to adopt Resolution No. 90-35.

Roll call: Fowler, Aye; Light, Aye; VanOrman, Aye; Powell, Aye; Spear, Aye.

RESOLUTION NO. 90-35

A RESOLUTION ADOPTING SUPPLEMENTAL BUDGET NO. 2 FOR FISCAL YEAR 1989-90 FOR THE CITY OF OREGON CITY.

WHEREAS, Oregon City has or will receive during the 1989-90 budget year the following sums:

(R-1)	<u>PUBLIC WORKS</u>	
	Resources:	
	Interfund Charges	\$137,499
	General Fund Transfer	<u>62,000</u>
		\$ 199,499
(R-2)	<u>BUILDING MAINTENANCE</u>	
	Resources:	
	Interfund Charges	(\$137,499)
	General Fund Transfer	<u>(62,000)</u>
		(\$ 199,499)
(R-3)	<u>UTILITY BILLING</u>	
	Resources:	
	Charges for Services	\$ 144,695
(R-4)	<u>BRUSH PICKUP</u>	
	Resources:	
	Pickup Fee	\$ 10,000
(R-5)	<u>SEWER FUND</u>	
	Resources:	
	No Change	-0-
(R-6)	<u>STORM DRAIN</u>	
	Resources:	
	No Change	-0-
(R-7)	<u>WATER FUND</u>	
	Resources:	
	No Change	-0-
	TOTAL RESOURCES	<u>\$ 154,695</u>

and

WHEREAS, pursuant to ORS 294.480 Oregon City has prepared a Supplemental Budget of expenditures as follows:

(E-1)	<u>PUBLIC WORKS</u>	
	Expenditures:	
	Personal Services	\$ 132,079
	Materials/Services	67,320
	Capital Outlay	<u>100</u>

\$ 199,499

(E-2)

BUILDING MAINTENANCE

Expenditures:

Personal Services	(\$ 132,079)
Materials/Services	(67,320)
Contingency	(100)

(\$ 199,499)

(E-3)

UTILITY BILLING

Expenditures:

Personal Services	\$ 50,695
Materials/Services	52,000
Capital Outlay	<u>42,000</u>

\$ 144,695

(E-4)

BRUSH PICKUP

Expenditures:

Transfer for Collection Charge	\$ 7,200
Contingency	<u>2,800</u>

\$ 10,000

(E-5)

SEWER FUND

Expenditures:

Personal Services	(\$ 17,398)
Materials/Services	(20,800)
Interfund Charges	58,398
Capital Outlay	<u>(20,200)</u>

-0-

(E-6)

STORM DRAIN

Expenditures:

Personal Services	(\$ 8,699)
Materials/Services	(10,400)
Interfund Charges	20,699
Capital Outlay	<u>(1,600)</u>

-0-

(E-7)

WATER FUND

Expenditures:

Personal Services	(\$ 17,398)
Materials/Services	(20,800)
Interfund Charges	58,398
Capital Outlay	<u>(20,200)</u>

TOTAL EXPENDITURES

\$ 154,695

and has given due notice thereof in accordance with said section and a public hearing held this date, and no objections being filed and following such hearing,

NOW, THEREFORE, BE IT RESOLVED that the City Commission of Oregon City does hereby make additional appropriations as described in R-1 through R-7, and hereby makes additional expenditures as authorized by such appropriations.

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Robert M. Light
Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Suzanne Vanorman
Commissioner

Comprising the City Commission
of Oregon City, Oregon

Commission Report No. 90-154, Request for Comprehensive Plan Amendment and Zone Change- properties on the west side of Molalla Avenue, north of Warner Milne Road - Public Hearing, was presented. The Manager advised that the applicant had requested that this matter be continued to the July 18 agenad.

It was moved by VanOrman, second by Powell, to continue this matter to July 18, 1990 at 8:00 p.m.

Roll call: Light, Aye; VanOrman, Aye; Powell, Aye; Fowler, Aye; Spear, Aye.

Commission Report No. 90-144, Creation of a New Zoning District "TC", Tourist Commercial - Continued Public Hearing. If Approved, Proposed Ordinance No. 90-1035, An Ordinance Amending Title XI: Zoning, Chapter 3: Zoning Districts, of the 1963 City Code, by Adding Section 12a, "TC" Tourst Commercial Zone, was presented. The report noted that at the April 4, 1990 meeting, the City Commission referred this proposed ordinance back to the Planning Commission for additional review.

The Planning Commission held two additional work sessions to consider the End of the Trail consulatnts comments and to discuss this with the County's Project Manager. The Planning Commission held a public hearing on June 14, 1990 and approved the new zoning district.

Attached was proposed Ordinance No. 90-1035, which would create a new "TC", Tourist Commercial Zone. The additions to the proposed ordinance were:

- mix-use development, RV parks and golf course/driving range as conditional uses, and

- Auditorium and amphitheaters as permitted uses.

The report concluded by noting that adoption of this zoning district does not change the zoning for any property. Zone change hearings would need to be initiated as separate land use actions.

Notice of proposed Ordinance No. 90-1035 had been posted at City Hall, 320 Warner Milne Road; Courthouse, 807 Main Street; and, Senior Center, 615 5th Street, by direction of the City Recorder. It was recommended that first reading be approved, second reading be called and approved for final enactment.

Mayor Spear declared the public hearing open and called for testimony.

Don Vedder, 126 Cherry Avenue, addressed the Commission and advised that the two earlier letters that were read into the record still outlined his position. He noted believing that this ordinance was being instituted in the wrong order per LCDC and felt that the allowable uses were too restricted.

Denyse McGriff, Principal Planner, addressed the Commission noting that the Comprehensive Plan, Historic Preservation made reference to the End of the Oregon Trail and that there was no intent to violate Goal 2 or to create difficulties for property owners.

Discussion took place regarding the definition of auditorium versus stadium, coliseum, etc. Mike Mulkey, 120 Cherry Avenue and a member of the Oregon City Planning Commission, advised that auditorium specifics were not appropriate at this time.

With no further testimony offered, the hearing was declared closed.

The City Attorney noted that during discussion it was mentioned that Overnight Camping be changed to a Conditional Use as opposed to a Permitted Use and that under (C) Dimensional Standards, the words "Pre-existing" be removed.

It was moved by Powell, second by Fowler, to approve first reading of proposed Ordinance No. 90-1035 as amended.

Roll call: VanOrman, Aye; Powell, Aye; Fowler, Aye; Light, Aye; Spear, Aye.

Second reading was called after which it was moved by Powell, second by Fowler, to approve second reading for final enactment.

Roll call: Powell, Aye; Fowler, Aye; Light, Aye; VanOrman, Aye; Spear, Aye.

ORDINANCE NO. 90-1035

AN ORDINANCE AMENDING TITLE XI: ZONING, CHAPTER 3: ZONING DISTRICTS, OF THE 1963 CITY CODE, BY ADDING SECTION 12a. "TC" TOURIST COMMERCIAL ZONE.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That Title XI: ZONING, Chapter 3: ZONING DISTRICTS, of the 1963 City Code be and the same is hereby amended by adding the following:

11-3-12a: "TC" Tourist Commercial District: Uses in the Tourist Commercial District are designated to serve Oregon City's End of the Oregon Trail attraction.

(A) Permitted Uses: All tourist commercial uses which are defined as:

1. Hotel/Motel
Biking and Hiking Facilities
Restaurants
Museums
Marinas
Parks
Auditorium
Amphitheater
Retail and Services Uses Directly Related to
Tourist Attraction

(B) Conditional Uses: The following conditional uses are permitted when authorized and in accordance with the standards contained in Title XI, Chapter 6, of this ordinance.

1. Entertainment Center
RV Parks
Golf Course/Driving Range
Office Uses
Service Station
Public Parking Facilities
Public Fire/Police Facilities
Mixed use development, residential uses shall not exceed 25 percent (25%) of the total floor area of the development.
Overnight Camping

(C) Dimensional Standards:

1. Minimum lot area: Buildings used wholly or partially for dwelling purposes shall comply with the dimensional requirements in the "RA-2" Multiple-Family Dwelling District; otherwise, no minimum lot area required.

2. Maximum building height not to exceed 2 and 1/2 stories or thirty-five feet (35').

3. Minimum required setbacks:

- (a) Front Yard: 10 feet minimum depth
 - (b) Interior Side Yard: 10 feet minimum
 - (c) Corner Side Yard: 10 feet minimum width
 - (d) Rear Yard: 10 feet minimum depth.
- (D) All uses in this Zone are subject to design review, and the End of the Oregon Trail Master Plan design criteria.

Read first time at a regular meeting of the City Commission held on the 20th day of June, 1990, and the foregoing ordinance was finally enacted by the City Commission on the 20th day of June, 1990.

/s/JEAN K. ELLIOTT, City Recorder

ATTESTED this 20th day of June, 1990.

/s/DAVID D. SPEAR

DAVID D. SPEAR, Mayor

Commission Report No. 90-156, Proposed Ordinance No. 90-1030, An Ordinance Amending Title XI: Chapter 2, Section 3, of the 1963 City Code, Zoning: Official Zoning Map of Oregon City, by Changing Certain Districts - Second Reading, was presented. The report noted that the Oregon City Charter of 1982, Chapter VIII, Ordinances, Section 34, Mode of Enactment, (b), states in part, the following: "...an ordinance may be enacted at a single meeting of the commission by unanimous vote of all commission members present..."

The report continued that at the June 6, 1990 meeting, the City Commission conducted a public hearing regarding a request for zone change for 17.73 acres west of S. Leland Road, east of S. Pease Road as requested by Owen Gann. At that meeting, first reading of proposed Ordinance No. 90-1030 was approved on a four - aye; one - nay, vote. Therefore, on the June 20, 1990 agenda, there was proposed Ordinance No. 90-1030 presented for second reading and final enactment.

Notice of proposed Ordinance No. 90-1030 was posted at City Hall, 320 Warner Milne Road; Courthouse, 807 Main Street; and, Senior Center, 615 5th Street, by direction of the City Recorder. It was recommended that second reading be approved for final enactment to become effective July 20, 1990.

Second reading was called after which it was moved by VanOrman, second by Powell, to approve second reading for final enactment.

Roll call: Fowler, Aye; Light, Nay; VanOrman, Aye; Powell, Aye; Spear, Aye.

ORDINANCE NO. 90-1030

AN ORDINANCE AMENDING TITLE XI: CHAPTER 2, SECTION 3, OF THE 1963 CITY CODE, ZONING: OFFICIAL ZONING MAP OF OREGON CITY, BY CHANGING CERTAIN DISTRICTS:

OREGON CITY ORDAINS AS FOLLOWS:

Whereas, public necessity and the general welfare of Oregon City require changes in certain districts, which changes have been referred to the City Planning Commission and approved by it after public notice and hearing as required by Title XI, Chapter 13, Section 2 of the 1963 City Code, and the City Commission after public notice and hearing finding that the following described property can suitably be utilized for uses incident to an "R-8" Single-Family Dwelling District, for which there is a need in this area, and that such zoning is compatible with the neighborhood development and the Comprehensive Plan of Oregon City, the findings and conclusions attached as Exhibit "A" are hereby adopted as the findings of this Commission and the following described property, to-wit:

A tract of land situated in the S. S. White D.L.C. No. 41, in the Northeast quarter of Section 7, Township 3 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

COMMENCING at the most Easterly corner of said White D.L.C. No. 41; THENCE East a distance of 30 feet, more or less, to the intersection of the Easterly line of Leland Road (County Road No. 342, a 50 foot right-of-way) and the Northeasterly line of Meyers Road (County Road No. 526, a 40 foot right-of-way), said point also being the POINT OF BEGINNING of the tract herein to be described;

THENCE N. 11° W. along the Easterly line of said Leland Road a distance of 900 feet, more or less, to a point that bears N. 79° E. from the most Northerly Northeast corner of that certain tract of land conveyed to Keith J. Kinsman, by deed, as recorded on May 31, 1973, Clackamas County Records; THENCE S. 79° W. at right angles to said Leland Road a distance of 50 feet to the most Northerly Northeast corner of said Kinsman tract; THENCE continuing Southwesterly along the Northerly line of said Kinsman tract the following bearings and distances: Westerly a distance of 53 feet, more or less; S. 42° 15' W. a distance of 90 feet, more or less; N. 47° 45' W. a distance of 4 feet; S. 42° 15' W. a distance of 440 feet, more or less; Northwesterly a distance of 20 feet, more or less, to the Southeast corner of that certain tract of land described as Parcel II in the above described deed to Keith J. Kinsman; THENCE S. 42° 15' W. along the Southeast line of said Parcel II a distance of 27.72 feet to the most Southerly corner thereof; THENCE Northwesterly along the Southwesterly line of said Parcel II a distance of 548 feet, more or less, to a point on the Northwest line of Pease Road (County

Road No. 374 $\frac{1}{2}$, a 40 foot right-of-way); THENCE Southwest along the Northwest line of said Pease Road a distance of 348 feet, more or less, to a point that bears N. 47° 30' W. a distance of 45 feet from the most Westerly corner of said Kinsman tract; THENCE Southeast a distance of 45 feet to a point at the most Westerly corner of said Kinsman tract; THENCE along the Southwest line of said Kinsman tract the following bearings and distances: S. 47° 30' E. a distance of 508 feet, more or less; S. 42° 15' W. a distance of 82.50 feet; S. 47° 30' E. a distance of 800 feet, more or less, to a point on the Southeast line of Leland Road (County Road No. 518, a 60 foot right-of-way); THENCE Northeasterly along said Leland Road (No. 518) a distance of 500 feet, more or less, to a point at the intersection of the Southeast line of said Leland Road (No. 518) and the Southwest line of said Meyers Road; THENCE Northeasterly a distance of 45 feet, more or less, to the POINT OF BEGINNING.

Containing an area of 17.73 acres, more or less.

which is now zoned "R-10" Single-Family Dwelling District, is hereby changed to "R-8" Single-Family Dwelling District.

Read first time at a regular meeting of the City Commission held on the 6th day of June, 1990, and the foregoing ordinance was finally enacted by the City Commission this 20th day of June, 1990.

/s/JEAN K. ELLIOTT, City Recorder

ATTESTED this 20th day of June, 1990.

/s/DAVID D. SPEAR

DAVID D. SPEAR, Mayor

Commission Report No. 90-155, Oregon City-Metro Enhancement Committee Recommendation - Oregon Trail Wetlands Improvement Project and Natural Resources Day Camp, was presented. The report noted that on the June 20, 1990 agenda was a recommendation from the Oregon City-Metro Enhancement Committee to provide up to \$10,000 in funding for improvements to the Oregon Trail Wetlands on the south side of the Metro South Transfer Station and for operating costs for a Natural Resources Day Camp Program. Information on the projects was attached for Commission review.

The report concluded that the Committee believed the project met the established funding criteria and was recommending Commission approval. A member of the Enhancement Committee was present to answer questions.

It was moved by Fowler, second by Light, to approve the Oregon Trail Wetlands project as submitted by the Enhancement Committee.

Roll call: Light, Aye; VanOrman, Aye; Powell, Aye; Fowler, Aye; Spear, Aye.

Commission Report No. 90-160, Construction Compliance Agreement - Computer Technology Building, was presented. The report noted that on the June 20, 1990 agenda was a Construction Compliance Agreement with Clackamas Community College for a Computer Technology Building. A copy of the Agreement was attached for Commission review.

The Agreement gave the College through October 31, 1991 to construct the required improvements to Beaver Creek Road. This was in an effort to allow the College two fiscal years to budget the improvements.

The report concluded that this Agreement was similar to that approved for water line improvements at Willamette Falls Hospital. It was recommended that the Commission adopt a motion approving the Agreement and authorize the Mayor and City Recorder to execute.

It was moved by VanOrman, second by Powell, to approve the Agreement and authorize the Mayor and City Recorder to execute.

Roll call: VanOrman, Aye; Powell, Aye; Fowler, Aye; Light, Aye; Spear, Aye.

Commission Report No. 90-140, Combined Sewer Separation Program - Tri-City Service District - Borrowing Agreement, was presented. The report noted that on the June 20, 1990 agenda were four items involving the EPA required Combined Sewer Separation Program for Commission consideration. The four are indicated below but presented in individual reports for Commission action:

- Tri-City Borrowing Agreement - This Agreement allows the City to borrow up to 4,337,494.10 at 6.9% per annum interest for the remaining four phases (Phases 4, 5, 6, and 7) of the EPA required combined sewer separation program.
- Resolution No. 90-30 - A resolution that increases the bimonthly sewer rates in the City over the next three fiscal years. The increases are necessary to pay the debt service on the Tri-City borrowing for the remaining four phases of the program.
- Authorization to bid the Phase 4 Combined Sewer Separation Project - The Phase 4 Project is designed and ready for construction. The City is under a specific timeframe to complete this phase and the remaining phases. Since this project will be the first under the City's direct management (the first four phases were managed by Tri-City Service District), it has been recommended that Phase 4 be done first.

- Authorization to hire R.A. Wright Engineering to provide the construction management services on the Phase 4 Project. R.A. Wright designed the Phase 4 project and it is recommended that the same firm be hired for the construction management services.

The report continued that attached was a copy of the Borrowing Agreement for Commission review. The Agreement restates the City's obligation and timeframes to construct the remaining four phases of the EPA required combined sewer separation projects and provided the financing amount, interest rate and repayment provisions necessary to finance the project.

The Development Services Director, Finance Officer and City Attorney have reviewed the Agreement and were recommending approval. A minor change was requested in the agreement and would be made prior to final approval.

The report concluded by recommending that the City Commission adopt a motion to approve the agreement and authorize the Mayor and City Recorder to execute. Following execution, the Agreement would be presented to the Clackamas County Board of Commissioners acting as the Tri-City Service District for approval.

It was moved by VanOrman, second by Powell, to approve the Agreement and authorize the Mayor and City Recorder to execute.

Roll call: Powell, Aye; Fowler, Aye; Light, Aye; VanOrman, Aye; Spear, Aye.

Commission Report No. 90-141, Resolution No. 90-30 - Combined Sewer Separation Program - Sewer Rate Increase, was presented. The report noted that on the June 20, 1990 agenda was a resolution that increased the bimonthly sanitary sewer user charge from \$10 per equivalent residential unit to \$12 effective July 1, 1990, from \$12 to \$14 effective July 1, 1991, and from \$14 to \$16 effective July 1, 1992.

The report continued that the timing of the increase was to coincide with a borrowing agreement between the City and Tri-City Service District. The increase was discussed at work sessions in 1989 and was part of the implementation program for the EPA required combined sewer separation program. It was recommended that Resolution No. 90-30 be adopted.

It was moved by Powell, second by Fowler, to adopt Resolution No. 90-30.

Roll call: Fowler, Aye; Light, Aye; VanOrman, Aye; Powell, Aye; Spear, Aye.

RESOLUTION NO. 90-30

A RESOLUTION ESTABLISHING THE MINIMUM BIMONTHLY RATE TO BE CHARGED FOR SANITARY SEWER SERVICE FURNISHED EACH USER WITHIN THE CITY LIMITS.

WHEREAS, the City has an agreement with the Tri-City Service District that allows the City to set its own sewer rates by resolution, and

WHEREAS, the City increased its bimonthly sewer rates from \$8.00 to \$10.00 July 1, 1989 and established a reserve fund for the EPA required combined sewer separation program, and

WHEREAS, the City needs to increase sewer rates over the next three years to fully meet the debt service obligation of the EPA required combined sewer separation program.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City, a municipal corporation of the State of Oregon, at a regular session held on the 20th day of June, 1990 that:

Section 1: SEWER USER RATE shall be as set forth below:

<u>Customer Class</u>	<u>Bimonthly Charge</u>		
	<u>Effective July 1, 1990</u>	<u>Effective July 1, 1991</u>	<u>Effective July 1, 1992</u>
Rates per equivalent resident unit (ERU)	\$12.00	\$14.00	\$16.00
Senior/Disabled Citizens (Subject to income eligibility)	6.00	7.00	8.00

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/ Suzanne VanOrman
Commissioner

/s/Robert M. Light
Commissioner

/s/Carol A. Powell
Commissioner

/s/Daniel W. Fowler
Commissioner

Comprising the City Commission
of Oregon City, Oregon

Commission Report No. 90-142, Combined Sewer Separation Program - Phase 4 - Authorization to Bid, was presented. The report noted that on the June 20, 1990 agenda was a report recommending that the Phase 4 Combined Sewer Separation Project be authorized to bid. Tri-City Service District was responsible for the first four phases (Phases 1A, 1B, 2 and 3) of the Combined Sewer

Separation Program and the City responsible for the remaining four phases (Phases 4, 5, 6 and 7) of the Program. A map illustrating the various phases was attached for Commission review.

The report continued that the Phase 4 project was designed and was now ready for construction. Since this would be the first project in the program under the City's direct management, it was recommended that the City do this one first. Phase 4 was estimated to cost \$1,043,550 and should take approximately six months to construct. If the Commission authorizes the bidding, construction documents could be printed, notice advertised and documents distributed to prospective bidders.

A pre-bid conference was tentatively scheduled for July 9, 1990, followed by the bid opening on July 20, 1990. A construction contract would be negotiated and should be ready for Commission approval August 15, 1990 with construction beginning the end of August.

The report concluded that financing for the project would come from Tri-City Service District under a borrowing agreement earlier on the agenda. It was recommended that the City Commission adopt a motion authorizing the Phase 4 project for bid.

It was moved by VanOrman, second by Light, to authorize the Phase 4 project for bid.

Roll call: Light, Aye; VanOrman, Aye; Powell, Aye; Fowler, Aye; Spear, Aye.

Commission Report No. 90-143, Combined Sewer Separation Program - Phase 4 - Construction Management Services, was presented. The report noted that on the June 20, 1990 agenda was a recommendation to hire R.A. Wright Engineering for construction management services on Phase 4 of the Combined Sewer Separation Program. Attached was a copy of the Personal Services Agreement and Scope of Work for Commission review.

The selection of R.A. Wright Engineering was proposed for Construction Management of the Phase 4 Sewer Separation Project based on their familiarity with the project plans as the Design Engineer and their past successful performance in the Construction Manager role for the previous phases of the project as a consultant to Tri-City Service District.

The report continued that their Scope of Work also included additional work on Seventh Street to design a replacement sewer for the damaged line between Harrison and Jackson Streets that recently caused basement flooding and has been a continuing maintenance problem.

The report concluded that the Scope of Work, estimated project hours and distribution, and fee schedule was shown on Exhibit "A". The proposal set forth a not-to-exceed total fee of \$105,700 which was 10.1% of the estimated cost of construction. It was recommended the City Commission adopt a motion approving the agreement and authorizing the City Manager to execute.

It was moved by Fowler, second by Light, to approve the agreement and authorize the City Manager to execute.

Roll call: VanOrman, Aye; Powell, Aye; Fowler, Aye; Light, Aye; Spear, Aye.

Mayor Spear declared a break at 8:55 with the meeting reconvening at 9:10 p.m.

CONSENT AGENDA

The following were considered routine matters and could be approved in one motion. If discussion on any item was requested, that item could be pulled from "Consent" and acted upon separately.

The Mayor asked if any item was requested for discussion. No item was pulled for discussion. VanOrman asked if the upcoming operating levy failed at the election would there be reductions and/or another levy request. She was advised that each was affirmative.

It was moved by Powell, second by Light, to approve Agenda Items 13 through 24 per staff recommendations.

Roll call: Powell, Aye; Fowler, Aye; Light, Aye; VanOrman, Aye; Spear, Aye.

Commission Report No. 90-157, Relocation of 9-1-1 Answering Point for SW Clackamas County - Resolution No. 90-34, was presented. The report noted that on May 9, 1990, the City received a letter from the Clackamas County Department of Communications which identified changes recommended to the relocation of the primary 9-1-1 answering point for SW Clackamas County from Tualatin Valley Fire and Rescue (TVFR) to C-Comm.

TVFR feels they can save money by transferring this responsibility to C-Comm and C-Comm feels that they can provide this service at no additional cost to the users. The Clackamas County General Services Director along with the C-Comm Manager estimate that additional revenues and the additional costs will balance.

On May 17, 1990, the Clackamas County Board of Commissioners adopted Order No. 90-479 which contained the identical resolution being presented with this Report. The prior approval by Clackamas County places the C-Comm users in a difficult

situation. The decision has been made by the County to approve moving the answering point without a detailed impact statement with the users now requested to endorse that decision.

On the June 20, 1990 agenda was proposed Resolution No. 90-34 which, if approved, provides Oregon City's endorsement of the relocation of the primary 9-1-1 answering point for SW Clackamas County from TVFR to C-Comm.

RESOLUTION NO. 90-34

A RESOLUTION TO RELOCATE THE 9-1-1 ANSWERING POINT FOR S.W. CLACKAMAS COUNTY FROM TUALATIN VALLEY FIRE AND RESCUE TO C-COMM.

WHEREAS, Tualatin Valley Fire and Rescue (TVFR) has provided 9-1-1 primary answering service since 1980 to the Central offices of Tualatin, Tigard, Sherwood, Stafford, Wilsonville and Charbonneau; and

WHEREAS, TVFR has recommended a relocation of the 9-1-1 answering points and has projected a cost savings; and

WHEREAS, for the Central offices of Stafford, Wilsonville and Charbonneau, and upgrade of service to Enhanced 9-1-1 will occur; and

WHEREAS, the transfer of Basic 9-1-1 services for the Central offices of Tualatin, Tigard, and Sherwood will begin the first step of a consolidated communications effort; and

WHEREAS, the Basic 9-1-1 services will be relocated to the Washington County Consolidated Communications Agency and the Enhanced 9-1-1 services located at Clackamas County Communications; and

WHEREAS, the target date for beginning the implementation process is July 5, 1990.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of Oregon City hereby supports the proposed modifications to the 9-1-1 system and authorizes staff to initiate the appropriate planning documents through TVFR to be submitted to the State of Oregon for final approval of the proposed relocation.

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Robert M. Light
Commissioner

/s/Daniel W. Fowler
Commissioner

Comprising the City Commission
of Oregon City, Oregon

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Commission Report No. 90-152, Resolution No. 90-33 - Adopting Plans and Authorizing Bid of Central Point/Partlow/McCord Sewer Project, was presented. The report noted that on the June 20, 1990 agenda was Resolution No. 90-33 that would adopt the final plans and specifications for the Central Point/Partlow/McCord Sewer Project and direct the City Recorder to advertise for bid on the project. It was recommended that the Commisiosn adopt Resolution No. 90-33.

RESOLUTION NO. 90-33

A RESOLUTION TO ADOPT THE FINAL PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR SEWER IMPROVEMENT DISTRICT NO. 90-01, (CENTRAL POINT/PARTLOW/MCCORD).

WHEREAS, a petition requesting formation of a local improvement district to construct certain sanitary sewer improvements to serve the Central Point/Partlow/McCord area was filed with the City Recorder on the 10th day of January 1990; and

WHEREAS, at its February 21, 1990 meeting, the City Commission authorized that final plans and specifications be prepared; and

WHEREAS, at its March 21, 1990 meeting, the City Commission adopted Resolution No. 90-17, a resolution to create a local improvement district for the construction of sanitary sewers to serve the Central Point/Partlow/McCord area; and

WHEREAS, at ist June 6, 1990 meeting, the City Commission adopted Resolution No. 90-27, a resolution to create an Advance Finance District for the construction of sanitary sewers to serve the Central Point/Partlow/McCord area; and

WHEREAS, final plans and specifications for the Central Point/Partlow/McCord Sewer Project have been completed, said plans and specifications hereby referred to are made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that the plans and specifications for the Central Point/Partlow/McCord sewer project be adopted, and the City Recorder is directed to advertise for bids for the project according to the final plans and specifications.

The foregoing Resolution adopted this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Robert M. Light
Commissioner

/s/Daniel W. Fowler
Commissioner

Comprising the City Commission
of Oregon City, Oregon

* * * * *

Commission Report No. 90-151, Adoption of an Incident Command System - Resolution No. 90-32, was presented. The report noted that on the June 20, 1990 agenda was proposed Resolution No. 90-32 which would adopt an Incident Command System.

The report continued that the actions of industry and government regarding the handling of hazardous materials have come under increased scrutiny and regulation since Bhopal, Three Mile Island, Chernobyl, and the Exxon Valdez incidents.

Recent rules have been enacted in Oregon which require that local emergency providers plan, train, and respond in certain ways to hazardous materials emergencies. Further, the definition of hazardous materials has been broadened to include many substances that before now have been considered to be commonplace and unremarkable.

On the June 20, 1990 agenda was proposed Resolution No. 90-32 which would adopt an Incident Command System. This resolution demonstrates Oregon City's commitment to the National Interagency Incident Management System/Incident Command System. This effort is joined by other departments in the Metropolitan area.

If the Commission approved of the Incident Command System, proposed Resolution No. 90-32 should be adopted.

RESOLUTION NO. 90-32

A RESOLUTION ADOPTING AN INCIDENT COMMAND SYSTEM

WHEREAS, the City of Oregon City finds the following:

- that Oregon City has an approved Emergency Plan; and
- that Oregon Occupational Safety and Health Division (Oregon-OSHA) of the State of Oregon Department of Insurance and Finance has adopted rules governing Emergency Response and Hazardous Waste Operations which require local government to take certain actions; and
- that new rules require that emergencies be responded to in a specified manner; and
- that confusion may occur if response is not consistent for all emergencies; and
- that there is a need to identify and use a standard response system and common terminology with other jurisdictions that may also respond; and
- that all levels of government within the State realize they have responsibilities for emergency response.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that an Incident Command System (ICS), using the National Interagency Incident Management System model, is hereby adopted, consisting of the following:

- * Common terminology for organizational functions, resources, and facilities.
- * A modular organization flexible enough to meet greatly varied needs in command, operations, planning, logistics, and finance.
- * The use of plain English ("clear text") phrases in place of codes and signals.

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

* * * * *

Commission Report No. 90-159, Request for Street Vacation - Unbuilt Edison Avenue, west of McLoughlin Boulevard, east of Clackamette Drive - Resolution No. 90-36 - Setting Public Hearing, was presented. The property currently occupied by the abandoned sewage treatment plan includes a portion of unbuilt Edison Avenue. The right-of-way needs to be vacated prior to any transfer of the property. Attached was Resolution No. 90-36 which would set the public hearing on the street vacation for Wednesday, July 18, 1990 at 8:00 p.m.

RESOLUTION NO. 90-36

A RESOLUTION SETTING PUBLIC HEARING DATE TO CONSIDER VACATION OF A PORTION OF EDISON AVENUE.

WHEREAS, it is the intention of the City Commission of Oregon City, Oregon, as the governing body of said incorporated City, that proceedings should be undertaken for the vacation of Edison Avenue within the corporate limits of said City hereinafter described pursuant to ORS 271.080 to and including ORS 271.230;

A strip of land over and across a portion fo the Northeast one-quarter of Section 30, Township 2 South, Range 2 East, Willamette Meridian, said strip of land being 60.00 feet in width and being a portion of Edison Avenue as shown on the duly recorded plan Shaw's First Addition Oregon City, said strip of land being more particularly described as follows:

BEGINNING at the Northwest corner of Block 6, of said Shaw's First Addition; THENCE South 84° 30' East along the North line of said Block 6, 148 feet, more or less, to the Westerly right-of-way of McLoughlin Boulevard (Oregon 99-#); THENCE North 6° 30' East along said Westerly right-of-way 60 feet, more or less, to the South line of Block 5 of said Shaw's First Addition; THENCE North 84° 30' West along said South line 180 feet, more or less, to the Southwest corner of said Block 5 and the West line of said Shaw's First Addition; THENCE South 16° 30' East along said West line 65 feet, more or less, to the TRUE POINT OF BEGINNING.

NOW, THEREFORE, BE IT RESOLVED by the City Commisison of Oregon City that proceedings be and hereby are initiated upon its own motion for the vacation hereinafter described. The City Recorder is hereby directed to cause notice to be given as provided by law for such vacation. Wednesday, July 18, 1990, at the hour of 8:00 p.m. in the Commission Meeting Room at City Hall, 320 Warner Milne Road, Oregon City, Oregon, is hereby fixed as the time and place for the hearing of any and all objections or claims concerning said vacation.

Initiation of these proceedings by the City Commission is not to be construed as an approval of the proposed vacation.

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

* * * * *

Commission Report No. 90-145, Oregon City Charter Amendment - Proclamation, was presented. The report noted that at the May 15, 1990 Primary Election, Oregon City voters approved an Oregon City Charter Amendment - Measure 3-5. Therefore, on the June 20, 1990 agenda, there was a Proclamation wherein the Mayor proclaims that the Charter Amendment did receive the affirmative majority of the total votes and that the Charter Amendment is thereby law and shall be codified as part of the Oregon City Charter.

Attached was the proposed Proclamation for Commission review. The Mayor should now be directed to sign the Proclamation with the City Recorder then submitting the Charter amendment for codification in the Oregon City Charter of 1982.

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P R O C L A M A T I O N

WHEREAS, at the Primary Election held in Oregon City, Oregon on the 15th day of May, 1990, there was submitted by referendum petition to the legal voters of Oregon City, Oregon, for their adoption or rejection, an amendment to the Oregon City Charter of 1982, to-wit:

"Shall Charter be amended to require direct election of Mayor, abolish one city commission position, and make related changes?"

and

WHEREAS, on the 31st day of May, 1990, the Clackamas County Clerk did certify the result of said election.

NOW, THEREFORE, I, David D. Spear, Mayor of Oregon City, do hereby proclaim that said Charter Amendment did receive the affirmative majority of the total votes cast thereon; that said Charter Amendment is thereby law and shall be codified as part of the Oregon City Charter of 1982 as follows:

Chapter III, FORM OF GOVERNMENT, Section 7, Commission, of the Oregon City Charter of 1982 is amended to read as follows:

"Section 7. Commission. In addition to the Mayor, the commission shall be composed of four commissioners elected from the city at large for terms of four years each. The term of office of each member in office at the date of amendments to this charter in May, 1990 shall continue until expiration; provided, however, that the term of city commission position number 5 shall cease as of January 2, 1991. At the 1990 general biennial election, two members shall be elected, and at the 1992 general biennial election, two members shall be elected, and in each case on each fourth year thereafter, a like number shall be elected. The term of office of each commissioner shall commence on the 2nd day of January after the election of that commissioner in the preceding November, unless such date shall fall on a legal holiday, in which case such term shall commence on the following day. No person shall be elected to the office of commissioner for more than two terms of four years in any ten year period."

Chapter III, FORM OF GOVERNMENT, Section 8, Commissioners, of the Oregon City Charter of 1982 is amended to read as follows:

"Section 8. Commissioners. Each office of commissioner shall be designated by number. The city recorder shall assign a number to each of the four commission positions. The numbers so assigned shall be certified by the city recorder to the commissioner in office holding that position. One copy of the certification shall be sent to the county elections officer. In all proceedings for the nomination and election of candidates for or to the office of commissioner, every petition for nomination, declaration of candidacy, certificate of nomination or election

shall state the position number of the office to which the candidate aspires, and the candidate's name shall appear on the ballot only for the designated position. Each voter shall have the right to vote for only one candidate for each position on the commission, and the candidate for each position receiving the highest number of votes for such position shall be considered elected. No person may file for more than one position at any single election."

Chapter III, FORM OF GOVERNMENT, Section 9, Mayor, of the Oregon City Charter of 1982 is amended to read as follows:

"Section 9. Mayor. At the 1990 general biennial election, and at every general election each four years thereafter, a mayor shall be elected from the city at large for a four year term. The mayor in office at the time this charter is amended in May, 1990, shall continue in office until January 2, 1991. The Mayor shall have been a resident of the City for at least twelve months preceding election to that office and shall remain a resident of the city as a condition of holding such office. No person may file for the position of mayor and city commissioner at any single election. The term of office of the Mayor shall commence on the 2nd day of January after the election of that position the preceding November, unless such date shall fall on a legal holiday, in which case such term shall commence the following day.

Notwithstanding section 32 of this charter, if at any time after January 2, 1991, the office of Mayor shall become vacant before the normal expiration of that term, a special election shall be held at the next available date to fill that office for the unexpired term; provided, however, if 180 days or fewer remain in such term vacated, the commission shall appoint a person to fill such vacancy for the remainder of the unexpired term."

Chapter III, FORM OF GOVERNMENT, Section 9A, Commission President, of the Oregon City Charter of 1982 is added to read as follows:

"Section 9A. Commission President. The commission shall meet at 8 o'clock P.M. on the first Wednesday in January after the first general election under this charter and shall be called to order by the mayor. The commission, including the mayor, shall then proceed to elect a commission president by ballot from their number who shall hold office for the term of one year and until a successor shall be elected and qualified. The commission president shall perform the duties of mayor in the absence of that officer. In the absence of the mayor from the city or the inability of the mayor to act, the president of the commission shall have and exercise the power to perform all the duties of the mayor."

DATED, this 20th day of June, 1990.

/s/DAVID D. SPEAR
MAYOR OF OREGON CITY

* * * * *

Commission Report No. 90-147, Commission Position Candidate Forms and Fees, was presented. The report noted that the Oregon City Charter of 1982, Chapter III, FORM OF GOVERNMENT, Section 10, "Nominations", states in part the following: "A qualified elector who has resided in the City during the 12 months immediately preceding an election may be nominated for an elective office to be filled at the election. The nomination shall be by a petition that specifies the office sought and shall be in a form prescribed by the Commission. The petition shall be signed by not fewer than 50 electors. No elector shall sign more than one petition for each office to be filled at the election...

In lieu of nomination by petition, an elector may file for office by payment of a \$50 filing fee or such greater fee as the Commission may fix."

At the November 6, 1990 General election, there will be two Commission positions on the ballot. They are as follows:

Position No. 1 - 4-Year term to expire 1-2-95

Position No. 4 - 4-Year term to expire 1-2-95

Attached is a State Elections Department (SED) Form entitled "Filing of Candidacy for Nonpartisan Nomination" which does not contain a certificate of residency but does contain a statement of acceptance and qualification for candidate signature.

Also attached is SED Form No. 106 (Revised 1/90) "Petition for Nonpartisan or Independent Party Nomination. Chapter III, FORM OF GOVERNMENT, Section 10, "Nominations" of the Oregon City Charter of 1982 states in part the following: "...The nomination shall be by a petition that specifies the office sought and shall be in a form prescribed by the Commission. The petition shall be signed by not fewer than 50 electors..."

The signatures to a nomination petition need not all be appended to one paper, but to each separate paper of the petition shall be attached an affidavit of the circulator thereof, indicating the number of signers of the paper and stating that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. Opposite each signature shall be stated the signer's place of residence, identified by its street and number or other sufficient designation..."

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Commission approval of both SED Forms is needed along with Commission direction with regard to whether or not the filing fee of \$50 in lieu of nomination by petition should be increased.

* * * * *

Commission Report No. 90-148, Position of Mayor - Candidate Forms and Fees, was presented. The report noted that the Oregon City Charter of 1982, Chapter III, FORM OF GOVERNMENT, Section 10, "Nominations", states in part the following: "A qualified elector who has resided in the City during the 12 months immediately preceding an election may be nominated for an elective office to be filled at the election. The nomination shall be by a petition that specifies the office sought and shall be in a form prescribed by the Commission. The petition shall be signed by not fewer than 50 electors. No elector shall sign more than one petition for each office to be filled at the election...

In lieu of nomination by petition, an elector may file for office by payment of a \$50 filing fee or such greater fee as the Commission may fix."

The Oregon City Charter of 1982, Chapter III, FORM OF GOVERNMENT, Section 9, "Mayor" as amended on May 15, 1990, states in part the following: "At the 1990 general biennial election, and at every general election each four years thereafter, a mayor shall be elected from the city at large for a four year term. The mayor in office at the time this charter is amended in May, 1990, shall continue in office until January 2, 1991..."

At the November 6, 1990 General election, the position of Mayor (4-Year term to expire 1-2-95), shall be on the ballot. Attached is a State Elections Department (SED) Form entitled "Filing of Candidacy for Nonpartisan Nomination" which does not contain a certificate of residency but does contain a statement of acceptance and qualification for candidate signature.

Also attached is SED Form No. 106 (Revised 1/90) "Petition for Nonpartisan or Independent Party Nomination". Chapter III, FORM OF GOVERNMENT, Section 10, "Nomination" of the Oregon City Charter of 1982 states in part the following: "...The nomination shall be by a petition that specifies the office sought and shall be in a form prescribed by the Commission. The petition shall be signed by not fewer than 50 electors..."

The signatures to a nomination petition need not all be appended to one paper, but to each separate paper of the petition shall be attached an affidavit of the circulator thereof, indicating the number of signers of the paper and stating that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. Opposite each signature shall be stated the signer's place of residence, identified by its street and number or other sufficient designation..."

Chapter III, FORM OF GOVERNMENT, Section 8, "Commissioners", as amended May 15, 1990, states in part the following: "Each office of commissioner shall be designated by number. The city recorder shall assign a number to each of the four commission positions. The numbers so assigned..."

Pursuant to Chapter III, Section 8, the City Recorder has continued the prior designated numbers of "Commission Positions 1 through 4" and has designated the position of Mayor as "Mayor".

Commission approval of both SED Forms is needed along with Commission direction with regard to whether or not the filing fee of \$50 in lieu of nomination by petition should be increased.

* * * * *

Commission Report No. 90-139, Intergovernmental Agreement with Clackamas County for Community Development Block Grant Funds - 1991 - 1994, was presented. The report noted that in 1978, Clackamas County was designated as an urban county with the concurrence of the cities in Clackamas County. Representatives of each city serve on a Policy Advisory Board which makes recommendations on how Community Development Block Grant funds are distributed. (The Board of County Commissioners make the final decision on project funding). Projects are funded based on applications submitted. Since 1978, CDBG funds have been used for a variety of housing, neighborhood improvement, community facility, and public improvement projects for low and moderate-income people in cities and communities throughout the County.

The report continued that attached was a proposed Intergovernmental Agreement between Oregon City and Clackamas County which would ensure the City's participation in the program for the next three years. These agreements are required by HUD and would allow the County, in partnership with the cities, to apply for and receive approximately \$4.8 million of CDBG funds over the next three program years (1991-1994).

The new agreement makes no changes to the way the program is currently operated. The only additions from the previous agreement are HUD requirements concerning compliance with Fair Housing Laws and Agreements with sub-recipients. This means that the City would not enact any legislation intended for discrimination in housing; the second change would only apply if the City intended to give some of its Block Grant funding to a non-profit organization.

The report concluded by recommending that the proposed Intergovernmental Agreement with Clackamas County be approved. If approved, Development Services staff would develop a list of project applications which would be submitted for Commission approval at a future meeting.

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Commission Report No. 90-150, C-Trunk Sewer Advance Financing - Setting Public Hearing Date, was presented. The report noted that on the June 20, 1990 agenda was a request to set a public hearing date of July 5, 1990 to consider adoption of an advance financing resolution for the C-Trunk Sewer Project.

The report continued that at its June 6, 1990 meeting, it formed a local improvement district (LID) to construct sewer in the C Basin. Because a portion of the sewers benefitted property outside of the LID boundary, the City Commission agreed to participate up to \$175,727 in advance financing. Attached was a map which showed the advance finance area.

The report explained that advance financing was the City's payment for the cost of installing a public improvement which benefitting property owners may use upon reimbursing a proportional share of the cost to the City. The City's Advance Financing ordinance required the City to provide notice and hold a public hearing prior to the adoption of an advance financing resolution. The resolution designated the proposed improvement, provided for the financing reimbursement and identified the intervening and future property owners eligible to use the improvements.

It was recommended that the Commission set a public hearing date of July 5, 1990 to consider the advance finance resolution.

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Commission Report No. 90-149, Collective Bargaining Agreement Between the City and Oregon City Paid Firefighters Association - July 1, 1990 through June 30, 1993 - Resolution No. 90-31, was presented. The report noted that on June 30, 1990, the Collective Bargaining Agreement between the City and Oregon City Paid Firefighters Association will expire. Negotiations on a new three-year agreement for the period of July 1, 1990 through June 30, 1993 have been concluded. The terms and conditions of the new agreement begin July 1, 1990. Significant changes in the proposed contract were as follows:

DURATION: This was a 3-year contract beginning July 1, 1990 and terminating June 30, 1993.

EMPLOYEE INSURANCE BENEFITS: Three significant changes have been made to employee insurance benefits:

1. PACC Service Plan with vision (no RX max) will be offered in place of Blue Cross/Blue Shield Plan III;
2. when the employee's premium cost exceeds \$330 per month, that employee shall pay 1/2 of the amount in excess of \$330, or 5% of the monthly premium cost, whichever is less; and

3. the City will pay \$100 per month (existing agreement provides for \$90 per month) towards the medical insurance premium for employees retired after July 1, 1983.

SALARIES: The contract provides an across the board wage increase of 5% for the period of July 1, 1990 through June 30, 1991; a 5% increase for the period of July 1, 1991 through June 30, 1992; and, a 5% increase for the period July 1, 1992 through June 30, 1993.

The report concluded that on the June 20, 1990 agenda was proposed Resolution No. 90-31 which contained the Collective Bargaining Agreement. If the Commission agreed to the negotiated terms and conditions of the Agreement for fiscal years 1990-91, 1991-92, and 1992-93, Resolution No. 90-31 should be adopted.

RESOLUTION NO. 90-31

A RESOLUTION ADOPTING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND OREGON CITY PAID FIREFIGHTERS ASSOCIATION.

WHEREAS, it is necessary to enter into an agreement with the Oregon City Paid Firefighters Association regulating salary and terms of employment for the period July 1, 1990 through June 30, 1993; and

WHEREAS, after negotiations, the parties have reached an agreement, a copy of which is attached hereto as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that the Mayor and City Recorder are hereby authorized and directed to execute said Agreement on behalf of the City.

Adopted, signed and approved this 20th day of June, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

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Commission Report No. 90-161, Collective Bargaining Agreement Between the City and Oregon City Police Employees Association - July 1, 1990 through June 30, 1992 - Resolution No. 90-37, was presented. The report noted that negotiations for a new two-year Agreement with the Oregon City Police Employees Association have been completed and were now presented for approval by the City Commission. The new agreement is for the period of July 1, 1990 through June 30, 1992. Significant changes in the proposed

contract are as follows:

EMPLOYEE INSURANCE BENEFITS: Two significant changes have been made to employee insurance benefits:

1. PACC Service Plan with vision (no RX mas) will be offered in place of Blue Cross/Blue Shield Plan III;
2. After July 1, 1991, in the event the medical insurance premium cost exceeds \$330 per month for any employee covered by the Agreement, that employee would pay one-half of the amount in excess of \$330 or five percent (5%) of the monthly premium cost, whichever is less, not to exceed \$15.

EMPLOYEE RIGHTS: In Article 3.3 of the Agreement there was provision for employees to be away from their duty station to negotiate contracts. The only proposed addition would be the words "including mediation and interest arbitration if necessary".

HOLIDAYS: Under the proposed contract the addition of one floating holiday in lieu of Christmas Eve - December 24, has been added.

DISCIPLINE AND/OR DISCHARGE: The current contract language would stay in place under this Article, however the addition of the Association's posted notice concerning employee rights in the disciplinary process would be added as Appendix B. This comes from the Oregon Employment Relations Board which advises union members of their rights.

SICK LEAVE: The proposed contract language would eliminate the 960 cap on sick leave and would eliminate the automatic build back of 360 hours to an employees sick leave balance.

SALARIES: The proposed contract provided for an across-the-board wage increase of 5% for the periods of July 1, 1990 through June 30, 1991 and July 1, 1991 through June 30, 1992, respectively.

The report concluded that on the June 20, 1990 agenda was proposed Resolution No. 90-37 which contained the Collective Bargaining Agreement. If the Commission agreed to the negotiated terms and conditions of the Agreement for fiscal years 1990-91 and 1991-92, Resolution No. 90-37 should be adopted.

RESOLUTION NO. 90-37

A RESOLUTION ADOPTING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND OREGON CITY POLICE EMPLOYEES ASSOCIATION.

WHEREAS, it is necessary to enter into an agreement with the Oregon City Police Employees Association regulating salary and terms of employment for the period July 1, 1990 through June 30, 1992; and

WHEREAS, after negotiations, the parties have reached an agreement, a copy of which is attached hereto as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that the Mayor and City Recorder are hereby authorized and directed to execute said Agreement on behalf of the City.

Adopted, signed and approved this 20th day of June, 1990..

/s/David D. Spear
Mayor-Commissioner

/s/Carol A. Powell
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

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Commission Report No. 90-153, Wage & Benefit Adjustment for Management, Supervisory and Confidential Employees - July 1, 1990 through June 30, 1993, was presented. The report noted that on the June 20, 1990 agenda was the wage and benefit adjustment for Management, Supervisory and Confidential employees. This was for 3-years beginning July 1, 1990 and terminating June 30, 1993.

The report noted that two significant changes were made to employee insurance benefits: 1) PACC Service Plan with vision (no RX max) would be offered in place of Blue Cross/Blue Shield Plan III; and, 2) when the employee's premium cost exceeds \$330 per month, that employee shall pay 1/2 of the amount in excess of \$330, or 5% of the monthly premium cost, whichever is less.

The contract provides an across-the-board wage increase of 5% for the period of July 1, 1990 through June 30, 1991; a 5% increase for the period of July 1, 1991 through June 30, 1992; and, a 5% increase for the period July 1, 1992 through June 30, 1993.

If the Commission agreed with the wage and benefit adjustment for Management, Supervisory and Confidential Employees a motion should be adopted approving them as outlined.

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Commission Report No. 90-146, May 15, 1990 Primary Election - Election Results, was presented for Commission information. The report noted that on Tuesday, May 15, 1990, the Primary election ballot provided for an Oregon City Charter Amendment to require direct election of Mayor, abolish one city commission position and make related changes.

The Oregon City Charter of 1982, Chapter 6 Elections, Section 27, Canvass of Returns, states in part the following: "...The results of all elections shall be entered in the record of proceedings of the Commission. The entry shall state the total number of votes cast at the election, the votes cast for each person and for and against each proposition..."

Attached was a copy of the certified Statement of Votes Cast as prepared by the office of County Clerk and on file in the City Recorder's office.

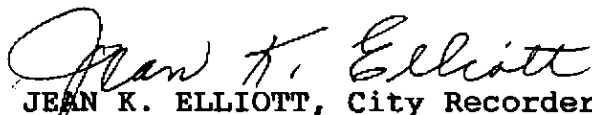
Oregon City Charter Amendment, Measure 3-5 shows 2,243 "yes" votes as opposed to 636 "no" votes cast with 5 overvotes and 225 undervotes for a total of 3,109 votes cast.

This information was provided pursuant to Chapter 6, Section 27 of the Oregon City Charter of 1982.

At this time, Mayor Spear appointed the following to the Oregon City-Metro Enhancement Committee with terms expiring June 30, 1991: J.R. Ebert (HOPP), 16236 S. Hunter; Victor Overturf (HOPP), 13927 S. Holcomb Blvd.; Donna Edwards (HOPP), 15978 S. Swan; Michael Mulkey (Planning), 120 Cherry Avenue; Tom DeJardin (Metro), 6267 Belmont Way, West Linn; Don Vedder (Resident-at-Large), 126 Cherry; and, Robert M. Light (City Commission), 911 Madison. The earlier appointment of Susan Hamilton was rescinded by Mayor Spear.

VanOrman requested that the City Attorney and staff establish all prerequisites for an executive session regarding the position of City Manager.

There being no further business, the meeting adjourned at 9:20 p.m.


JEAN K. ELLIOTT, City Recorder

SPECIAL MEETING

Oregon City, Oregon, June 27, 1990

A Special meeting of the City Commission was held in the Commission Chambers of City Hall on the above date at 8:00 p.m.

Roll call showed the following present:

Mayor David D. Spear	Charles Leeson, Interim City Manager
Commissioner Daniel W. Fowler	Jean K. Elliott, City Recorder
Commissioner Suzanne VanOrman	
Commissioner Carol A. Powell	
Commissioner Robert M. Light	