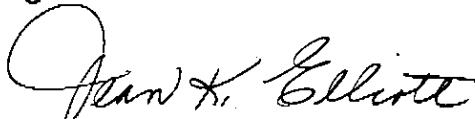


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There being no further business, the meeting adjourned at 10:55 p.m. The Executive Session scheduled at the end of the regular meeting was cancelled since it was called during the regular meeting.


JEAN K. ELLIOTT, City Recorder

REGULAR MEETING

Oregon City, Oregon, August 15, 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	Peggy Hennesey, City Attorney
Commissioner Carol A. Powell	
Commissioner Robert M. Light	

It was moved by Powell, second by Fowler, to approve the minutes of August 1, 1990.

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

On the Mayor's call for future agenda items, David Eby, 619 Brighton Avenue, addressed the Commission regarding money now being available for operation of the Elevator. The Manager advised that money was budgeted for operation of the Elevator which may not be as it currently is being operated. When asked if it was going to be contracted out, the Manager advised that was an option. The Mayor also advised that the Elevator would be operated in the current hours but the funding arrangement may be changed. When asked if there would be different operators, he was advised there could be. No decisions had been made as yet. The City wants to deliver the service of an Elevator to the citizens, but it needs to be done in the most cost effective way possible.

Clair Neal McCully, Fourth Judicial District, 729 Molalla Avenue, #1, Oregon City, addressed the Commission by reading a "Complaint of Trespass of Venue and Jurisdiction in the City Limits of the Municipal City of Oregon City". Upon conclusion of the reading of the Complaint, this matter was referred to the City Attorney for comment and advice as to whether there is need for a meeting.

John Buol, General Manager of South Fork Water Board, introduced Randall Goff of Economic Engineering Services, Inc., retained by the South Fork Water Board, who made a presentation to the Commission regarding the consolidation of the South Fork Water Board with Clairmont Water District.

Commission Report No. 90-215, Sale of Surplus Property - Public Hearing, was presented. The report noted that on the August 15, 1990 agenda was a public hearing to consider the sale of the City's Old Sewer Treatment Plant property:

A tract of land situated in the George Abernethy DLC No. 58 and the Hiram Straight DLC No. 42 located in Section 30, Township 2 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

COMMENCING at the most Westerly Northwest corner of said Abernethy DLC No. 58; THENCE S. 85° 17' E. along the North line thereof a distance of 571.59 feet to a point on the East line of Clackamette Drive (a 60 foot right-of-way), said point being the POINT OF BEGINNING of the tract herein to be described:

THENCE Northerly and Easterly along the Easterly and Southerly lines of said Clackamette Drive a distance of 550 feet, more or less, to the intersection with the Westerly line of McLoughlin Boulevard (State Highway No. 99E); THENCE Southerly along the West line of said McLoughlin Boulevard a distance of 680 feet, more or less, to the intersection with the North line of Dunes Drive (a variable width right-of-way); THENCE Westerly along said North line of Dunes Drive a distance of 200 feet, more or less, to the intersection with the East line of said Clackamette Drive; THENCE Northerly along the East line thereof a distance of 300 feet, more or less, to the POINT OF BEGINNING.

The report continued that in June, the voters of Oregon City approved the sale of the northerly 2 acres of the site as required in the City Charter. Now the City needs to adhere to ORS 221.725 on sale of public property.

ORS 221.725 (4) states: "The nature of the proposed sale and the general terms thereof, including an appraisal or other evidence of the market value of the property, shall be duly disclosed by the city council at the public hearing. Any resident of the City shall be given an opportunity to present written or oral testimony at the hearing."

The City Commission reviewed this matter on August 1 and directed that a public hearing be set for August 15 and public notice be provided. Attached were copies of the appraisal report and notice of public hearing for Commission information.

The report concluded that as of the date of Report preparation, no written correspondence had been received on the sale of this property. If there were no issues that develop during the public hearing, it was recommended that the City

Commission declare the property surplus and authorize its sale.

John Block, Development Services Director, presented the staff report.

Mayor Spear declared the hearing open and called for testimony.

Ed Allick, 812 6th Street, addressed the Commission and spoke in opposition to selling park property and expressed concern regarding the possibility of clearing trees in the area for development.

Brian McLoughlin, 18860 Boynton, expressed concern regarding what would happen to the RV dump station. He was advised this would be re-located to a site in Clackamette Park.

With no further testimony, the hearing was declared closed.

It was moved by Powell, second by VanOrman, to declare the property surplus and authorize its sale.

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

Commission Report No. 90-213, Morton Road Sanitary Sewer LID - Public Hearing and Consideration of Remonstrances - Resolution No. 90-49, was presented. The report noted that at the August 1, 1990, meeting, the Commission accepted the Engineer's report on the proposed Morton Road sanitary sewer local improvement district (LID No. 90-03). The Commission also adopted Resolution No. 90-48, a resolution of intent to create the local improvement district and set August 15, 1990 as the public hearing date to consider any remonstrances against forming the district and directed that notices be provided to the property owners affected. Notices of the public hearing and preliminary assessments were mailed to all property owners on August 3. A copy of the Engineer's report and property owner's notice was attached for Commission information.

On the August 15, 1990 agenda is the scheduled public hearing. The public hearing needed to consider any written remonstrances that were filed by affected property owners. If objections were received from owners representing two-thirds of the area to be assessed, the formation proceedings would be postponed and not be subject to a further hearing for at least three months. If there were less than two-thirds of the owners in the area assessed objecting, the Commission could go forward with the formation proceedings.

The report continued that the Mayor should open the public hearing and request staff presentation followed by any affected property owner remonstrances. The Commission would need to decide if the property owner is in the assessed area and if it is a remonstrance or general question. If there were less than two-thirds objecting, the Commission could go forward and adopt Resolution No. 90-49 to

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create the LID. The District would be known as Sewer Improvement District No. 90-03.

The report concluded that scheduled later on the agenda was a professional services agreement with Compass Corporation to prepare the engineering plans and bid documents for the project. When the engineering plans were complete, a resolution accepting the plans and authorizing the bid would be brought back for Commission approval.

John Block, Development Services Director, presented the report and described the area of the proposed LID. He noted there were approximately 36 acres in the area with five to six ownerships involved.

Mayor Spear declared the hearing open and called for testimony.

James Ehren, one of three partners who own Parcel 5000. He advised he was not complaining and was a signer of the petition for the sewer system. He noted the cost of the sewer being \$209,000 plus based upon an acreage method of assessment. Parcel 500 containing less than 1/2 an acre will be assessed at approximately \$1,900. He noted that about 35% of the lineal length of the sewer line was to serve Parcel 500 and asked if this was the most logical way to build the sewer and assess the associated costs. He asked about the cost for the branch line to serve Parcel 500 and if it wouldn't be better to include this property in a different LID. He asked about Parcel 5000 being assessed \$24,000 plus with Parcel 500 assessed only \$1,900.

The Development Services Director responded that if the City Commission decides to approve this action, the resolution could be adopted to authorize the project to be designed and bid for construction. The final assessment cost to each is unknown until the project is completed. He went on to describe the service area and the need to include Parcel 500 and the need to provide sewer service along Morton Road. He then outlined the possibility of forming an advance financing district for the property with that allowing the City to pay the cost for a property outside of the LID to be re-imbursed when the property annexes to the City and connects to the sewer line. This would reduce the overall assessment to some degree.

VanOrman asked if Parcel 500 could be subdivided with the response being that the property would be too small. She then asked about how many lots on Parcel 5000. It is zoned multi-family for 84 units at one time. She noted that Parcel 5000 has the potential of greater utilization and of spreading the cost.

Block concluded the discussion by noting that there were additional properties that would benefit from the sewer and it would be consistent of the City Commission to ask that those properties participate through advance financing by the City. That will be explored. With the installation of sewers there will be more incentive for

those properties to annex.

Dan Bean, 1944 Davis Road, addressed the Commission, noting that he was involved with the majority of the land. He noted the addition of sewer was a necessity with a substantial cost. He noted that advance financing was a good way to go. Parcel 500 was causing concern for him, also.

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

It was moved by Light, second by Fowler, to adopt Resolution No. 90-49 and encourage advance financing for the property.

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

RESOLUTION NO. 90-49

A RESOLUTION TO CREATE A LOCAL IMPROVEMENT DISTRICT FOR THE CONSTRUCTION OF SANITARY SEWERS TO SERVE THE MORTON ROAD AREA.

WHEREAS, a petition requesting formation of a local improvement district to construct certain sanitary sewer improvements was filed with the City Recorder on the 22nd day of July, 1990; and

WHEREAS, at its August 1, 1990 meeting, the City Commission adopted Resolution No. 90-48, a resolution of intent to create a local improvement district and setting August 15, 1990 and the public hearing date and directing that notices be provided to property owners; and

WHEREAS, a notice of the City Commission's intent to make such improvements and preliminary assessment were mailed on August 3, 1990, to the owners of properties to be assessed for the costs of such improvements; and

WHEREAS, a public hearing was held on August 15, 1990, for presentation of written remonstrances to formation of said district and preliminary assessments; and

WHEREAS, the City Commission finds that construction of sanitary sewers to serve the Morton Road area would be in the public interest; and

WHEREAS, all requirements of City Code, Title I, Chapter 14 - Local Improvement Districts for creating a local improvement district have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that the local improvement district for the construction of sanitary sewers to serve the Morton Road area is created and shall be known as Sewer Improvement District No. 90-03. Said district is described as follows:

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See attached Exhibit "A"

AND IT IS FURTHER RESOLVED that the engineering reports submitted with respect to the aforementioned improvement district, be, and the same hereby is, adopted and City staff and agents are hereby authorized and directed to proceed with the improvment as set forth in the aforesaid engineering reports.

Adopted, signed and approved this 15th day of August, 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

Mayor Spear declared a break at 9:05 with the meeting reconvening at 9:15 p.m.

Commission Report No. 90-207, Comprehensive Plan Amendments and Zone Changes - A Property Annexed in May 1990 - South Partlow Road; If Approved, Proposed Ordinance No. 90-1045, An Ordinance Amending Title XI: Zoning, Chapter 2: Zoning Map Provision, Seciton 3, of the 1963 City Code, by Changing Certain Districts, was presented. The report noted that in May 1990, the Portland Metropolitan Area Local Government Boundary Commission approved the annexation of a parcel located on South Partlow Road. The property was shown on an attached map.

On July 24, 1990, the Planning Commission held a public hearing on File No. PZ-90-02 for Comprehensive Plan Amendments and Zone Change for the annexed area to change designations from County to City. The Planning Commission voted 5-0 to recommend plan and zoning designation as follows:

Change from County Comprehensive Plan designation of Low Density Residential to City Comprehensive Plan designation of Low Density Residential; and change from County Zoning designation of "FU-10" Future Urban 10-acre minimum to City Zoning designation of "R-10" Single-Family Residential for Tax Lot 2701 of Map 3-1E-12A.

The report continued that the Planning Commission also attached the following condition:

(a) That prior to development, the property owner shall provide an additional 10 feet on South Partlow Road so as to assist in an ultimate right-of-way to 60 feet.

The attached staff report provided specifics on the property. Also attached for Commission review were the following documents:

1. Ordinance No. 90-1045
2. Planning Commission minutes - July 24, 1990
3. Staff report
4. Public notice and map of the property.

The report concluded that if the Commission agrees and plan amendment/zone change was approved, attached was Ordinance No. 90-1045 which would enact the changes. Notice of proposed Ordinance No. 90-1045 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.

Denyse McGriff, Principal Planner, presented the report.

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

It was noted that a letter dated August 5, 1990, which contained an attachment dated July 6, 1990, was filed by Richard H. Fensky, a neighboring property owner.

With no testimony offered, the hearing was declared closed.

It was moved by Powell, second by Light, to approve first reading of proposed Ordinance No. 90-1045.

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

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

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

ORDINANCE NO. 90-1045

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 to certain districts, which changes have been heard by 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

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public notice and hearing finding that the following described properties which were annexed to Oregon City on May 16, 1990 are hereby changed as follows:

Property in the South Partlow Road area (Tax Lot 2701 of Map 3-1E-12A) as defined in the Portland Metropolitan Area Local Government Boundary Commission Final Order No. 2761 and described in attached Exhibit "A".

A property is hereby changed from Clackamas County Comprehensive Plan designation of Low Density Residential to an Oregon City Comprehensive Plan designation of Low Density Residential, and from Clackamas County zoning designation of "FU-10" Future Urban 10-Acre Minimum to an Oregon City Zoning designation of "R-10" Single-Family Residential.

The change is subject to the following condition:

a. That prior to development, the property owner shall provide an additional 10 feet on South Partlow Road so as to assist in an ultimate right-of-way to 60 feet.

Read first time at a regular meeting of the City Commission held on the 15th day of August, 1990, and the foregoing ordinance was finally enacted by the City Commission this 15th day of August, 1990.

/s/JEAN K. ELLIOTT, City Recorder

ATTESTED this 15th day of August, 1990.

/s/David D. Spear

DAVID D. SPEAR, Mayor

Commission Report No. 90-217, Initiation of Plan Amendment and Zone Change - Penrod and Old Sewer Treatment Plant Property - Resolution No. 90-50, was presented. The report noted that on the August 15, 1990 agenda was a recommendation to initiate a Plan Amendment and Zone Change for the City's Penrod and Old Sewer Treatment Plant properties. This action follows a vote of the citizens on the sale of the Old Sewer Treatment Plant property and the incorporation of the Penrod property into Clackamette Park.

The report continued that the recommendation was to change the Comprehensive Plan designation on the Penrod property from "C" Commercial to "P" Park; and the zoning designation from "C" General Commercial to "R-10" Single-Family Residential. The recommendation was to change the Comprehensive Plan designation on the Old Sewer Treatment Plant property from "QP" Quasi Public to "C" Commercial; and the Zoning designation from "R-10" Single Family Residential to "C" General Commercial.

Adoption of Resolution No. 90-50 would initiate the Plan Amendment and Zone Change process and forward the application to the Planning Commission for public hearing and recommendation. Following their recommendation, the City Commission would also hold a public hearing on the application. The Commission's initiation of this action would not prejudice any future decision of the Commission.

The report concluded by recommending that the City Commission adopt Resolution No. 90-50 to initiate the Plan Amendment and Zone Change process on the Penrod and Old Sewer Treatment Plant properties.

It was moved by Fowler, second by VanOrman, to adopt Resolution No. 90-50.

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

RESOLUTION NO. 90-50

A RESOLUTION INITIATING A COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE FOR CITY-OWNED PROPERTIES WEST OF MCLOUGHLIN BOULEVARD, EAST OF THE WILLAMETTE RIVER.

WHEREAS, the City of Oreogn City owns two properties that are adjacent to State Highway 99E and Clackamette Drive; said properties are commonly knowns as the "Penrod Property" and the "Old Sewage Treatment Plant Property"; and

WHEREAS, the City City desires to incorporate the "Penrod Property" into Clackamette Park, and wishes said property to have a corresponding Park plan designation and appropriate zoning designation; and

WHEREAS, the City desires to sell for private development the former Sewage Treatment Plant property, as approved by the Oregon City voters in June 1990, and as approved by the City Commission at a public hearing held on August 15, 1990; and

WHEREAS to facilitate the sale of the former Sewage Treatment Plant property, a Comprehensive Plan Amendment from Quasi-Public to Commercial and Zone Change from R-10 Single Family to C Commercial is necessary; and

WHEREAS, these changes were approved by the Planning Commission and City Commission for inclusion in the draft Comprehensive Plan periodic review order; and

WHEREAS, the periodic review process will not be completed in a timely m,anner to facilitate the sale of property, this the Plan Amendment cannot be processed as a legislative matter.

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NOW, THEREFORE, IT IS RESOLVED BY THE CITY COMMISSION OF THE CITY OF OREGON CITY:

1. That it is necessary to initiate a Plan Amendment and Zone Change as quasi-judicial matters, to facilitate timely sale and development of the old Sewage Treatment Plant as approved by the voters of Oregon City.
2. That requests for Comprehensive Plan Amendments and Zone Changes are initiated by the City Commission on its own motion and are hereby referred to the Planning Commission for public hearing, review and recommendation. The requests are as follows:

A. Penrod Property: Comprehensive Plan Amendment from C Commercial to P Park; Zone Change from C General Commercial to R-10 Single Family.

B> Old Sewage Treatment Plant Property: Comprehensive Plan Amendment from QP Quasi-Public to C Commercial; Zone Change from R-10 Single-Family to C General Commercial.

The properties are depicted on Exhibit A.

3. That initiation of these proceedings by the City Commission is not to be construed as an approval of the Comprehensive Plan Amendments and Zone Changes.

The foregoing resolution was adopted this 15th day of August, 1990.

/s/David D. Spear
Mayor-Commissioner

/s/Daniel W. Fowler
Commissioner

/s/Suzanne VanOrman
Commissioner

/s/Carol A. Powell
Commissioner

/s/Robert M. Light
Commissioner

Comprising the City Commission
of Oregon City, Oregon

Commission Report No. 90-208, Purchase of Pickup for Street Department - Bid Award, was presented. The report noted that on July 18, 1990, the City received two bids for the furnishing of one 1990 1/2 ton pickup for the Street Department. The bids received were as follows:

Bidder	Basic Unit	Option 1
1. Frontier Jeep-Eagle (Chevrolet)	\$11,532.96	-\$300.00

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2. Frontier Jeep-Eagle \$13,515.10 -\$300.00
 (Dodge)

Option 1 is the amount of trade-in allowance for a 1971 Ford 1/2 ton pickup.

All bids met or exceeded the printed specification.

In the 1990-91 Street budget, an amount of \$12,000 was budgeted for the equipment replacement. Therefore, it was recommended that the low bid submitted by Frontier Jeep-Eagle, 18449 SE Stark Street, Portland, in the amount of \$11,532.96 and to exercise Option 1 for a net cost of \$11,232.96 be accepted.

It was moved by Light, second by Fowler, that the low bid submitted by Frontier Jeep-Eagle, in the amount of \$11,232.96 for the purchase of a 1990 1/2 ton pickup is hereby approved.

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

Commission Report No. 90-209, Construction Compliance Agreement - Coffman Excavation, was presented. The report noted that on the August 15, 1990 agenda was a construction compliance agreement for Commission acceptance that required Coffman Excavation to construct a 12-inch water line along the railroad right-of-way a distance of 900 feet to the subject property on Clackamas River Drive. The project is to be completed by August 2, 1991.

The report continued that attached was a copy of the compliance agreement and map for Commission review. The City is to pay the oversize cost on the project, estimated at \$20,000. The water line was necessary to meet the fire flow requirements for the new buildings planned for the property. The water line design was approved by both fire and engineering services. It was recommended that the City Commission approve the agreement and authorize the Mayor and City Recorder to execute.

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

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

Commission Report No. 90-211, Professional Services Agreement - Morton Road Sanitary Sewer LID, was presented. The report noted that on the August 15, 1990 agenda was a Professional Services Agreement with Compass Corporation for the design engineering, bid document preparation, and field staking of the Morton Road Sanitary Sewer local improvement district. Attached was a copy of the agreement for Commission review.

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The report continued that as an earlier agenda item, was the public hearing on the project to form the local improvement District. If approved, the Professional Services Agreement could be authorized.

The report concluded that it was recommended that the City Commission approve the agreement with Compass Corporation and authorize the City Manager to execute.

It was moved by VanOrman, second by Light, to approve the agreement with Compass Corporation and authorize the City Manager to execute.

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

Commission Report No. 90-210, Phase 4 Sewer Separation Project - Bid Award, was presented. The report noted that on the August 15, 1990 agenda was a recommendation to award the bid for the Phase 4 Sewer Separation Project to the low bidder, Copenhagen Utility and Construction in the amount of \$1,078,240. Attached was the bid summary and Engineer's report for the project for Commission review.

Four bids were received ranging in price from \$1,078,240 to \$1,169,861.60. The low bid is 10.8% above the engineer's estimate for the project; however, it was being recommended for acceptance because of the several years delay since the original estimates were made.

The report continued that this was the first phase of the final four phases of the EPA required combined sewer separation project. The first four phases were constructed by Tri-City Service District. Funds for the project are available through a borrowing agreement with Tri-City Service District.

Following design, it was determined that a damaged sewer line in Seventh Street be replaced with the project. Costs were being obtained and would be incorporated into the project as Change Order No. 1.

The report concluded by recommending that the City Commission award the bid to Copenhagen Utility and Construction and authorize the Mayor and City Recorder to execute the construction contract and Change Order No. 1 to the contract.

The Development Services Director noted that Phase 4 was one part of eight separate phases of EPA requirements to separate sanitary from the storm system. The McLoughlin District is quite old and is a combined sewer/storm system. One of the requirements when the Tri-City Sewer Plant was built was that sewer and storm drainage be separated. TCSD built the first four phases of the separation at a cost of \$4.5 million. Oregon City has the obligation to build the remaining four phases. This is the first of the remaining four phases with all phases having to be complete by April, 1993. The City will borrow funds for these projects through TCSD

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through an agreement. The debt service is planned sewer fees pledged to this project.

He advised of the bid process just completed with Copenhagen Utility and Construction being the low bidder. Their bid is above the Engineer's estimate with the estimate being old. He advised of the problem with the sewer line in Seventh Street below the intersection of Division and Taylor. The line is partially collapsed and tree roots in the system with it not able to be repaired.

He noted that Change Order No. 1 with this contract was to deal with that particular line. The cost estimates received, he felt, were too high. He was recommending that the Commission just authorize the bid award to Copenhagen for the separation work only with a better price to be negotiated for the Change Order and it would be brought back to the Commission.

Change Order No. 1 was to be deleted from consideration at this time with negotiations to continue with Copenhagen. The City Attorney advised that if with Copenhagen, it would be a Change Order; if someone else it would be a new contract with a new bid process.

It was moved by Fowler, second by Light, to award the bid to Copenhagen Utility and Construction and authorize the Mayor and City Recorder to execute the contract only.

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

Commission Report No. 90-214, Non Remonstrance Agreement - Emmert International, was presented. The report noted that on the August 15, 1990 agenda was a Non-Remonstrance Agreement for the formation of a future local improvement district from Emmert International for Commission acceptance. The agreement was a requirement of a recent minor land partition approved on Holcomb Boulevard in the Park Place Neighborhood. Attached was a copy of the agreement for Commission review.

The report concluded that non-remonstrance agreements were required as part of land divisions to insure participation in improvements needed for the area. It was recommended that the City Commission approve the agreement and authorize the Mayor and City Recorder to execute.

It was moved by Powell, second by Fowler, 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. 90-212, Professional Services Agreement - E Sanitary Sewer Project, was presented. The report noted that on the August 15, 1990 agenda was

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a Professional Services Agreement with Westlake Consultants for the design engineering, bid document preparation, and field staking of the E-Sanitary Sewer Project.

The report continued that this project was a joint City/Clackamas Community College project that extended the existing 12 inch sewer line in Beaver Creek Road and would construct a 10 inch sewer line and abandon an existing pump station to the College. The timing of this project was to coincide with the planned widening of Beaver Creek Road by the Berry Heights apartment project.

The report concluded that attached was the engineering agreement and map of the project for Commission review. The project was indicated in the City's Sewer Master Plan and funds were included in the fiscal year 1990-91 budget. Prior to construction, a cost-sharing agreement between the City and College would need to be approved. It was recommended that the City Commission approve the agreement and authorize the City Manager to execute the agreement.

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

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

Commission Report No. 90-216, Public Utility Easement Acceptance - James R. Irvine, was presented. The report noted that on the August 15, 1990 agenda was a public utility easement from James R. Irvine for Commission acceptance. The easement was necessary for the construction of the M-6 Sewer Project. Attached was a copy for Commission review.

It was recommended that the Commission accept the easement and authorize the Mayor and City Recorder to execute. Following execution, the City Recorder would record in Clackamas County Deed records.

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

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

Next Agenda Item was City Manager Position - Selection of Screening Committee, Setting Date of Interviews and Setting Date of Candidate Appointment.

Powell suggested that past Commission members be appointed to the Screening Committee because they have awareness of what the job entails and what is expected.

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VanOrman felt comfortable with the Screening Committee being former Commissioners and suggested three, i.e. Don Andersen, Ron Thom and Ed Allick, to serve with the City Commission.

Powell requested a background check on each candidate.

After discussion, the City Recorder was directed to coordinate scheduling the interviews for Wednesday, August 29, 1990 beginning at 4:00 p.m. to 5:00 p.m. for one candidate and the other candidate from 5:30 p.m. to 6:30 p.m. with the appointment scheduled for the September 5, 1990 agenda.

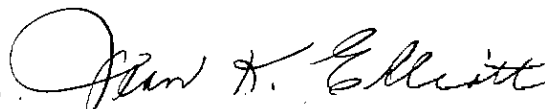
The City Recorder was further directed to solicit questions from the eight-member screening committee and list the questions for use at the interview session.

At this time, the City Attorney presented a Memorandum regarding the Oregon City Senior Center meeting the provisions of the newly enacted American Disabilities Act with regard to the need to buy lifts for the Senior Center vans. The Memorandum advised that replacement of one of the Senior Center's multi-passenger vans was being considered in the near future. The Senior Center Coordinator requested information on the requirements and guidelines of the Americans with Disabilities Act of 1990 would impose for such a purchase.

It was concluded by the City Attorney that although the requirements could be avoided by soliciting a vehicle prior to August 26, 1990, it should seek to purchase a vehicle that would provide a level of service to disabled individuals equivalent to the level of service it provides to non-disabled individuals.

After discussion, the Commission concurred with the Attorney's conclusion.

There being no further business, the meeting adjourned at 10:00 p.m.


JEAN K. ELLIOTT, City Recorder