



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement Acceptance  
Robert D. Randall

Report No. 90-104

On the May 16, 1990 City Commission agenda is a public utility easement from Robert D. Randall (Robert Randall Development Company) for Commission acceptance. The easement is for the Intake Assessment Center off-site sewer project that extends across Red Soils to Molalla Avenue.

As part of the City/County cooperation on the sewer project, the City volunteered to obtain the off-site easements for the project. This easement and an easement from the Danielson's are the only off-site easements needed.

Following completion of the project, the City will assume ownership and maintenance responsibility for the sewer line.

It is recommended the City Commission adopt a motion accepting the public utility easement and authorize the Mayor and City Recorder to execute respectively. Following execution the City Recorder will record in Clackamas County deed records.

CHARLES LEESON  
Interim City Manager

JGB:im

attach.

cc: Development Services Director

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT ~~The Robert Randall Company~~  
~~an Oregon Corporation~~ Robert D. Randall

hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain sanitary sewer on the following described land:

See attached Sketch and Legal Description entitled Exhibit "C"

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

The GRANTORS bargain, sell, convey, transfer and deliver unto CITY a temporary easement and right-of-way upon, across and under so much of the aforesaid land as described as:

See attached Sketch and Legal Description entitled Exhibit "D"

It being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being a permanent easement.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

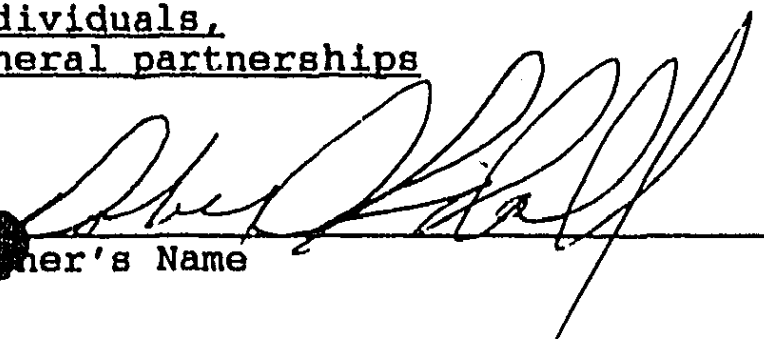
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 26 day of April, 1990; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals,  
general partnerships

  
\_\_\_\_\_  
Signer's Name

Corporation  
limited partnership

\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Signer's Name, Title

(if executed by a corporation  
affix corporate seal)

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

Personal Acknowledgment  
STATE OF OREGON

County of Multnomah )  
 ) SS.

Personally appeared the above  
named Robert D. Randall  
and  
acknowledged the foregoing  
instrument to be his  
voluntary act and deed.

Before me:

Mary L. McGinnis  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 11-15-93

(OFFICIAL SEAL)

Robert Randall  
9500 S. W. Barbur Blvd.  
Portland, Oregon 97219

(Grantor's Name and Address)

City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

(Grantee's Name and Address)

Accepted on behalf of the City of  
Oregon City on the condition that  
the easement granted is free and  
clear from taxes, liens and  
encumbrances.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

After Recording Return to:

City Engineer  
City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

Corporate Acknowledgment  
STATE OF OREGON

County of \_\_\_\_\_ )  
 ) SS.

Personally appeared \_\_\_\_\_  
and \_\_\_\_\_  
who being duly sworn, each for  
himself and not one for the other  
did say that the former is the \_\_\_\_\_  
president and that the latter is  
the \_\_\_\_\_ secretary of \_\_\_\_\_  
a corporation, and  
that the seal affixed to the  
foregoing instrument was signed and  
sealed in behalf of said corporation  
by authority of its board of  
directors; and each of them  
acknowledged said instrument to be  
its voluntary act and deed.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Space reserved for County  
Record's Office

**EXHIBIT "C"**  
**(Revised 5-8-80)**

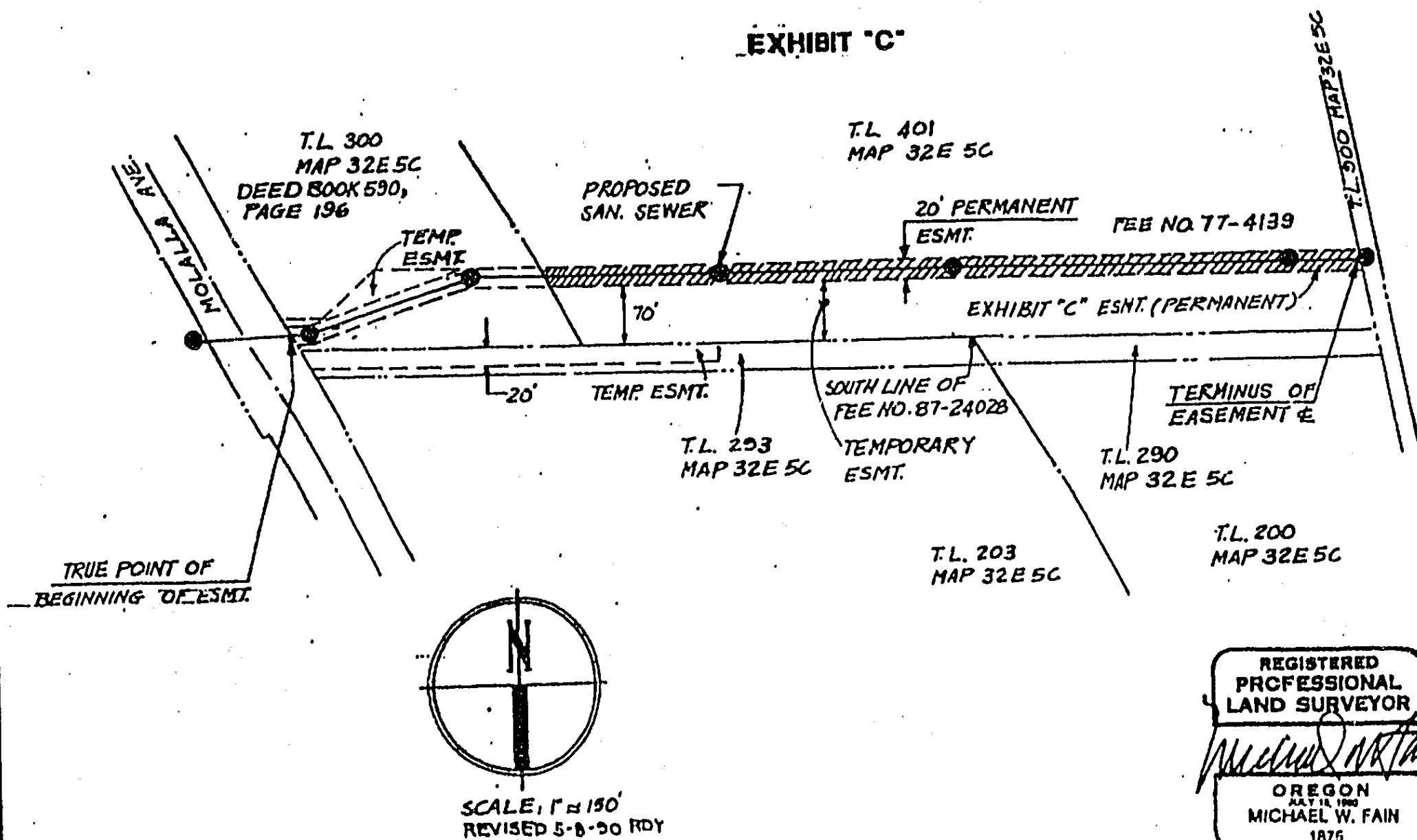
That portion of the following described 20.00 foot wide strip of land lying within that parcel of land recorded as Fee Number 77-4139 on February 3, 1977, Clackamas County Deed Records:

A strip of land, 20.00 feet wide, the centerline of which is described as follows:  
Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the easterly and westerly lines of said Fee Number 77-4139 parcel.

Contains 18,942 square feet, more or less.

# EXHIBIT "C"



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Michael W. Fain*  
OREGON  
JULY 18, 1980  
MICHAEL W. FAIN  
1875

INCORPORATED

17231 E. 10th Ave. #100, Portland, OR 97216 (503) 253-3348

101 E. 10th Ave., Vancouver, WA 98661 (509) 589-4337

251 Commercial, Portland, OR 97201 (503) 253-4446

STATE INTAKE & ASSESSMENT FACILITY

SANITARY SEWER EASEMENT MAP

PROJECT NO. 2625

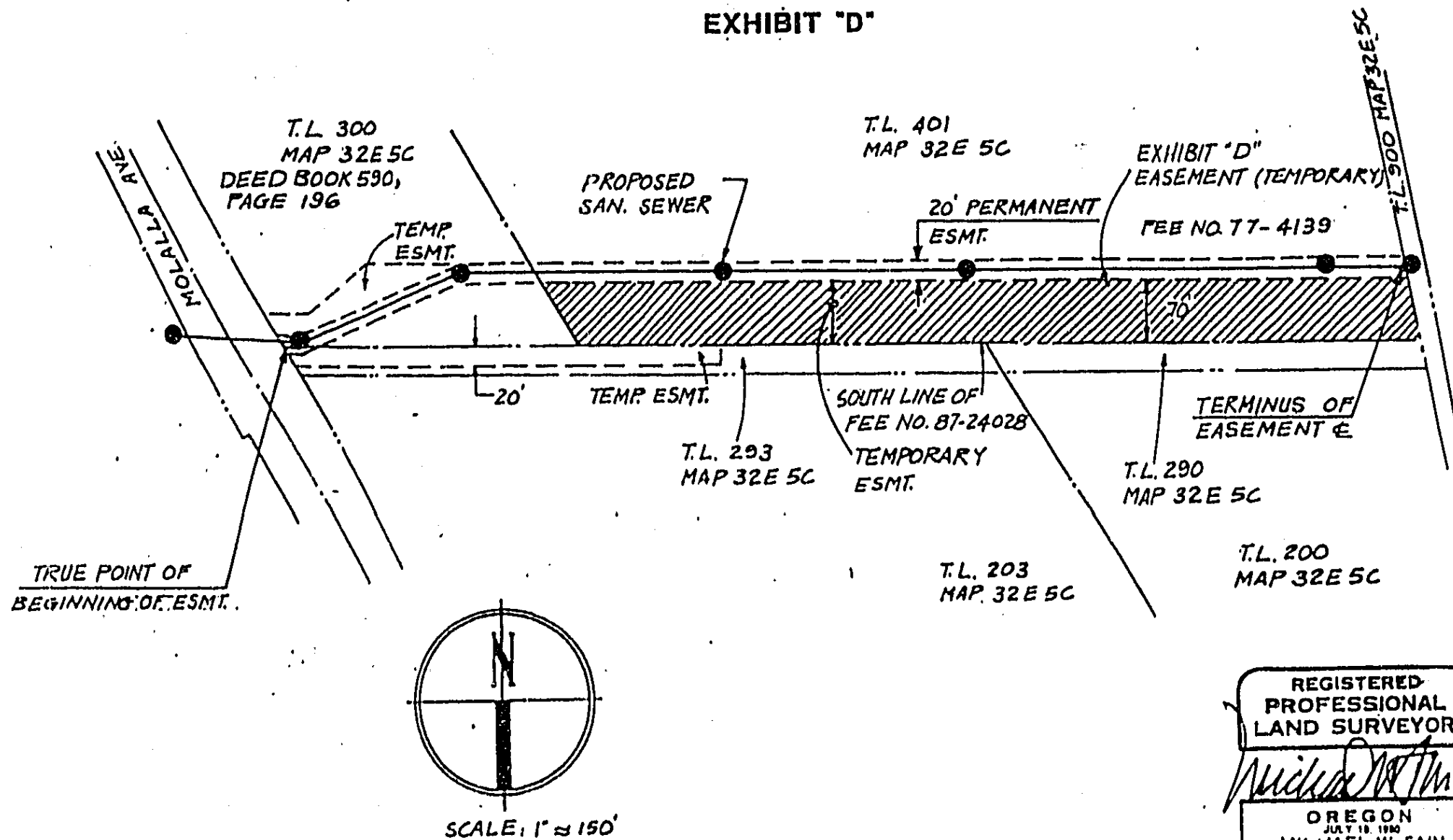
MARCH, 1990

**EXHIBIT "D"**

The northerly 70 feet of that parcel recorded as Fee Number 77-4139 on February 3, 1977,  
Clackamas County Deed Records.

Contains 65,200 square feet, more or less.

# EXHIBIT "D"



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Michael W. Fain*  
OREGON  
JULY 18, 1990  
MICHAEL W. FAIN  
1875

otak  
INC. ARCHITECTS, P.C.  
INCORPORATED  
17233 S.W. Highway Perry P.O. Box 10000, OR 97131, (503) 625-3000  
171 E. Main Street, Vancouver, WA 98660 (509) 586-0007

STATE INTAKE & ASSESSMENT FACILITY  
SANITARY SEWER EASEMENT MAP  
PROJECT NO. 2625  
MARCH 1990





**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Public Utility Easement Acceptance**  
**Gilman and Virginia Danielson**

**Report No. 90-105**

On the May 16, 1990 City Commission agenda is a public utility easement from Gilman and Virginia Danielson for Commission acceptance. The easement is for the Intake Assessment Center off-site sewer project that extends across Red Soils to Molalla Avenue.

As part of the City/County cooperation on the sewer project, the City volunteered to obtain the off-site easements for the project. This easement and an easement from the Robert Randall Company are the only off-site easements needed.

Following completion of the project, the City will assume ownership and maintenance responsibility for the sewer line.

It is recommended the City Commission adopt a motion accepting the public utility easement and authorize the Mayor and City Recorder to execute respectively. Following execution the City Recorder will record in Clackamas County deed records.

**CHARLES LEESON**  
Interim City Manager

JGB:im

attach.

cc: Development Services Director

**PUBLIC UTILITY(S) EASEMENT**

\_\_\_\_\_ hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain \_\_\_\_\_ sanitary sewer \_\_\_\_\_ on the following described land:

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

See attached Sketch and Legal Description entitled Exhibits "A" and "B"

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this \_\_\_\_ day of \_\_\_\_\_, 19\_\_; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals,  
general partnerships

Corporation  
limited partnership

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Signer's Name, Title

(if executed by a corporation  
affix corporate seal)

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

Personal Acknowledgment  
STATE OF OREGON )  
 ) ss.  
County of Clackamas )

Personally appeared the above  
named Gilman T. Danielson and  
Virginia W. Danielson and  
acknowledged the foregoing  
instrument to be their  
voluntary act and deed.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Gilman T. and Virginia W. Danielson  
P. O. Box 5490  
Oregon City, Oregon 97045

\_\_\_\_\_  
(Grantor's Name and Address)

City of Oregon City  
300 Warner Milne Road  
Oregon City, OR 97045

\_\_\_\_\_  
(Grantee's Name and Address)

Accepted on behalf of the City of  
Oregon City on the condition that  
the easement granted is free and  
clear from taxes, liens and  
encumbrances.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

After Recording Return to:

City Engineer  
City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

Corporate Acknowledgment  
STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

Personally appeared \_\_\_\_\_  
\_\_\_\_\_ and \_\_\_\_\_  
who being duly sworn, each for  
himself and not one for the other  
did say that the former is the \_\_\_\_\_  
\_\_\_\_\_ president and that the latter is  
the \_\_\_\_\_ secretary of \_\_\_\_\_  
\_\_\_\_\_ a corporation, and  
that the seal affixed to the  
foregoing instrument was signed and  
sealed in behalf of said corporation  
by authority of its board of  
directors; and each of them  
acknowledged said instrument to be  
its voluntary act and deed.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Space reserved for County  
Record's Office

**EXHIBIT "B"**  
**(Revised 5-8-90)**

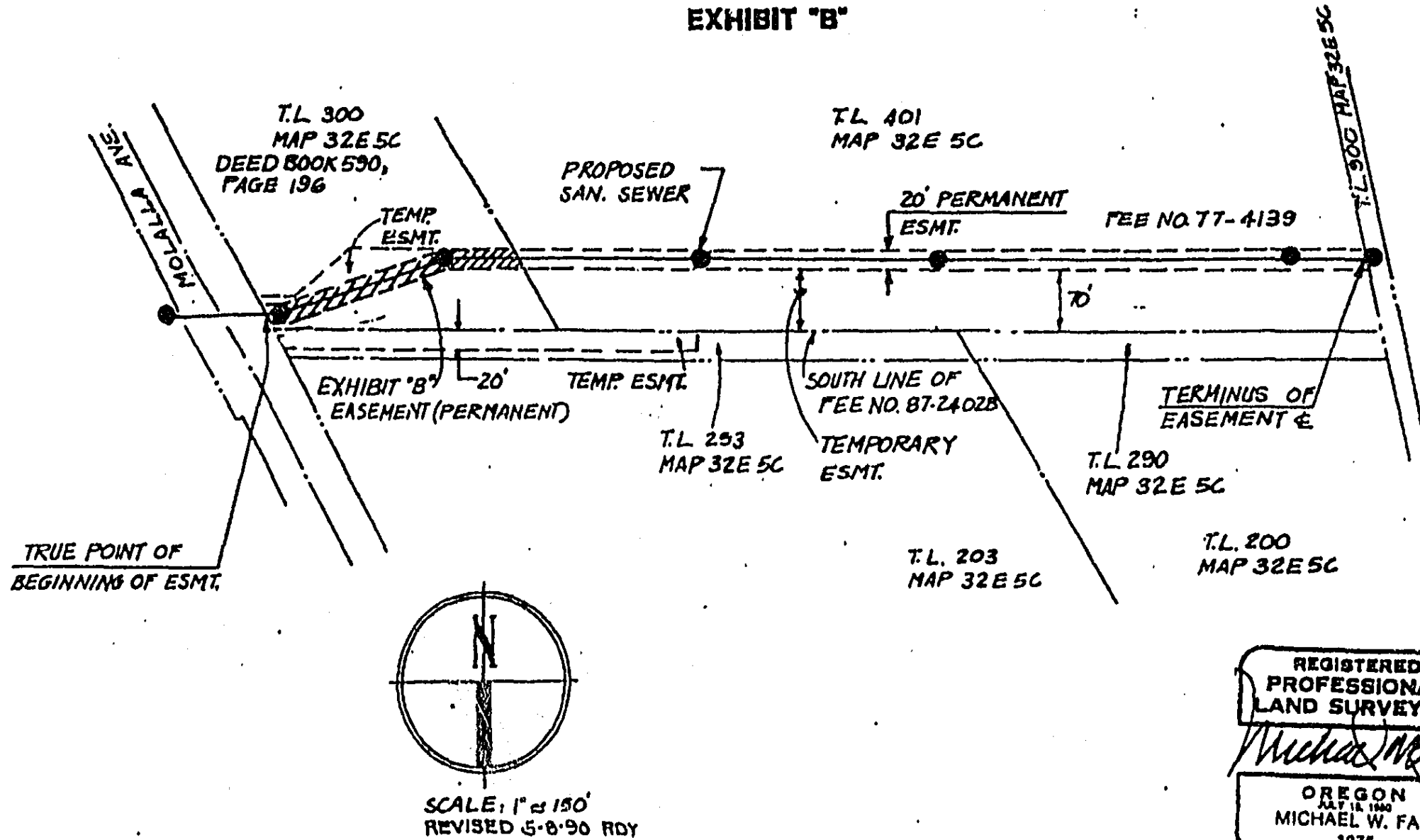
That portion of the following described 20.00 foot wide strip of land lying within that parcel of land described in Deed Book 590, page 196, recorded July 31, 1961, Clackamas County Deed Records:

A strip of land, 20.00 feet wide, the centerline of which is described as follows: Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, Clackamas County Deed Records, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the southwesterly line of said State Highway No. 213, and the westerly line of said Book 590, page 196 parcel.

Contains 6,171 square feet, more or less.

# EXHIBIT "B"



INC. ARCHITECTS, P.C.  
**otak**  
INCORPORATED  
1225 E. 10th Street, Portland, Oregon 97214 (503) 464-4447  
1000 N. 10th Street, Vancouver, BC V6P 1A1 (604) 681-4447  
2500 West 10th Street, Seattle, WA 98119 (206) 447-4447

STATE INTAKE & ASSESSMENT FACILITY  
SANITARY SEWER EASEMENT MAP  
PROJECT NO. 2625  
MARCH, 1990

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Michael W. Fain*  
OREGON  
JULY 18, 1990  
MICHAEL W. FAIN  
1875

**EXHIBIT F**  
**(Revised 5-8-80)**

Beginning at the intersection of the northerly line of that parcel conveyed to H-Line Construction, Inc. on July 31, 1961 in Deed Book 590, page 196, Clackamas County Records, with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 50 feet; thence N.82°08'40"W., 40 feet; thence S.59°52'20"W., 103 feet, more or less, to a point which is 90 feet southerly of, when measured at right angles to, the northerly line of said Book 590, page 196 parcel; thence N.89°47'W. parallel to said northerly line, 174 feet, more or less, to the westerly line of said Book 590, page 196 parcel; thence N.32°W. along said westerly line, 106 feet, more or less, to the northwest corner thereof; thence S.89°47'E., 335 feet, more or less, to the Point of Beginning.

**EXCEPT THE** following described 20 foot wide strip of land:

A strip of land, 20.00 feet wide, the centerline of which is described as follows:

Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the southwesterly line of said State Highway No. 213 and the westerly line of said Book 590, page 196 parcel.

Contains 18,300 square feet, more or less.

# CORRECTION

THIS DOCUMENT

HAS BEEN REPHOTOGRAPHED

TO ASSURE LEGIBILITY



**EXHIBIT "F"**  
**(Revised 5-8-80)**

Beginning at the intersection of the northerly line of that parcel conveyed to H-Line Construction, Inc. on July 31, 1961 in Deed Book 590, page 196, Clackamas County Records, with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 50 feet; thence N.82°08'40"W., 40 feet; thence S.59°52'20"W., 103 feet, more or less, to a point which is 90 feet southerly of, when measured at right angles to, the northerly line of said Book 590, page 196 parcel; thence N.89°47'W. parallel to said northerly line, 174 feet, more or less, to the westerly line of said Book 590, page 196 parcel; thence N.32°W. along said westerly line, 106 feet, more or less, to the northwest corner thereof; thence S.89°47'E., 335 feet, more or less, to the Point of Beginning.

**EXCEPT THE** following described 20 foot wide strip of land:

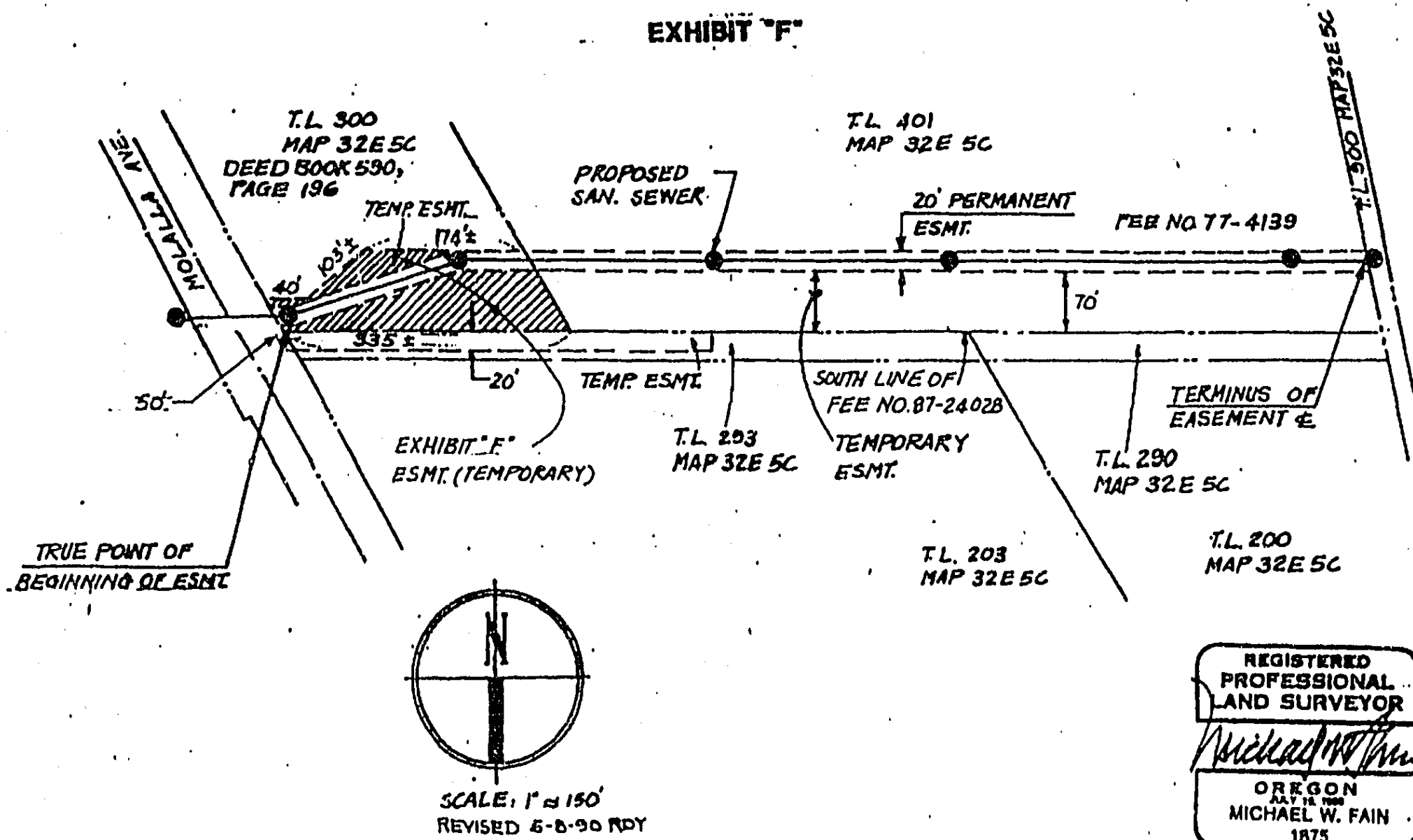
A strip of land, 20.00 feet wide, the centerline of which is described as follows:

Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the southwesterly line of said State Highway No. 213 and the westerly line of said Book 590, page 196 parcel.

Contains 18,300 square feet, more or less.

# EXHIBIT "F"



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Michael W. Fain*

OREGON  
JULY 18, 1988  
MICHAEL W. FAIN  
1875

INCORPORATED

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF OREGON, LICENSE NO. 1875

2000 NE 10th St., Portland, OR 97232

TEL: 503-255-1111 FAX: 503-255-1112

STATE INTAKE & ASSESSMENT FACILITY

SANITARY SEWER EASEMENT MAP.

PROJECT NO. 2625

MARCH, 1990.



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Water Fund System Development Fee -  
Oregon City School District -  
Request for Waiver of Fee**

**Report No. 90-106**

On the May 16, 1990 agenda is a request from the Oregon City School District for waiver of the \$3,200 Water Fund System Development Fee for the installation of a 2-inch water meter at Gaffney Lane Elementary School.

On May 3, 1990 a letter (copy attached) was sent by the School District which outlined the development of recreational, i.e. soccer, softball and baseball, facilities for community and school use. As the letter outlines, through donations and fundraising, and donated labor, facilities have been developed at Gaffney Lane School. In order to maintain the new fields, a sprinkling system is needed; therefore, the installation of a water meter. A representative of the School District will be present at the meeting to answer any questions regarding this request.

This matter is presented to the City Commission for direction to staff regarding the request to waive the \$3,200 System Development Fee.

**CHARLES LEESON**  
Interim City Manager

jke  
Attach.  
cc:

Development Services Director  
Finance Officer  
Barry Rotrock, Assistant Superintendent

Clackamas County  
School District 62  
Oregon City

Barry Rotrock  
Assistant Superintendent

# Oregon City Public Schools



1417 Twelfth St., P.O. Box 591 • Oregon City, OR 97045 • 656-4283 FAX 657-2492

May 3, 1990

Mr. Charles Leeson  
Acting City Manager  
City of Oregon City  
320 Warner Milne Road  
Oregon City, Oregon 97045

Dear Mr. Leeson:

As per our phone conversation on Wednesday, May 2, we would like to ask the City Commission to waive the \$3200 developmental fee related to the installation of a 2-inch water meter at Gaffney Lane Elementary School.

As you are aware, Oregon City School District, the City of Oregon City and Clackamas Community College have been working together the past two years to develop more recreational facilities for our Oregon City community. We have an extreme shortage of soccer, softball, and baseball facilities for city and school use.

At a meeting at Clackamas Community College with college officials, city representatives, and school district representatives, we brainstormed a list of possible sites that could be developed either temporarily or permanently for community recreational use. As a result of this brainstorming session, Gaffney Lane Elementary School was identified as a logical site to develop additional soccer facilities.

Oregon City School District has suffered the same financial problems that you in city government have faced, and therefore had no district funds to put into this project. However we have, through donations and fundraising, been able to spend \$10,000, and a tremendous amount of donated labor, primarily by Dan Serres, to develop what we currently have at Gaffney Lane Elementary School. In order to maintain the new fields, it is imperative that we install a sprinkling system.

We feel that since the facility will be used by city recreation groups and the community as well as Oregon City School District, it would be appropriate to waive the \$3200 developmental fee.

As I understand through our telephone conversation, this will be presented at the May 16, 1990 commission meeting. We will have a representative of the school district at that meeting to answer any questions you may have regarding this request.

Thank you very much for your time and consideration.

Sincerely

Barry Rotrock  
Assistant Superintendent



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Supplemental Budget No. 2 for  
Fiscal Year 1989-90 - Commission  
Acceptance**

**Report No. 90-107**

On May 7, 1990, the Budget Committee approved Supplemental Budget No. 2 for fiscal year 1989-90 and referred it to the City Commission for acceptance. Wednesday, June 20, 1990, 8:00 p.m., has been scheduled as the time and date of public hearing.

First Notice of Public Hearing will be published on Tuesday, June 5, 1990 with Second Notice published on Tuesday, June 12, 1990. Listed within that publication are resources and requirements needed for the different funds.

Attached to this report is an explanation of the activity related to each of the funds involved. Based upon the need, it is recommended that the 1989-90 Supplemental Budget No. 2 be accepted with the public hearing scheduled.

**CHARLES LEESON**  
Interim City Manager

jke  
Attach.  
cc:

Budget Committee Members  
Department Directors

CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
UTILITY BILLING FUND

BUDGET COMMITTEE  
MAY 7, 1990

Establishing the Utility Billing Fund

The City of Oregon City has several enterprise funds. These funds charge for services and are entirely supported by fees for service. This interservice fund charges each of the enterprise funds for the collection of those fees.

Line  
Num.

REVENUES:

551	Service to Water Fund	\$58,398
552	Service to Sewer Fund	58,398
553	Service to Storm Drain Fund	20,699
554	Service to Brush Pickup Fund	7,200
581	Miscellaneous	0
711	Interest	0
911	Beginning Cash Balance	0

-----  
\$144,695  
=====

EXPENDITURES: Materials and Services

100	Salaries	\$37,455
200	Benefit costs	13,240
300	Materials & Services	52,000
400	Materials & Services	0
500	Capital outlay - replacement	30,600
550	Capital outlay - new equipment	6,400
531	Modify facilities	5,000

-----  
\$144,695  
=====

The collection costs for all enterprise funds will be paid by the Utility Billing Fund. Each fund will pay its proportional cost of the collection cost, including the equipment and administration costs. Keeping the collection function in a single fund makes the bookkeeping much simpler and provides a clearer summary of the costs of providing the service. Previously the effort was merged in the General Fund finance department or in individual programs in each of the utility funds. Neither of those methods provided as reasonable and clear a discription of the program costs as the creation of a single fund.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
 SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
 WATER FUND

BUDGET COMMITTEE  
 MAY 7, 1990

Adjusting the Water Fund to Pay for Utility Billing

The City of Oregon City has several enterprise funds. These funds charge for services and are entirely supported by fees for service. This interservice fund charges each of the enterprise funds for the collection of those fees.

Line  
 Num.

REVENUES:

THERE IS NO CHANGE IN THE REVENUE

-----  
 \$0  
 =====

EXPENDITURES: Materials and Services

100 Salaries	(12,582)
200 Benefit costs	(4,816)
300 Materials & Services	(20,800)
400 Materials & Services	
530 Capital outlay - replacement	(17,000)
550 Capital outlay - new equipment	(3,200)
917 Payment for services by another city fund	58,398

-----  
 \$0  
 =====

The collection costs for all enterprise funds will be paid by the Utility Billing Fund. Each fund will pay its proportional cost of the collection cost, including the equipment and administration costs. Keeping the collection function in a single fund makes the bookkeeping much simpler and provides a clearer summary of the costs of providing the service. Previously the effort was merged in the General Fund finance department or in individual programs in each of the utility funds. Neither of those methods provided as reasonable and clear a discription of the program costs as the creation of a single fund.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
 SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
 SEWER FUND

BUDGET COMMITTEE  
 MAY 7, 1990

Adjusting the Sewer Fund to Pay for Utility Billing  
 The City of Oregon City has several enterprise funds. These funds charge for services and are entirely supported by fees for service. This interservice fund charges each of the enterprise funds for the collection of those fees.

Line  
 Num.

REVENUES:

THERE IS NO CHANGE IN THE REVENUE

-----  
 \$0  
 =====

EXPENDITURES: Materials and Services

100 Salaries	(12,582)
200 Benefit costs	(4,816)
300 Materials & Services	(20,800)
400 Materials & Services	
530 Capital outlay - replacement	(17,000)
550 Capital outlay - new equipment	(3,200)
917 Payment for services by another city fund	58,398

-----  
 \$0  
 =====

The collection costs for all enterprise funds will be paid by the Utility Billing Fund. Each fund will pay its proportional cost of the collection cost, including the equipment and administration costs. Keeping the collection function in a single fund makes the bookkeeping much simpler and provides a clearer summary of the costs of providing the service. Previously the effort was merged in the General Fund finance department or in individual programs in each of the utility funds. Neither of those methods provided as reasonable and clear a discription of the program costs as the creation of a single fund.

Future action by the City Commission will determine the use of Contingency funds.



CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
STORM DRAIN FUND

BUDGET COMMITTEE  
MAY 7, 1990

Adjusting the Storm Drain Fund to Pay for Utility Billing  
The City of Oregon City has several enterprise funds. These funds charge for services and are entirely supported by fees for service. This interservice fund charges each of the enterprise funds for the collection of those fees.

Line  
Num.

REVENUES:

THERE IS NO CHANGE IN THE REVENUE

-----  
\$0  
=====

EXPENDITURES: Materials and Services

100 Salaries	(6,291)
200 Benefit costs	(2,408)
300 Materials & Services	(10,400)
400 Materials & Services	
530 Capital outlay - replacement	(1,600)
550 Capital outlay - new equipment	0
917 Payment for services by another city fund	20,699

-----  
\$0  
=====

The collection costs for all enterprise funds will be paid by the Utility Billing Fund. Each fund will pay its proportional cost of the collection cost, including the equipment and administration costs. Keeping the collection function in a single fund makes the bookkeeping much simpler and provides a clearer summary of the costs of providing the service. Previously the effort was merged in the General Fund finance department or in individual programs in each of the utility funds. Neither of those methods provided as reasonable and clear a discription of the program costs as the creation of a single fund.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
BRUSH PICKUP FUND

BUDGET COMMITTEE  
MAY 7, 1990

Adjusting the Brush Pickup Fund to Pay for Utility Billing  
The City of Oregon City has several enterprise funds. These funds charge for services and are entirely supported by fees for service. This interservice fund charges each of the enterprise funds for the collection of those fees.

Line  
Num.

REVENUES:

Brush Pickup Fee 10,000

-----  
\$10,000  
=====

EXPENDITURES: Materials and Services

100 Salaries  
200 Benefit costs  
300 Materials & Services  
400 Materials & Services  
530 Capital outlay - replacement  
550 Capital outlay - new equipment  
917 Payment for services by another city fund 7,200  
888 Contingency 2,800

-----  
\$10,000  
=====

The collection costs for all enterprise funds will be paid by the Utility Billing Fund. Each fund will pay its proportional cost of the collection cost, including the equipment and administration costs. Keeping the collection function in a single fund makes the bookkeeping much simpler and provides a clearer summary of the costs of providing the service. Previously the effort was merged in the General Fund finance department or in individual programs in each of the utility funds. Neither of those methods provided as reasonable and clear a discription of the program costs as the creation of a single fund.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
PUBLIC WORKS (STREET)

BUDGET COMMITTEE  
MAY 7, 1990

Including Facility Maintenance Within the Street Fund  
The budget for 1989-90 as originally adopted separated the function of service to other funds for facility maintenance from Streets and created a separate fund. This adjusts the budget so that the function is a part of Streets again.

Line Num.	Street Operations	
REVENUES:		
550	Service to other funds for facility maintenance	\$137,499
898	General Fund transfer for elevator	62,000
911	Beginning Cash Balance	0
		-----
		\$199,499
		=====
EXPENDITURES: Materials and Services		
100	Salaries	\$89,238
200	Benefit costs	42,841
300	Materials & Services	10,920
300	Materials & Services	56,400
530	Capital outlay - replacement	0
550	Capital outlay - new equipment	0
531	Modify facilities	100
		0
		-----
		\$199,499
		=====

The cost of maintaining facilities is not an allowable cost for the State Gas Tax receipts, which fund the Public Works Street program. Any work performed for other funds will be billed and reimbursed, with the net cost of the program being the allowed costs of street maintenance. Included in the Facilities Maintenance Fund was the operation of the elevator. The transfer of this function is reallocated to Public Works as a program just as it has been budgeted for 1990-91.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
BUILDING MAINTENANCE

BUDGET COMMITTEE  
MAY 7, 1990

Including Building Maintenance Within the Street Fund

The budget for 1989-90 as originally adopted separated the function of service to other funds for facility maintenance from Streets and created a separate fund. This adjusts the budget so that the function is a part of Streets again.

Line  
Num.

Facilities Service

REVENUES:

Service to other funds for facility  
maintenance

(137,499)

General Fund transfer for elevator  
Beginning Cash Balance

0

-----  
(\$137,499)  
=====

EXPENDITURES: Materials and Services

100	Salaries	(47,238)
200	Benefit costs	(22,841)
300	Materials & Services	(10,920)
400	Materials & Services	(56,400)
530	Capital outlay - replacement	
550	Capital outlay - new equipment	
917	Modify facilities	
888	Contingency	(100)
912	Pro-rated Admin. Expense	

-----  
(\$137,499)  
=====

The cost of maintaining facilities is not an allowable cost for the State Gas Tax receipts, which fund the Public Works Street program. Any work performed for other funds will be billed and reimbursed, with the net cost of the program being the allowed costs of street maintenance. Included in the Facilities Maintenance Fund was the operation of the elevator. The transfer of this function is reallocated to Public Works as a program just as it has been budgeted for 1990-91.

Future action by the City Commission will determine the use of Contingency funds.

CITY OF OREGON CITY  
SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1989-90  
BUILDING MAINTENANCE

BUDGET COMMITTEE  
MAY 7, 1990

Including Building Maintenance Within the Street Fund

The budget for 1989-90 as originally adopted separated the function of service to other funds for facility maintenance from Streets and created a separate fund. This adjusts the budget so that the function is a part of Streets again.

Line  
Num.

Elevator Operations

REVENUES:

Service to other funds for facility  
maintenance

0

General Fund transfer for elevator  
Beginning Cash Balance

(62,000)

-----  
(\$62,000)  
=====

EXPENDITURES: Materials and Services

100 Salaries  
200 Benefit costs  
300 Materials & Services  
Materials & Services  
530 Capital outlay - replacement  
550 Capital outlay - new equipment  
917 Payment for services by another city fund

(42,000)

(20,000)

-----  
(\$62,000)  
=====

The cost of maintaining facilities is not an allowable cost for the State Gas Tax receipts, which fund the Public Works Street program. Any work performed for other funds will be billed and reimbursed, with the net cost of the program being the allowed costs of street maintenance. Included in the Facilities Maintenance Fund was the operation of the elevator. The transfer of this function is reallocated to Public Works as a program just as it has been budgeted for 1990-91.

Future action by the City Commission will determine the use of Contingency funds.



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Agreement for Indigent Defense Counsel  
Fiscal Years 1990 - 1992**

**Report No. 90-108**

On June 2, 1988, the Administrative Services Director as a representative of Oregon City, entered into an agreement to provide indigent defense counsel for the period of July 1, 1988 through June 30, 1990 at the rate of \$90 per unit.

On the May 16, 1990 agenda, there is a proposed agreement (copy attached) to provide indigent defense counsel between the City of Oregon City and the firms of Ronald L. Gray and Brisbin & Vess for the term of July 1, 1990 through June 30, 1992.

The proposed agreement remains the same with the exception of Case Assignment, which states that the City may retain five (5) attorneys, three (3) principal contractors and two (2) conflict contractors. This change is due to increased caseload and complexity of the cases now filed, also multiple offenders for the same case.

This agreement provides for a division of the caseload among three (3) attorneys, two law firms, at a cost-per-case of \$100 per unit for the 1990-91 fiscal year, increasing to \$110 per unit for the 1991-92 fiscal year.

Based upon the need for the City to provide counsel for indigent cases and that the proposal takes the case from filing to completion with no additional costs, it is recommended that the proposed agreement be accepted.

**CHARLES LEESON**  
Interim City Manager

jke  
Attach.  
cc:

Municipal Court Clerk  
Ronald L. Gray, Attorney at Law  
Brisbin & Vess, Attorneys at Law  
Finance Officer

AGREEMENT BETWEEN THE CITY OF OREGON CITY  
AND  
Karen Brisbin, ATTORNEY AT LAW

This agreement by and between the City of Oregon City, hereinafter referred to as "City", and Karen Brisbin, hereinafter referred to as "Attorney."

DEFINITIONS:

The following definitions control the interpretation of this Agreement:

**Indigent:** An indigent defendant is a person determined by the trial court as being eligible for court-appointed counsel.

**Legal Services:** Legal services shall mean and include the comprehensive provision of legal advice and assistance subsequent to court appointment to persons determined indigent by the trial court on all matters related to a pending case, representation at all court proceedings including trial, and representation through judgment on the case.

**Case:** A case means a misdemeanor case or a traffic case.

**Pending Case:** A pending case is any case in the Attorney's office which has been assigned to Attorney through court appointment and which has not been closed.

**Misdemeanor Case:** A misdemeanor case means one defendant and one transaction, although it may include multiple misdemeanors arising out of the same transaction if charged in the same charging instrument. A misdemeanor case means a criminal case defined in ORS 161.545, or the violation of any City Ordinance. A misdemeanor case may also include any misdemeanor probation violation.

**Traffic Case:** A traffic case means one defendant and one transaction, although it may include multiple charges arising out of the same transaction if they are charge in the same charging instrument or if independent traffic citations are appropriately merged by the first appearance of the defendant with the Attorney. A traffic case includes all traffic charges which carry a potential of incarceration as the original sentence. A traffic case also includes all traffic probation violations.

**Reappointments:** A case includes a reappointment on a case if defendant fails to appear and is brought before the Court within 60 days of the failure to appear date. In this situation, the Attorney will not receive additional case credit. If a defendant is arraigned in court on a probation violation allegation within 30 days of being sentenced, the attorney will remain on the case without additional compensation. If a client is ordered to appear for revocation of diversion within 30 days of the order setting diversion, the attorney will remain on the case without additional compensation.

## GENERAL PROVISIONS:

Attorney agrees to provide legal services to indigent defendants in the Municipal Court of Oregon City for cases as defined in the Definitions section of this Agreement.

1. TERM: The term of this Agreement shall be from 1 July 1990 to 30 June 1992.

2. CASE ASSIGNMENT: The City agrees to retain no more than five attorneys under similar agreement, three (3) principal contractors, two (2) conflict contractors, to provide indigent defense, except that where none of the five attorneys are able to provide legal services because of conflict of interest or other reasons acceptable to the Court, the City may appoint another attorney.

3. COMPENSATION: The City shall pay each Attorney \$100 per case during the period of 1 July 1990 through 30 June 1991. The City shall pay each Attorney \$110 per case during the period of 1 July 1991 through 30 June 1992. Payment will be made by check by the 15th of each month for all cases appointed in previous month. the City agrees to issue checks in the name of Karen Brisbin, Attorney at Law.

4. EXPENSES AND COSTS: Each Attorney shall be responsible for all expenses related to case investigation, preparation and investigation, preparation and trial of a case assigned hereunder, shall be paid by City. Such extraordinary expenses include, but are not limited to, costs imposed by the City Attorney or City Police department to provide discovery material or related services.

5. WITHDRAWAL: Withdrawal on the basis of conflict of interest shall be at the discretion of Attorney. All other withdrawals shall be made only with prior approval of the Court.

6. ASSIGNMENT AND LIABILITY: Attorney shall neither subcontract with others for any of the work prescribed herein nor assign any of Attorney's rights acquired hereunder without obtaining prior written approval of the City. Under this Agreement, City incurs no liability to third persons for payment of any compensation provided herein to Attorney.

7. TERMINATION: Should City or Attorney wish to terminate this Agreement, sixty days written notice of termination shall be provided. Upon receipt of notice from the City, Attorney may, at his/her option, suspend the taking of any further cases and so notify City immediately.

8. HOLD HARMLESS: Attorney shall save and hold harmless City, its officers, agents, employees and members from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of Attorney or its agents or employees under this Agreement.



Karen Brisbin, Attorney at Law

CITY OF OREGON CITY

BY: Karen Brisbin  
Karen Brisbin

BY: \_\_\_\_\_  
MAYOR

Dated: 4/17/90

\_\_\_\_\_  
CITY RECORDER

Dated: \_\_\_\_\_

AGREEMENT BETWEEN THE CITY OF OREGON CITY  
AND  
Steve Vess, ATTORNEY AT LAW

This agreement by and between the City of Oregon City, hereinafter referred to as "City", and Steve Vess, hereinafter referred to as "Attorney."

DEFINITIONS:

The following definitions control the interpretation of this Agreement:

**Indigent:** An indigent defendant is a person determined by the trial court as being eligible for court-appointed counsel.

**Legal Services:** Legal services shall mean and include the comprehensive provision of legal advice and assistance subsequent to court appointment to persons determined indigent by the trial court on all matters related to a pending case, representation at all court proceedings including trial, and representation through judgment on the case.

**Case:** A case means a misdemeanor case or a traffic case.

**Pending Case:** A pending case is any case in the Attorney's office which has been assigned to Attorney through court appointment and which has not been closed.

**Misdemeanor Case:** A misdemeanor case means one defendant and one transaction, although it may include multiple misdemeanors arising out of the same transaction if charged in the same charging instrument. A misdemeanor case means a criminal case defined in ORS 161.545, or the violation of any City Ordinance. A misdemeanor case may also include any misdemeanor probation violation.

**Traffic Case:** A traffic case means one defendant and one transaction, although it may include multiple charges arising out of the same transaction if they are charge in the same charging instrument or if independent traffic citations are appropriately merged by the first appearance of the defendant with the Attorney. A traffic case includes all traffic charges which carry a potential of incarceration as the original sentence. A traffic case also includes all traffic probation violations.

**Reappointments:** A case includes a reappointment on a case if defendant fails to appear and is brought before the Court within 60 days of the failure to appear date. In this situation, the Attorney will not receive additional case credit. If a defendant is arraigned in court on a probation violation allegation within 30 days of being sentenced, the attorney will remain on the case without additional compensation. If a client is ordered to appear for revocation of diversion within 30 days of the order setting diversion, the attorney will remain on the case without additional compensation.

## GENERAL PROVISIONS:

Attorney agrees to provide legal services to indigent defendants in the Municipal Court of Oregon City for cases as defined in the Definitions section of this Agreement.

1. TERM: The term of this Agreement shall be from 1 July 1990 to 30 June 1992.

2. CASE ASSIGNMENT: The City agrees to retain no more than five attorneys under similar agreement, three (3) principal contractors, two (2) conflict contractors, to provide indigent defense, except that where none of the five attorneys are able to provide legal services because of conflict of interest or other reasons acceptable to the Court, the City may appoint another attorney.

3. COMPENSATION: The City shall pay each Attorney \$100 per case during the period of 1 July 1990 through 30 June 1991. The City shall pay each Attorney \$110 per case during the period of 1 July 1991 through 30 June 1992. Payment will be made by check by the 15th of each month for all cases appointed in previous month. the City agrees to issue checks in the name of Steve Vess, Attorney at Law.

4. EXPENSES AND COSTS: Each Attorney shall be responsible for all expenses related to case investigation, preparation and investigation, preparation and trial of a case assigned hereunder, shall be paid by City. Such extraordinary expenses include, but are not limited to, costs imposed by the City Attorney or City Police department to provide discovery material or related services.

5. WITHDRAWAL: Withdrawal on the basis of conflict of interest shall be at the discretion of Attorney. All other withdrawals shall be made only with prior approval of the Court.

6. ASSIGNMENT AND LIABILITY: Attorney shall neither subcontract with others for any of the work prescribed herein nor assign any of Attorney's rights acquired hereunder without obtaining prior written approval of the City. Under this Agreement, City incurs no liability to third persons for payment of any compensation provided herein to Attorney.

7. TERMINATION: Should City or Attorney wish to terminate this Agreement, sixty days written notice of termination shall be provided. Upon receipt of notice from the City, Attorney may, at his/her option, suspend the taking of any further cases and so notify City immediately.

8. HOLD HARMLESS: Attorney shall save and hold harmless City, its officers, agents, employees and members from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of Attorney or its agents or employees under this Agreement.

Steve Vess, Attorney at Law

CITY OF OREGON CITY

BY:   
Steve Vess

BY: \_\_\_\_\_  
MAYOR

Dated: 7/17/90

\_\_\_\_\_  
CITY RECORDER

Dated: \_\_\_\_\_

AGREEMENT BETWEEN THE CITY OF OREGON CITY  
AND  
RONALD L. GRAY, ATTORNEY AT LAW

This agreement by and between the City of Oregon City, hereinafter referred to as "City", and Ronald L. Gray, hereinafter referred to as "Attorney."

DEFINITIONS:

The following definitions control the interpretation of this Agreement:

**Indigent:** An indigent defendant is a person determined by the trial court as being eligible for court-appointed counsel.

**Legal Services:** Legal services shall mean and include the comprehensive provision of legal advice and assistance subsequent to court appointment to persons determined indigent by the trial court on all matters related to a pending case, representation at all court proceedings including trial, and representation through judgment on the case.

**Case:** A case means a misdemeanor case or a traffic case.

**Pending Case:** A pending case is any case in the Attorney's office which has been assigned to Attorney through court appointment and which has not been closed.

**Misdemeanor Case:** A misdemeanor case means one defendant and one transaction, although it may include multiple misdemeanors arising out of the same transaction if charged in the same charging instrument. A misdemeanor case means a criminal case defined in ORS 161.545, or the violation of any City Ordinance. A misdemeanor case may also include any misdemeanor probation violation.

**Traffic Case:** A traffic case means one defendant and one transaction, although it may include multiple charges arising out of the same transaction if they are charge in the same charging instrument or if independent traffic citations are appropriately merged by the first appearance of the defendant with the Attorney. A traffic case includes all traffic charges which carry a potential of incarceration as the original sentence. A traffic case also includes all traffic probation violations.

**Reappointments:** A case includes a reappointment on a case if defendant fails to appear and is brought before the Court within 60 days of the failure to appear date. In this situation, the Attorney will not receive additional case credit. If a defendant is arraigned in court on a probation violation allegation within 30 days of being sentenced, the attorney will remain on the case without additional compensation. If a client is ordered to appear for revocation of diversion within 30 days of the order setting diversion, the attorney will remain on the case without additional compensation.

## GENERAL PROVISIONS:

Attorney agrees to provide legal services to indigent defendants in the Municipal Court of Oregon City for cases as defined in the Definitions section of this Agreement.

1. TERM: The term of this Agreement shall be from 1 July 1990 to 30 June 1992.

2. CASE ASSIGNMENT: The City agrees to retain no more than five attorneys under similar agreement, three (3) principal contractors, two (2) conflict contractors, to provide indigent defense, except that where none of the five attorneys are able to provide legal services because of conflict of interest or other reasons acceptable to the Court, the City may appoint another attorney.

3. COMPENSATION: The City shall pay each Attorney \$100 per case during the period of 1 July 1990 through 30 June 1991. The City shall pay each Attorney \$110 per case during the period of 1 July 1991 through 30 June 1992. Payment will be made by check by the 15th of each month for all cases appointed in previous month. the City agrees to issue checks in the name of Ronald L. Gray, Attorney at Law.

4. EXPENSES AND COSTS: Each Attorney shall be responsible for all expenses related to case investigation, preparation and investigation, preparation and trial of a case assigned hereunder, shall be paid by City. Such extraordinary expenses include, but are not limited to, costs imposed by the City Attorney or City Police department to provide discovery material or related services.

5. WITHDRAWAL: Withdrawal on the basis of conflict of interest shall be at the discretion of Attorney. All other withdrawals shall be made only with prior approval of the Court.

6. ASSIGNMENT AND LIABILITY: Attorney shall neither subcontract with others for any of the work prescribed herein nor assign any of Attorney's rights acquired hereunder without obtaining prior written approval of the City. Under this Agreement, City incurs no liability to third persons for payment of any compensation provided herein to Attorney.

7. TERMINATION: Should City or Attorney wish to terminate this Agreement, sixty days written notice of termination shall be provided. Upon receipt of notice from the City, Attorney may, at his/her option, suspend the taking of any further cases and so notify City immediately.

8. HOLD HARMLESS: Attorney shall save and hold harmless City, its officers, agents, employees and members from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of Attorney or its agents or employees under this Agreement.

RONALD L. GRAY, Attorney at Law

CITY OF OREGON CITY

BY:

Ronald L. Gray  
RONALD L. GRAY

BY:

\_\_\_\_\_  
MAYOR

Dated:

3/29/90

\_\_\_\_\_  
CITY RECORDER

Dated: \_\_\_\_\_



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED  
May 16, 1990

## COMMISSION REPORT

1 1  
Page \_\_\_\_ of \_\_\_\_

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Continued Public Hearing -  
Creation of a New Zoning District  
"TC" Tourist Commercial Zone**

**Report No. 90-109**

At the April 4, 1990 City Commission meeting, the proposal for the creation of a new "TC" Tourist Commercial zone was referred back to the Planning Commission for additional review.

As recommended, the consultants for the End of the Oregon Trail Master Plan have reviewed the proposed ordinance and provide the following comments:

- o Allow amphitheater/auditorium uses as permitted uses.
- o Allow recreational vehicle parks and golf course/driving ranges as conditional uses.
- o Allow multiple-family residential uses as conditional uses. The uses could be considered as a percentage of a mixed use development.
- o Regarding maximum building height, 4-6 stories should be considered for office and motel/hotel uses.

Other items that should be considered are:

- o Lot coverage for buildings and height restrictions in the EOT area of 35 feet.

The Planning Commission considered these comments at their May 10th meeting. Areas of concern were for the specific percentage that should be allowed for a mixed-use development, and building height. The Planning Commission also felt that any proposal requiring a large land area (5 or more acres) should possibly be a conditional use. The Planning Commission directed staff to schedule an additional work session to discuss the unresolved issues, and asked for input from the consultants and/or County staff.

It is requested that the City Commission continue the public hearing on the "TC" Tourist Commercial zone to Wednesday, June 20, 1990, at 8:00 PM.

CHARLES LEESON  
Interim City Manager

cc: Development Services Director  
Planning Division





**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Proposed Ordinance No. 90-1026, An  
Ordinance Amending Title V: Business  
Regulations, Chapter 13: Private Security  
Officer; Private Investigator, of the  
1963 City Code, and Declaring an Emergency

**Report No. 90-110**

On the May 16, 1990 agenda is proposed Ordinance No. 90-1026 (copy attached) which is a general housekeeping ordinance to upgrade the City's requirements for private security officers and security companies.

Specifically, the proposed ordinance better outlines the license requirements and addresses the need for uniforms and vehicles to be not the same as, or similar to those of the City Police or reserves and that the designs and identifying marks be reviewed and approved by the Chief of Police prior to use; it more specifically outlines the applications process and specifies the fees; and outlines a denial, revocation and suspension of license process along with the addition of a violation and penalty clause.

Notice of proposed Ordinance No. 90-1026 has 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 is recommended that first and second readings be approved unanimously for final enactment to become effective immediately.

CHARLES LEESON  
Interim City Manager

jke  
Attach.  
cc:

Chief of Police  
Finance Officer

N O T I C E

NOTICE IS HEREBY GIVEN that proposed ORDINANCE NO. 90-1026 of the City of Oregon City, Clackamas County, Oregon, three copies of which are available for public inspection at the office of the City Recorder, 320 Warner Milne Road, Oregon City, Oregon.

Said Ordinance will be considered by the City Commission at its meeting on the 16th day of May, 1990, at the hour of 8:00 o'clock p.m. The title of said Ordinance is as follows:

AN ORDINANCE AMENDING TITLE V: BUSINESS REGULATIONS, CHAPTER 13: PRIVATE SECURITY OFFICER; PRIVATE INVESTIGATOR, OF THE 1963 CITY CODE, AND DECLARING AN EMERGENCY.

POSTED this 9th day of May, 1990, by direction of the City Recorder. Places of posting are as follows:

1. City Hall, 320 Warner Milne Road, Oregon City, Oregon.
2. Courthouse, 807 Main Street, Oregon City, Oregon.
3. Senior Center, 615 5th Street, Oregon City, Oregon.

JEAN K. ELLIOTT, City Recorder

DO NOT REMOVE PRIOR TO MAY 17, 1990

ORDINANCE NO. 90-1026

AN ORDINANCE AMENDING TITLE V: BUSINESS REGULATIONS, CHAPTER 13: PRIVATE SECURITY OFFICER; PRIVATE INVESTIGATOR, OF THE 1963 CITY CODE, AND DECLARING AN EMERGENCY.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That Title V: BUSINESS REGULATIONS, Chapter 13: PRIVATE SECURITY OFFICER; PRIVATE INVESTIGATOR, of the 1963 City Code, be and the same is hereby amended to read as follows:

CHAPTER 13

PRIVATE SECURITY OFFICERS AND SECURITY COMPANIES

SECTION:

- 5-13-1 Definitions
- 5-13-2 Security License Required
- 5-13-3 Application for Security License
- 5-13-4 Denial, Revocation and Suspension of Security Licenses
- 5-13-5 Violation and Penalty

5-13-1 DEFINITIONS:

COMMISSION: The City Commission of Oregon City.

CHIEF: The Chief of Police of the City of Oregon City or the Chief's designee.

PERSON: Any individual, corporation, partnership or association.

SECURITY COMPANY: Any person, corporation, partnership or association engaged in the business of providing security services.

SECURITY LICENSE: Any license issued to a security company or a security officer under this Chapter.

SECURITY OFFICER: Any individual engaged, employed or in the business of patrolman, watchman, security officer, guard, store security, security patrol, merchant watchman, private investigator, or marine patrol services.

5-13-2:        **SECURITY LICENSE:** No person shall engage in the provision of security services without obtaining a valid security license as provided in this Chapter. A valid security license shall be carried at all times by any person acting as a security officer or engaged in the business or activity of a security company while within the City. A security license shall be required in addition to, and not in lieu of, any other license required under this Code. Granting of a security license shall not be deemed an authorization to possess or operate firearms.

- (A) **License Duration and Transferability:** A security license shall be valid for one year from date of issue and shall be renewed annually. Licenses issued under this Chapter shall not be deemed to create any vested right, nor shall it be transferrable. Licenses issued under this Chapter may be revoked or suspended by the Chief for cause at any time.
- (B) **Types of Security Licenses:** Any individual employed primarily as a security officer by a security company shall obtain an individual security license as provided in this Chapter. Security companies shall obtain a single security license for the company in addition to any individual security licenses which may be required for employees or agents of that company engaged in providing security service within the City.
- (C) **Uniforms and Vehicles:** Uniforms and vehicles used by a licensee under this Chapter shall not be the same as, objectively similar to, or easily confused with those of the Oregon City Police or reserves. All uniform and vehicle designs and identifying marks shall be reviewed and approved by the Chief prior to use by a licensee.

5-13-3:        **APPLICATION FOR SECURITY LICENSE:** Any person seeking to obtain or renew a license under this Chapter shall obtain the appropriate application form from the City Recorder. The completed form must be returned, with the appropriate fee, to the City Recorder's office.

- (A) **Required Information:** Security company and security officer applicants may be required to supply with their applications the following information, in addition to any other information which the Chief may deem relevant to the evaluation of an applicant. If the applicant is other than an individual, the information shall be supplied for each of the principals of the applying entity:

1. The applicant's fingerprints;

2. Records or transcripts from all secondary and post-high school educational institutions attended;
3. Complete occupational history, with names, addresses and telephone numbers of all previous employers;
4. Addresses of all of the applicant's residences for the previous three years and the dates of residence;
5. Military discharge documents, if any;
6. Credit references and a signed authorization for a credit report;
7. Names, addresses and telephone numbers of three persons who can attest to the applicant's personal or professional character;
8. A blanket consent authorizing the release to the City of any information concerning the applicant which the Chief deems relevant to the evaluation of the applicant;
9. Any other information which the Chief deems reasonably necessary to evaluate fully the applicant.

(B) Application Fee: The following non-refundable fees are required at the time of application submission to defray the City's expense in investigating applicants and administering the provisions of this Chapter:

1. Security Company, initial application ..... \$100
2. Security Company, renewal..... 50
3. Security Officer, initial or renewal..... 25

(C) Surety Bond and Liability Insurance: Prior to the issuance of a security license to a security company, the company shall demonstrate proof of liability insurance and post a surety bond with the City. For a security license to remain valid, this insurance and bond must be maintained as follows:

1. The surety bond shall be in favor of the City of Oregon City for the benefit of the City and any persons who might be injured or otherwise damaged by the theft or defalcation of the applicant or the applicant's agents or employees while engaged in an activity regulated under this Chapter. The bond shall be issued by a corporate surety authorized to do business in the State of Oregon in an amount not less than \$2000. In lieu of this bond, an applicant may deposit an equal amount of cash with the City.

2. The liability insurance policy shall insure the applicant against liability for property damage, death and bodily injury. The policy shall name the City of Oregon City as an additional insured. The policy shall have coverage limits of not less than \$50,000 property damage for each occurrence; \$100,000 for all other claims; and \$500,000 for all claims arising out of the same accident or occurrence. The policy shall be subject to review and approval of the City Attorney.

5-13-4: DENIAL, REVOCATION AND SUSPENSION OF SECURITY LICENSES:

(A) Denial, Revocation or Suspension for Good Cause Only: Any license issued under this Chapter may be revoked or suspended by the Chief for good cause at any time. The following shall constitute good cause for denial, revocation, suspension or non-renewal of a security license:

1. A finding that the applicant or licensee has materially misrepresented any information furnished as part of the application process;

2. A finding that the applicant or licensee has been convicted of violating any ordinance or state law regulating the conduct of security officers or security companies;

3. A finding that the applicant or licensee has been convicted of violating any ordinance or state law regulating the possession of firearms;

4. A finding that the applicant or licensee has been convicted of a felony, or misdemeanor involving moral turpitude;

5. The cancellation or expiration of the bond or insurance policy required by this Chapter; or

6. Any circumstance which would justify the refusal to issue a license under this Chapter.

Notwithstanding the above, the Chief may grant a license despite the existence of any one of the above-listed grounds if the Chief concludes the basis of the grounds is not likely to reoccur, is remote in time, or occurred under circumstances which the Chief finds diminish the seriousness of the grounds.

- (B) Appeal: Denial, revocation or suspension of a security license may be appealed to the City Commission upon written notice filed within ten (10) days following the action or final decision appealed. The City Commission shall review all pertinent documents in the matter, and hear oral and written testimony from all interested parties. The City Commission's decision shall be final.

5-13-5: VIOLATION AND PENALTY: Violation of any prohibition or affirmative requirement of this Chapter shall constitute a misdemeanor, punishable by a fine of not more than \$300. Each day of violation of this Chapter shall constitute a separate, punishable offense.

Section 2. Because this ordinance is necessary for the immediate preservation of the peace and public health, safety and welfare of Oregon City, and to provide for an orderly transition in a reasonable amount of time to this regulatory system, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read first time at a regular meeting of the City Commission held on the 16th day of May, 1990, and the foregoing ordinance was finally enacted by the City Commission this 16th day of May, 1990.

JEAN K. ELLIOTT, City Recorder

ATTESTED this 16th day of May, 1990.

---

DAVID D. SPEAR, Mayor

ORDINANCE NO. 90-1026

Effective Date: May 16, 1990



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Proposed Ordinance No. 90-1024, An Ordinance Amending Title X: Traffic, Chapter 2: Parking and Pedestrian Regulations and Impoundment of Vehicles; and Repealing Title X: Traffic, Chapter 7: Abandoned Vehicles; and Enacting a New Title X: Traffic Chapter 7: Abandoned Vehicles, of the 1963 City Code, and Declaring an Emergency

**Report No. 90-111**

On the May 16, 1990 agenda is proposed Ordinance No. 90-1024 (copy attached) which amends Chapters 2 and 7 of Title X, Traffic of the City Code. The proposed amendments are a combined housekeeping measure and to bring the City Code into compliance with State law.

Notice of proposed Ordinance No. 90-1024 has been posted at City Hall, 320 Warner Milne Road; Courthouse, 807 Main Street; and, Senior Center, 615 3th Street, by direction of the City Recorder. It is recommended that first and second readings be approved unanimously for final enactment to become effective immediately.

CHARLES LEESON  
Interim City Manager

jke  
Attach.

cc: Chief of Police  
Municipal Court Clerk



N O T I C E

NOTICE IS HEREBY GIVEN that proposed ORDINANCE NO. 90-1024 of the City of Oregon City, Clackamas County, Oregon, three copies of which are available for public inspection at the office of the City Recorder, 320 Warner Milne Road, Oregon City, Oregon.

Said Ordinance will be considered by the City Commission at its meeting on the 16th day of May, 1990, at the hour of 8:00 o'clock p.m. The title of said Ordinance is as follows:

AN ORDINANCE AMENDING TITLE X: TRAFFIC, CHAPTER 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES; AND REPEALING TITLE X: TRAFFIC, CHAPTER 7: ABANDONED VEHICLES; AND ENACTING A NEW TITLE X: TRAFFIC, CHAPTER 7: ABANDONED VEHICLES, OF THE 1963 CITY CODE, AND DECLARING AN EMERGENCY.

POSTED this 9th day of May, 1990, by direction of the City Recorder. Places of posting are as follows:

1. City Hall, 320 Warner Milne Road, Oregon City, Oregon.
2. Courthouse, 807 Main Street, Oregon City, Oregon.
3. Senior Center, 615 5th Street, Oregon City, Oregon.

JEAN K. ELLIOTT, City Recorder

DO NOT REMOVE PRIOR TO MAY 17, 1990

ORDINANCE NO. 90-1024

AN ORDINANCE AMENDING TITLE X: TRAFFIC, CHAPTER 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES; AND REPEALING TITLE X: TRAFFIC, CHAPTER 7: ABANDONED VEHICLES; AND ENACTING A NEW TITLE X: TRAFFIC, CHAPTER 7: ABANDONED VEHICLES, OF THE 1963 CITY CODE, AND DECLARING AN EMERGENCY.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That Title X: TRAFFIC, Chapter 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 9, STORAGE OF VEHICLES ON STREETS, Subsection (B)4, of the 1963 City Code, be and the same is hereby amended to read as follows:

10-2-9(B)4: Provide for notice, removal, impoundment, and sale of the vehicle, and a hearing, as provided in Title 10, Chapter 7, subsections 2(A), 3(A), 4, and 5.

Section 2. That Title X: TRAFFIC, Chapter 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 9, STORAGE OF VEHICLES ON STREETS, Subsections (B)5, (C), (D), (E), of the 1963 City Code, be and the same are hereby repealed; and, that Subsection (F) is hereby re-labeled (C).

Section 3. That Title X: TRAFFIC, Chapter 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 10, PROHIBITED STOPPING, STANDING AND PARKING, Subsection (C), of the 1963 City Code, be and the same is hereby amended to read as follows:

10-2-10(C): In the event a vehicle has been found standing or parked in violation of subsections (A) and (B) of this Section, in addition to and after issuance of a citation for violation, the vehicle may be removed and impounded, and a hearing and sale provided for, as provided in Title 10, Chapter 7, subsections 2(B), 3(B), 4, and 5.

Section 4. That Title X: TRAFFIC, Chapter 2: PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 11: IMPOUNDMENT OF VEHICLES, subsection (B), of the 1963 City Code, be and the same is hereby amended to read as follows:

10-2-11(B): Unless otherwise stated in this Code or State law, removal, impoundment, and sale of vehicles shall be as provided in Title 10, Chapter 7.

Section 5. That Title X: TRAFFIC, Chapter 2; PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 11; IMPOUNDMENT OF VEHICLES, subsections (C), (D), (E), of the 1963 City Code be and the same are hereby repealed.

Section 6. That Title X: TRAFFIC, Chapter 2; PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 11; IMPOUNDMENT OF VEHICLES, subsection (F), of the 1963 City Code, be and the same is hereby re-labeled to subsection (C) and amended to read as follows:

10-2-11(C): This Section shall not apply to vehicles impounded under the direction of a police officer for:

1. Criminal investigative purposes; or
2. For safekeeping when the operator of the vehicle is unable to safely and lawfully park the vehicle.

Section 7. That Title X: TRAFFIC, Chapter 2; PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 12: IMPOUNDMENT - OWNER'S RESPONSIBILITY, of the 1963 City Code, be and the same is hereby amended to read as follows:

10-2-12: IMPOUNDMENT - OWNER'S RESPONSIBILITY: The owner of a vehicle shall be responsible for the cost of towing and storage of the vehicle impounded plus the costs of notice and sale as provided in Sections 10-2-7, 10-2-8, 10-2-9, 10-2-10, and 10-2-11.

Section 8. That Title X: TRAFFIC, Chapter 2; PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 13: IMPOUNDMENT - REVIEW OF IMPOUND FEES, of the 1963 City Code, be and the same is hereby repealed.

Section 9. That Title X: TRAFFIC, Chapter 2; PARKING AND PEDESTRIAN REGULATIONS AND IMPOUNDMENT OF VEHICLES, Section 14: PENALTY, of the 1963 City Code, be and the same shall be re-numbered 10-2-13.

Section 10. That Title X: TRAFFIC, Chapter 7: ABANDONED VEHICLES, of the 1963 City Code is hereby repealed and replaced with the following:

#### CHAPTER 7

#### ABANDONED VEHICLES

SECTION:

- 10-7-1: Definitions
- 10-7-2: Substantive Provisions
- 10-7-3: Notice
- 10-7-4: Impoundment Hearing
- 10-7-5: Sale of Abandoned Vehicles
- 10-7-6: Charges

10-7-1: DEFINITIONS: As used in this Chapter, unless the context requires otherwise:

ABANDONED: The word "Abandoned" means left unoccupied and unclaimed, without authorization by statute or local ordinance, on the streets or alleys of the City, on an interstate or other highway within the City boundaries, or on any other public or private property within the City boundaries.

CITY: The word "City" means the City of Oregon City and any of its departments.

COSTS: The word "Costs" means the expense of removing, storing, and selling an impounded vehicles.

CHIEF OF POLICE: The term "Chief of Police" includes any authorized law enforcement officer of the City.

DIVISION: The word "Division" refers to the State of Oregon Motor Vehicles Division.

HAZARD: A vehicle is a hazard if it is disabled, abandoned, parked, or left standing unattended on a street, alley, road, or highway right-of-way in such a location as to constitute a danger or obstruction to other motor vehicle traffic, or is otherwise considered a hazard under Section 10-2-10.

OWNER: The word "Owner" means any individual, firm, corporation, or unincorporated association with a claim, either individually or jointly, of ownership or any interest, legal or equitable, in a vehicle.

VEHICLE: The word "Vehicle" means any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Any time periods provided in this Chapter regarding notice do not include holidays, Saturdays, and Sundays.

10-7-2: SUBSTANTIVE PROVISIONS

(A) Removal and Sale of Abandoned Vehicles

1. The Chief of Police shall, whenever a vehicle is found abandoned in the same position for a period of twenty-four (24) hours, provide notice prior to removing the abandoned vehicle and placing it in custody, as provided in Section 10-7-3.

2. An abandoned vehicle shall be subject to being taken into custody and removed by the appropriate authority if the vehicle is not removed within the five-day notice period stated in Section 10-7-3(A)1.b.

3. Any person who, at the request of the Police Department, tows an abandoned vehicle shall have a lien on the vehicle and its contents for reasonable towing and storage charges and may retain possession of the vehicle until the charges are paid, with the following exceptions:

a. In no event shall storage charges be assessed for a period in excess of sixty (60) days.

b. No lien attaches to the contents of any vehicle taken from public property until fifteen (15) days after taking the vehicle into custody.

4. Any person who, at the request of the Police Department, tows an abandoned vehicle may sell the vehicle to satisfy the costs of towing and storage if the charges are not paid.

5. The owner(s), possessor(s), or person(s) having an interest in the vehicle may request a hearing on the validity of the removal and the reasonableness of any towing and storage charges. If a hearing is requested before the vehicle is taken in to custody, and any required bail or fine is posted with the Municipal Court, the vehicle shall not be taken until a hearing is held in accordance with the provisions of Section 10-7-4 of this Chapter, unless the vehicle constitutes a hazard, as described in subsection (B), below.

6. A hearing request must be submitted in writing, to the Municipal Court within five (5) days from the mailing date of the Notice, along with any required bail or fine. The request must state the grounds on which the person requesting the hearing believes that the custody and removal of the vehicle is not justified, that the towing and storage charges are not reasonable, or both.

7. Unless the owner(s), lessor(s), or security interest holder(s) reclaims the vehicle within thirty (30) days after it is taken into custody, the vehicle may be sold or otherwise disposed of as provided for in Section 10-7-5. Failure to reclaim the vehicle within this time period is a waiver of interest in the vehicle.

(B) Immediate Custody, Removal, and Sale of Vehicles Constituting a Hazard.

1. The City may immediately take custody of a vehicle that is a hazard. Notice shall be given as provided in Section 10-7-3 (B).

2. A vehicle constituting a hazard shall be subject to towing and storage charges.

3. The vehicle and its contents are subject to a lien for payment of the towing and storage charges and the vehicle and its contents may be sold to cover the charges if the charges are not paid within thirty (30) days after it is taken into custody.

4. The owner(s), possessor(s), or person(s) having an interest in the vehicle may request a hearing on the validity of the removal and the reasonableness of any towing and storage charges.

5. A hearing request must be submitted, in writing, to the Municipal Court within five (5) days of the mailing date of the notice, along with any required bail or fine. The request shall state the grounds on which the person requesting the hearing believes that the custody and removal of the vehicle was not justified, that the towing and storage charges are not reasonable, or both.

6. The vehicle and its contents may be immediately reclaimed by presentation to the Police Department of satisfactory proof of ownership or right to possession and payment of any required bail or fine, and either payment of the towing and storage charges or the deposit of cash surety or a bond equal to the charges with the Police Department.

7. Unless the owner(s), lessor(s), or security interest holder(s) reclaims the vehicle within thirty (30) days after it is taken into custody, the vehicle may be sold or otherwise disposed of as provided for in Section 10-7-5. Failure to reclaim the vehicle within this time frame is a waiver of interest in the vehicle.

10-7-3: NOTICE:

(A) Abandoned Vehicles.

It shall be the duty of the Chief of Police, whenever a vehicle is found abandoned in the same position for a period of twenty-four (24) hours, to provide notice prior to removing the abandoned vehicle and placing it in custody.

1. Notice shall be given by both of the following methods:

a. By affixing a citation to the vehicle with the required information.

b. By mailing notice, at least five (5) days before taking the vehicle into custody, with the required information to the owner(s), any lessor(s), and any security interest holder(s) at the address of each as shown by the records of the Division.

2. The notice shall include the following information:

a. Name and identification number of the officer issuing the notice.

b. That Title X, Chapter 7, of the 1963 City Code, as amended, provides for removal of abandoned vehicles.

c. That the vehicle will be subject to being taken into custody and removed by the appropriate authority if the vehicle is not removed within the five day notice period stated in subsection (A).1.b. above.

d. The place where the vehicle will be held in custody or the telephone number and address of the Police Department or towing company, which will provide that information.

e. That any person who, at the request of the Police Department, tows an abandoned vehicle shall have a lien on the vehicle and its contents for the just and reasonable towing and storage charges and may retain possession of the vehicle until the charges are paid.

f. That any person who, at the request of the Police Department, tows an abandoned vehicle may sell the vehicle to satisfy the costs of towing and storage if the charges are not paid.

g. That the owner, possessor, or person having an interest in the vehicle may request a hearing on the validity of the removal and the reasonableness of any towing and storage charges.

h. That if a hearing is timely requested as provided in Section 10-7-2(A)5, and any required bail or fine is posted with the Municipal Court, the owner, possessor, or person having an interest in the vehicle is entitled to a hearing before the vehicle is impounded.

i. That a hearing request must be submitted, in writing, to the Municipal Court within five (5) days from the mailing date of the notice, along with any required bail or fine. The request shall state the grounds on which the person requesting the hearing believes that the custody and removal of the vehicle is not justified, that the towing and storage charges are not reasonable, or both.

j. That unless the owner(s), lessor(s), or security interest holder(s) reclaims the vehicle within thirty (30) days after it is taken into custody, the vehicle may be sold or otherwise disposed of as provided for in Section 10-7-5.

(B) Vehicles Constituting a Hazard.

1. After taking a vehicle classified as a hazard under Section 10-7-2(B) into custody, the Police Department shall give notice, by mail within forty-eight (48) hours of the removal, to the owner(s), any lessor(s), and any security interest holder(s) at the address of each as shown by the records of the Division.

2. The notice shall contain the following information:

a. Name and identification number of the officer issuing the notice.

b. That Title X, Chapter 7 of the 1963 City Code, as amended, provides for removal of vehicles constituting a hazard.

c. The location of the vehicle or the telephone number and address of the Police Department or towing company, which will provide the information.

d. That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of the notice, and the daily storage charges.

e. That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents may be sold to cover the charges if the charges are not paid by a date established by the Police Department and specified in the notice.



f. That the owner(s), possessor(s), or person(s) having an interest in the vehicle may request a hearing on the validity of the removal and the reasonableness of any towing and storage charges.

g. That a hearing request must be submitted, in writing, to the Municipal Court within five (5) days of the mailing date of the notice, along with any required bail or fine. The request shall state the grounds on which the person requesting the hearing believes that the custody and removal of the vehicle was not justified, that the towing and storage charges are not reasonable, or both.

h. That the vehicle and its contents may be immediately reclaimed by presentation to the Police Department of satisfactory proof of ownership or right to possession and payment of any required bail or fine, and either payment of the towing and storage charges or the deposit of cash surety or a bond equal to the charges with the Police Department.

i. That unless the owner(s), lessor(s), or security interest holder (s) reclaims the vehicle within thirty (30) days after it is taken into custody, the vehicle may be sold or otherwise disposed of as provided for in Section 10-7-5.

10-7-4: IMPOUNDMENT HEARING:

- (A) It shall be the duty of the Chief of Police to store any abandoned vehicle or vehicle which constitutes a hazard either on City property or in a private garage, and dispose of it pursuant to the provisions of this Chapter after appropriate investigation and notice.
- (B) After impoundment, the Chief of Police shall cause the vehicle to be appraised by an appraiser certified pursuant to ORS 819.230.
- (C) If a hearing is request, it shall be held before the Municipal Court within seventy-two (72) hours of receipt of the request. The City shall provide notice of the hearing to the person requesting the hearing and to the owner(s) of the vehicle and any lessor(s) or security interest holder(s) shown in the records of the Division, if not the same as the person requesting the hearing.
- (D) At the hearing, the legal owner or person entitled to possession of the vehicle may contest the validity of taking the vehicle into custody and the creation and amount of the lien.

- (E) If the Municipal Court determines the taking of the vehicle was invalid, the Court shall order the vehicle released and the City shall be responsible for the towing and storage charges. New storage costs on the vehicle will not start to accrue until more than twenty-four (24) hours after the time the vehicle is officially released.
- (F) If the Municipal Court determines the taking of the vehicle was valid, the Court shall order the vehicle to be held in custody until the costs of the hearing and all towing and storage charges are paid. If the vehicle has not yet been removed, the Judge may order its removal.
- (G) A person who fails to appear at a hearing under this Section is not entitled to another hearing unless the person provides reasons satisfactory to the Municipal Judge for the person's failure to appear.
- (H) A hearing under this Section may be used to determine the reasonableness of the charges for towing and storage of the vehicle.
- (I) The City is required to provide only one hearing for each time the City, through the Police Department, take a vehicle into custody and removes the vehicle or proposes to do so.
- (J) Hearings held under this Section may be informal in nature; provided, however, that the presentation of evidence in a hearing shall be consistent with the presentation of evidence required for contested cases under ORS 183.450.
- (K) The Municipal Court shall provide a written statement of the results of a hearing held under this Section to the person requesting the hearing.
- (L) The determination of the Municipal Court is final and not subject to appeal.
- (M) A vehicle that is being held as part of any criminal investigation is not subject to any requirements under Sections 10-7-3 and 10-7-4.

10-7-5: SALE OF ABANDONED VEHICLES:

If a vehicle is taken into custody and notice is given as required by Section 10-7-3, and the vehicle is not reclaimed within 30 days after it is taken into custody, the City shall authorize the disposal of the vehicle and its contents as provided in ORS 819.210.

10-7-6: CHARGES:

- (A) In the execution of this Ordinance, the person who, at the request of the Police Department, tows an abandoned vehicle shall charge and collect fees for the towing and storage, in accordance with a fee schedule prepared by the Chief of Police and approved by the City Commission by resolution, when the vehicle is reclaimed.
- (B) The City shall not be liable for services rendered by a private garage, towing company, or vehicle wrecking company from any source other than the amount that may be collected from a purchaser upon sale.
- (C) The vehicle shall not be released from the private garage or towing company except upon presentation of a Vehicle Release issued by the City.

Section 11. Because this ordinance is necessary for the immediate preservation of the peace and public health, safety and welfare of Oregon City, and to provide for an orderly transition in a reasonable amount of time to this regulatory system, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read first time at a regular meeting of the City Commission held on the 16th day of May, 1990, and the foregoing ordinance was finally enacted by the City Commission this 16th day of May, 1990.

JEAN K. ELLIOTT, City Recorder

ATTESTED to this 16th day of May, 1990.

---

DAVID D. SPEAR, Mayor

ORDINANCE NO. 90-1024

Effective Date: May 16, 1990



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Lazy Creek Lane/C-Trunk Sewer  
Local Improvement District  
Resolution No. 90-24

**Report No.** 90-112

On the May 16, 1990 City Commission agenda is Resolution No. 90-24 that initiates the process of creating a local improvement district for the construction of the lower portion of the C-Trunk Sewer. Attached is the initiating petition and Engineer's Report as required by City Code.

The project cost is estimated at \$300,937 and will provide service to 84.77 acres of property. Of the total project cost, \$125,210 will be paid by the three petitioning properties. The balance of the project cost of \$175,727 will be paid by the City through the advance financing ordinance.

Development Services has verified the petition's compliance with City Code and is recommending the adoption of Resolution No. 90-24 that initiates the creation process and sets June 6, 1990 as the first public hearing date.

CHARLES LEESON  
Interim City Manager

JGB:im

attach.

cc: Development Services Director  
John Hawthorne, Civil Engineer

RESOLUTION NO. 90-24

A RESOLUTION OF INTENT TO CREATE A LOCAL IMPROVEMENT DISTRICT FOR THE CONSTRUCTION OF THE LOWER PORTION OF THE C-TRUNK SEWER.

WHEREAS, a petition requesting the formation of a local improvement district to construct certain sanitary sewer improvements was filed with the City Recorder on the 10th day of April, 1990; and

WHEREAS, the Development Services Department of the City has reviewed said petition and finds that it is a valid petition and that said improvement would be in the public interest; and

WHEREAS, a preliminary plan and cost estimate have been prepared and sanitary sewers could be provided to the petitioned area, and the said cost estimate being approximately \$300,937. Said plans and estimate are hereby referred to and made a part of this Resolution. The location of said sewers is described as follows:

Approximately 3700 L.F. of 8 inch, 12 inch and 15 inch gravity sewer beginning approximately 200 feet north of the intersection of Molalla Avenue and the Oregon City ByPass and running westerly on Lazy Creek Lane approximately 1600 L.F.; and running southwesterly across several private properties approximately 1000 L.F.; and running westerly across Falcon Drive approximately 1100 L.F.

WHEREAS, funds for constructing said sewers are available in the City's Assessments Collection Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OREGON CITY that it is the intention of the City to form a local improvement district to construct the said sewers and to retain consulting engineers to prepare plans and specifications and final cost estimates.

RESOLVED the above described sewers to be known as Sewer District No. 90-02.

That notice of formation of said District be given by publication of this resolution in the Enterprise-Courier, a newspaper of general circulation in Oregon City, on May 23, 1990, and that a public hearing will be held by the City Commission at the Hour of 8:00 p.m. on June 6, 1990, at the City Hall, 320 Warner-Milne Road, Oregon City, Oregon, at which time written and oral remonstrances to the formation of said District and preliminary assessments will be heard and considered.

The City Recorder is hereby directed to publish this Resolution in the manner provided by the Charter.

The foregoing Resolution adopted this 16 day of May, 1990.

\_\_\_\_\_  
Mayor-Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Comprising the City Commission  
of Oregon City, Oregon

PUBLISH: Wednesday, May 23, 1990 (legal)

PAGE 2 - RESOLUTION NO. 90-24

## MEMORANDUM

DATE: May 10, 1990

TO: John Block, Development Services Director  
FROM: Neal Robinson, Project Engineer  
SUBJECT: Lazy Creek/C-Trunk Sewer L.I.D.  
Engineer's Report

The City has been requested to form a local improvement district to construct certain sanitary sewer improvements within a proposed L.I.D. boundary as shown on the attached maps. Also shown is the boundary of an advanced financing area that will ultimately contribute to the total cost of the project.

### COST ESTIMATE

I did a cost estimate for the proposed sewer improvements (see attached work sheet). The estimated cost for construction is \$246,670. Adding 22% for contingency, engineering, and administration brings the total estimated cost to \$300,937.

### METHOD OF ASSESSMENT

It is recommended that a cost per acre method of assessment be used, excluding any undevelopable land such as wetlands. This method is equitable based on benefit and the potential for development. The cost per acre, based on the total cost estimate of \$300,937 and the assessable area of 84.77 acres, is \$3,550 per acre. The total area of the tax lots within the proposed L.I.D. boundary is 35.27 acres, for an L.I.D. assessment of \$125,210. The balance of the project costs, \$175,727, will be paid through advance financing.

### SANITARY SEWER MASTER PLAN/STAGING

According to the Sanitary Sewer Master Plan, the proposed L.I.D. covers a major portion of the C-basin which drains into the Newell Creek Interceptor. This trunk is recommended to be constructed in 1991. Ultimate extension of this trunk will serve portions of Gaffney Lane, Meyers Road, and the rear areas of large parcels fronting upper Leland Road. The total C-basin is illustrated on an attached map.

PROPERTY OWNERS/MAJORITY

There are three property owners in the proposed L.I.D. boundary. All three property owners have signed a petition in support of Local Improvement District formation. Attached is the petition and list of property owners, tax lot numbers, assessed value, area, and proposed assessment.

OUTSTANDING ASSESSMENTS

According to the City Recorder, the City has no outstanding assessments against any of the properties in the proposed L.I.D.



# PROPOSED SEWER SYSTEM

C-TRUNK

Advance Finance Area

Pump Station 7  
(to be abandoned)

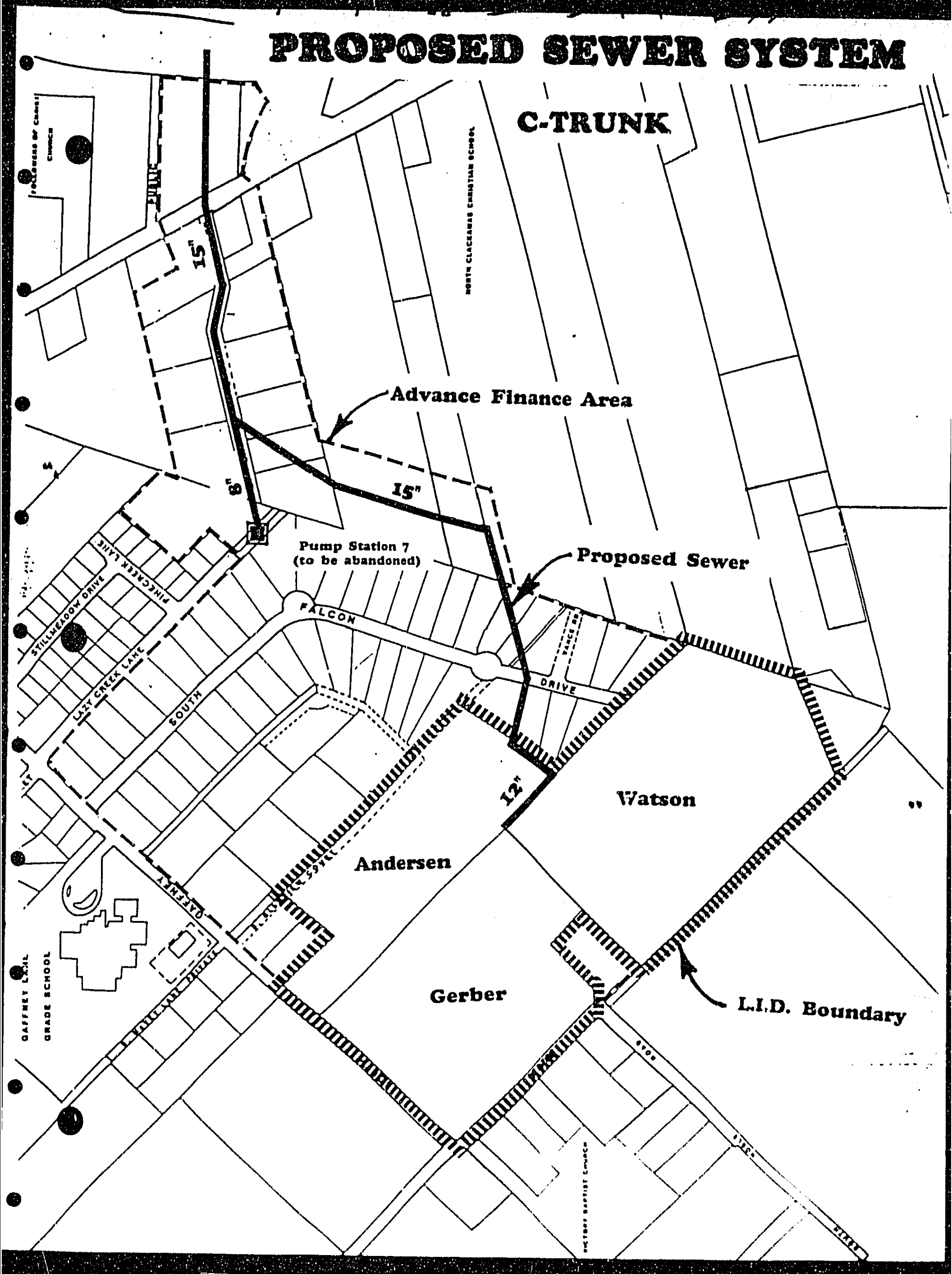
Proposed Sewer

Watson

Andersen

Gerber

L.I.D. Boundary



C:\123\INF\SEWER\LAZY-C-2.WK1

DATE: 05/10/90  
09:49 AM

\*\*\* PRELIMINARY ESTIMATE FOR LAZY CREEK/C-TRUNK SEWER \*\*\*

MAJOR ITEM	SUB ITEM	size/depth	BID ITEM	QUANTITY	UNIT	PRICE/UNIT	ITEM COST
------------	----------	------------	----------	----------	------	------------	-----------

## GRAVITY SEWER PIPE

8 IN	(Rock Filled) PIPE	1	380	L.F.	\$29.00	\$11,020.00
12 IN	(Native Filled) PIPE	1	750	L.F.	\$30.00	\$22,500.00
15 IN	(Native Filled) PIPE	1	1,723	L.F.	\$35.00	\$60,305.00
15 IN	(Rock Filled) PIPE	1	577	L.F.	\$45.00	\$25,965.00

ADVANCED FINANCE ACRES:	45.5	\$115,727
L.I.D. ACRES:	35.21	\$125,210
PROJECT ACRES:	84.77	\$300,937

## LATERALS

4 IN	(Rock Filled) PIPE	1	300	L.F.	\$27.00	\$8,100.00
------	--------------------	---	-----	------	---------	------------

COST ACRES: \$3,530.04

## MANHOLES

48 IN		1	13	EACH	\$2,300.00	\$27,900.00
-------	--	---	----	------	------------	-------------

## ROADWAY

SURFACE RESTORATION	1	1,477	L.F.	\$13.50	\$19,939.50
---------------------	---	-------	------	---------	-------------

## ROCK EXCAVATION

	1	400	C.Y.	\$65.00	\$26,000.00
--	---	-----	------	---------	-------------

## FABRICATED TEES

	1	12	EACH	\$45.00	\$540.00
--	---	----	------	---------	----------

## EASEMENTS

	1	1	L.S.	\$15,000.00	\$15,000.00
--	---	---	------	-------------	-------------

## CLEAR &amp; GRUB

	1	1	L.S.	\$5,000.00	\$5,000.00
--	---	---	------	------------	------------

## ABANDON PUMP STATION

	1	1	L.S.	\$4,000.00	\$4,000.00
--	---	---	------	------------	------------

## MOBILIZATION

	1	1	L.S.	\$3,000.00	\$3,000.00
--	---	---	------	------------	------------

\$246,669.50	CONSTRUCTION TOTAL
--------------	--------------------

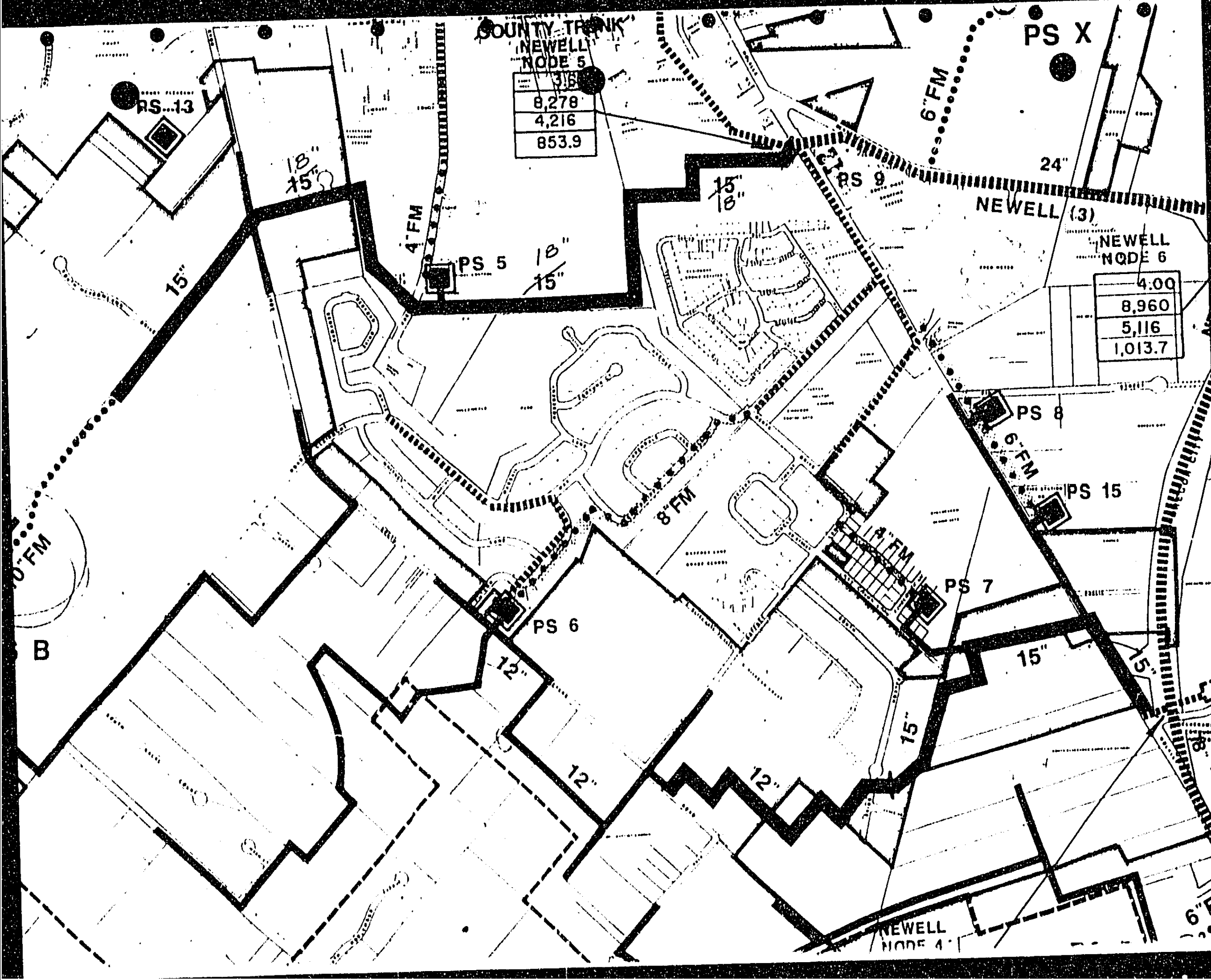
12% ENGINEERING	\$29,600.34
10% CONTINGENCY	\$24,666.95

\$300,936.79	GRAND TOTAL
--------------	-------------

**MAP****TAX  
LOT****ACRES****ASSESS  
VALUE****LID  
ASSESS****NAME & ADDRESS**

---

3-2E	8C	100	11.87	\$105,960	\$42,140	Edwin & Jennie Gerber 16310 S. Gerber Road Oregon City, Oregon 97045
	8D	1003	8.40	\$ 16,220	\$29,820	Ralph & Janette Andersen 13440 S. Gaffney Lane Oregon City, Oregon 97045
		900	15.00	\$ 47,920	\$53,250	Robert & Vera Watson 19900 S. Meyers Road Oregon City, Oregon 97045



COUNTY TRUNK

NEWELL  
NODE 5

3.6
8,278
4,216
853.9

PS X

PS 13

18"  
15"

4" FM

PS 5

18"  
15"

15"  
18"

PS 9

6" FM

24"

NEWELL (3)

NEWELL  
NODE 6

4.00
8,960
5,116
1,013.7

PS 8

6" FM

PS 15

PS 7

PS 6

12"

12"

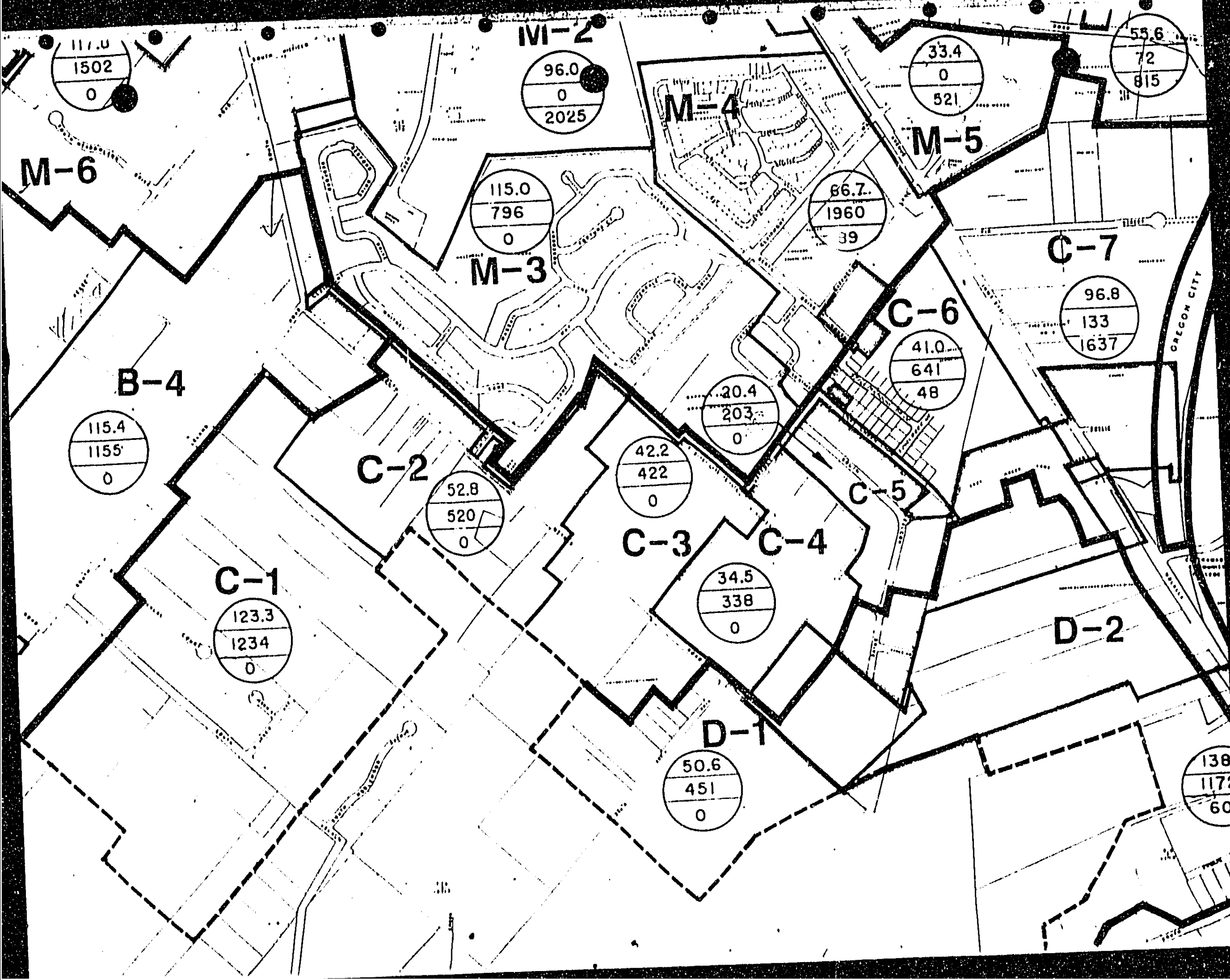
12"

15"

15"

NEWELL  
NODE 4

B





# CITY OF OREGON CITY

Incorporated 1844

DEVELOPMENT SERVICES  
DEPARTMENT  
Planning, Building,  
Engineering  
320 Warner Milne Road  
Oregon City, OR 97045  
(503) 657-0895

April 13, 1990

Robert & Vera Watson  
19900 S. Meyers Road  
Oregon City, Oregon 97045

Ralph & Jannette Anderson  
13440 S. Gaffney Lane  
Oregon City, Oregon 97045

Edwin & Jennie Gerber  
16310 S. Gerber Road  
Oregon City, Oregon 97045

Veronica & H. E. Hollowell  
916 - 10th Street  
Oregon City, Oregon 97045

Clarann Lasic Ballard  
2012 Eastlake Avenue E., No. 301  
Seattle, Washington 98102

Subject: Meyers Road Sanitary Sewer L.I.D.

Dear Property Owners:

After a year and a half of planning for sewer, water, street and drainage improvements in the Meyers Road area, the City believes it is in the best interest of the property owners involved to proceed with forming a local improvement district (L.I.D.) for the sanitary sewer portion of the project at this time.

The City has received a valid petition from the three properties involved and will begin the L.I.D. initiation process. Since properties to the south and east of Meyers Road did not want to participate at this time the Development Services Department is recommending that the portion of the "C" truck that serves the three properties be built and not the "D" pump station as originally discussed. Engineering staff will need to do some additional analysis of cost; however, it is our intention to stay within the original cost of \$3,500 per acre with the City participating on any additional amount.

Please refer to the attached map showing the proposed sanitary sewer location. The area in orange is the L.I.D. petitioning property, the area in green is the area of City participation.

Property Owners - Meyers Road Sanitary Sewer L.I.D

April 13, 1990

Page 2

We are tentatively scheduling May 2 to initiate the L.I.D. with the City Commission, so if you have any questions before that time please give me a call at 657-0891.

Sincerely,



JOHN G. BLOCK

Development Services Director

JGB/im

enc.

cc - Charles Leeson, Interim City Manager  
- John Hawthorne, Civil Engineer

MEYERS ROAD SANITARY SEWER L. I. D.

PETITION

To the City Commission of Oregon City:

We, the undersigned, residents within the City limits or urban growth boundary of the City of Oregon City, hereby petition the City Commission to form a local improvement district (L.I.D.) to construct approximately ~~3700~~ <sup>3700</sup> LF of sanitary sewer line, ~~and a 0.6 MGD pump station with force main.~~ <sup>See</sup> attached sketch for location of proposed improvements and L.I.D. boundary.

In consideration of your constructing said ~~sanitary~~ <sup>sewer</sup> line improvements, we agree to pay Oregon City our proportionate share based on an area method of the total cost.

NAME (HUSBAND & WIFE)	ADDRESS	TAX LOT NO.
<i>Robert &amp; Helen Watson</i>	<i>19900 S Meyers Rd O.C.</i>	<i>TL 900 Map 3-2E-8D</i>
<i>Gary &amp; Anderson</i>	<i>13440 S. Jefferson Ave O.C.</i>	<i>TL 1003 Map 3-2E-8D</i>
<i>Ralph &amp; Charlene</i>	<i>16310 S Gerlach Rd Oregon City, OR. 97045</i>	<i>TL 100, MAP 3-2E-8C</i>
<i>Edwin Herber</i>	<i>2017 Eastlake Ave. #301 Seattle, WA 98102</i>	<i>TL 100, MAP 3-2E-8C</i>
<i>Veronica A. Holloman &amp; Ed Holloman Jr.</i>	<i>916 - 10th St Oregon City, OR</i>	<i>TL 100 MAP 3-2E-8C</i>







**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 3

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Proposed Ordinance No. 90-1025, An Ordinance Amending Title IV: Building Regulations, Chapter 1: Building Code, Chapter 3: Dangerous Buildings; Title VII: Fire Regulations, by Adding Chapter 5: Hazardous Materials Regulations; Repealing Title VII: Fire Regulations, Chapter 3: Fire Prevention Code, and Chapter 4: Fire Alarm Systems; and Enacting a New Title VII: Fire Regulations, Chapter 3: Fire Regulations: Fire Prevention Code; and Declaring an Emergency

**Report No. 90-113**

On the May 16, 1990 agenda is proposed Ordinance No. 90-1025 (copy attached) which amends several Titles and Chapters in the City Code pertaining to fire and building code regulations and establishes a Chapter to deal with hazardous materials regulations.

### Background

Oregon City has a long history of the use of codes to ensure public safety. Our first Fire Code was adopted in 1856 and regulated bonfires within the City limits.

From time to time, because of changing community needs, it is necessary to amend the current Code. For the past several months, Fire Department personnel have been working with the City's Development Services Department as well as building and fire officials throughout the State to develop the proposed changes to our existing Building and Fire Codes.

### Recommendations

#### **BUILDING CODE REVISIONS:**

It is recommended that the 1990 Edition of the State of Oregon Structural Specialty Code, the 1990 Edition of the State of Oregon Mechanical Specialty Code, the 1988 Edition of the Uniform Building Code with Appendix Chapter 70, and the 1990 Edition of the State of Oregon One and Two Family Dwelling Specialty Code be adopted. These recommendations do not represent a significant difference from the current method of operations. Proposed Ordinance No. 90-1025 contains the latest rewrites of the Statewide codes.



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 2 of 3

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Proposed Ordinance No. 90-1025, An Ordinance Amending Title IV: Building Regulations, Chapter 1: Building Code, Chapter 3: Dangerous Buildings; Title VII: Fire Regulations, by Adding Chapter 5: Hazardous Materials Regulations; Repealing Title VII: Fire Regulations, Chapter 3: Fire Prevention Code, and Chapter 4: Fire Alarm Systems; and Enacting a New Title VII: Fire Regulations, Chapter 3: Fire Regulations: Fire Prevention Code; and Declaring an Emergency **Report No. 90-113**

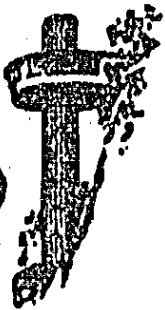
### DANGEROUS BUILDING CODE

Title IV, Chapter 3 of the current Code is being repealed in favor of enacting a new Chapter 3 modeled after the Uniform Code for the Abatement of Dangerous Buildings. One of the new definitions of a dangerous building is any building exposed to hazardous materials. This re-write is more specific in defining dangerous buildings than the current Code. The amendment permits the City to prohibit any building exposed to hazardous materials from being occupied until it has been cleaned to certain standards and moves the process from the City Commission to Municipal Court.

### FIRE CODE

Title III, Chapter 7 of the current Code is being repealed because of the need to adopt the newer, 1988, version of the Uniform Fire Code as amended by the State of Oregon and further amended by the City.

The American Insurance Association Fire Prevention Code has not been substantially changed in 15 years. While this code was a model at the time of adoption, it has not kept current with changing community needs, particularly in the area of hazardous materials. The Uniform Fire Code, a companion to the Uniform Building Code, is widely accepted and is revised on a 3-year cycle. This Code was developed by building and fire officials and is more responsive to changing community needs. This new code does make some significant changes in the way we are currently doing business because it deals very specifically with hazardous materials, fire flow requirements, fire hydrant spacing and fire department access.



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 3 of 3

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject:** Proposed Ordinance No. 90-1025, An Ordinance Amending Title IV: Building Regulations, Chapter 1: Building Code, Chapter 3: Dangerous Buildings; Title VII: Fire Regulations, by Adding Chapter 5: Hazardous Materials Regulations; Repealing Title VII: Fire Regulations, Chapter 3: Fire Prevention Code, and Chapter 4: Fire Alarm Systems; and Enacting a New Title VII: Fire Regulations, Chapter 3: Fire Regulations: Fire Prevention Code; and Declaring an Emergency

**Report No. 90-113**

### Summary

The changes recommended in proposed Ordinance No. 90-1025, build upon the public/private partnership by, in many cases, placing more responsibility for public safety in the private sector. This is a cost effect approach to public safety by enabling City government to manage the size and scope of government service.

Notice of proposed Ordinance No. 90-1025 has 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 is recommended that first and second readings be approved unanimously for final enactment to become effective immediately.

**CHARLES LEESON**  
Interim City Manager

jke  
Attach.  
cc:

Interim Fire Chief

## N O T I C E

NOTICE IS HEREBY GIVEN that proposed ORDINANCE NO. 90-1025 of the City of Oregon City, Clackamas County, Oregon, three copies of which are available for public inspection at the office of the City Recorder, 320 Warner Milne Road, Oregon City, Oregon.

Said Ordinance will be considered by the City Commission at its meeting on the 16th day of May, 1990, at the hour of 8:00 o'clock p.m. The title of said Ordinance is as follows:

AN ORDINANCE AMENDING TITLE IV: BUILDING REGULATIONS, CHAPTER 1: BUILDING CODE, CHAPTER 3: DANGEROUS BUILDINGS; TITLE VII: FIRE REGULATIONS, BY ADDING CHAPTER 5: HAZARDOUS MATERIALS REGULATIONS; REPEALING TITLE VII: FIRE REGULATIONS, CHAPTER 3: FIRE PREVENTION CODE, AND CHAPTER 4: FIRE ALARM SYSTEMS; AND ENACTING A NEW TITLE VII: FIRE REGULATIONS, CHAPTER 3: FIRE REGULATIONS: FIRE PREVENTION CODE; AND DECLARING AN EMERGENCY.

POSTED this 9th day of May, 1990, by direction of the City Recorder. Places of posting are as follows:

1. City Hall, 320 Warner Milne Road, Oregon City, Oregon.
2. Courthouse, 807 Main Street, Oregon City, Oregon.
3. Senior Center, 615 5th Street, Oregon City, Oregon.

JEAN K. ELLIOTT, City Recorder

DO NOT REMOVE PRIOR TO MAY 17, 1990

ORDINANCE NO. 90-1025

AN ORDINANCE AMENDING TITLE IV: BUILDING REGULATIONS, CHAPTER 1: BUILDING CODE, CHAPTER 3: DANGEROUS BUILDINGS; TITLE VII: FIRE REGULATIONS, BY ADDING CHAPTER 5: HAZARDOUS MATERIALS REGULATIONS; REPEALING TITLE VII: FIRE REGULATIONS, CHAPTER 3: FIRE PREVENTION CODE, AND CHAPTER 4: FIRE ALARM SYSTEMS; AND ENACTING A NEW TITLE VII: FIRE REGULATIONS, CHAPTER 3: FIRE REGULATIONS: FIRE PREVENTION CODE; AND DECLARING AN EMERGENCY.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That Title IV: BUILDING REGULATIONS, Chapter 1: BUILDING CODE, Section 1 of the 1963 City Code is hereby amended to read as follows:

4-1-1; ADOPTION OF BUILDING CODE: The 1990 Edition of the State of Oregon Structural Specialty Code and the 1990 Edition of the State of Oregon Mechanical Specialty Code, including the 1988 Edition of the Uniform Building Code and the 1990 Edition of the State of Oregon One & Two Family Dwelling Specialty Code, are hereby adopted in their entirety, and all provisions, rules, regulations, penalties, and statements therein are hereby made the rules, regulations, and penalties of the City, with the following exceptions and modifications:

- (A) The City Commission of Oregon City may require independent review or analysis of buildings subject to this code by qualified persons at the permit applicant's expense;
- (B) Fee schedules applicable to permits under this code shall be effective as of the date of publication by the State of Oregon;
- (C) Uniform Building Code Appendix Chapter 70 is adopted in its entirety.

Section 2. That Title IV: BUILDING REGULATIONS, Chapter 3: DANGEROUS BUILDINGS, of the 1963 City Code, is hereby repealed and replaced with the following:

4-3-1: DEFINITIONS:

BUILDING OFFICIAL: The Building Official within the Department of Development Services, or that person's designee, including but not limited to the Fire Chief and the Code Compliance Officer.

**DANGEROUS BUILDING:** For the purpose of this Chapter, any building, structure or property, whether improved or unimproved, which has any of the conditions or defects described in this Chapter shall constitute a "dangerous building", provided these conditions or defects exist to the extent that the health, safety or welfare of the public or occupants of the building in question are endangered:

- A. Whenever any door, aisle, passageway, stairway, driveway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or other emergency necessitating evacuation.
- B. Whenever the walking surface of any aisle, passageway, stairway, driveway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or other emergency necessitating evacuation.
- C> Whenever the stress in any materials, member or portion thereof, due to all dead or live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose and location.
- D> Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, whether natural or human, to the extent that the structural strength or stability is materially less than it was before the catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- E> Whenever any portion, member or appurtenance thereof is likely to fail, to become detached or dislodged, or to collapse, and potentially injure persons or damage property.
- F> Whenever any portion, member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for new buildings.



- G. Whenever any portion thereof has wracked, warped, buckled or settled to the extent that walls or other structural members have materially less resistance to winds or earthquakes than is required of similar new construction.
- H. Whenever any portion, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary to the support of the building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
- I. Whenever, for any reason, any portion thereof is manifestly unsafe for the purpose for which it is being used.
- J. Whenever the exterior walls or other vertical structural members list, lean or buckle to the extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- K. Whenever a building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- L. Whenever a building, structure or property has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, or criminals; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful acts.
- M. Whenever a building, structure or property has been constructed, exists, is used, or is maintained in violation of any specific requirement, prohibition or permit condition applicable to the building provided by any provision of this Code or State law.
- N. Whenever a building or structure, whether or not erected in accordance with all applicable laws and ordinances, which has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66%, of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law for newly constructed buildings of like area, height or occupancy in the same location.



- O. Whenever a building, structure or property, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Building Official to be unsanitary, unfit for human habitation or in a condition that is likely to cause sickness or disease.
- P. Whenever a building, structure or property, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard.
- Q. Whenever a building, structure or property is in a condition that constitutes a public nuisance known to the common law or equity jurisprudence.
- R. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to qualify the building or portion thereof as an attractive nuisance or hazard to the public.
- S. Whenever a building, structure, property or portion thereof has been exposed to, comes into contact with, or otherwise is contaminated with any hazardous material or hazardous waste regulated under Title VII, Chapter 5 of this Code.
- T. Whenever a building, structure, property or portion thereof has been exposed to, comes into contact with, or otherwise is contaminated with untreated or inadequately treated sewage, sewage sludge, or septic tank, cesspool, or chemical toilet waste.

4-3-2: ADMINISTRATION:

- (A) Building Inspections: The Building Official is hereby authorized to make inspections, take actions, and make interpretations of this Chapter as may be required to enforce the provisions of this Chapter.
- (B) Right of Entry: Whenever necessary to make an inspection to enforce any provision of this code, or whenever the Building Official has reasonable cause to believe that any of the dangerous building conditions mentioned in Section 4-3-1 exist, the Building Official may enter the building, structure or property at all reasonable times to inspect the same or to carry out any provision of this Chapter.

If the building or premises is occupied, the Building Official shall first present proper credentials and request entry of the property owner or person in charge. If the building or premises are unoccupied, the Building Official shall first make a reasonable effort to locate the owner or person in charge of the building or premises and request entry. If entry is refused, or the owner or person in charge is unlocatable, the Building Official shall seek an appropriate warrant from Municipal, District or Circuit Court authorizing entry.

- (C) Posting of Property and Restriction of Access: The Building Official may, upon a finding that a building, structure or property constitutes a "dangerous building" may post the property with notices as provided in this Chapter. The Building Official may also delimit the area of danger and prohibit all persons from entering onto, occupying or inhabiting the "dangerous building" area. Violation by any person of such notice and access restriction shall constitute trespass, a misdemeanor offense under this Code.

4-3-3: ENFORCEMENT UPON INSPECTION AND DECLARATION OF A NUISANCE: All buildings, structures or properties, whether improved or unimproved, which are determined after inspection by the Building Official to be dangerous as defined in this Chapter are hereby declared to be public nuisances.

- (A) Notice and Posting of Dangerous Buildings: Upon a declaration by the Building Official that a building, structure or property is dangerous, it shall be posted to reflect this determination. Notice shall include at least the following: that the Building Official, upon inspection, has determined the structure to be dangerous and a hazard to the public health, safety or welfare, that the property is not to be entered upon or occupied by anyone without specific authority of the Building Official, and that any person found to be occupying or otherwise upon the property without authority shall be subject to citation and fine for trespass.
- (B) Violations: Any person who shall knowingly cause, create, construct, maintain, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, occupy, or otherwise use any dangerous building or cause or permit the same to be done in violation of this Chapter shall be subject to the enforcement provisions of Title 1, Chapter 16 of this Code. The violation of any provision of this Chapter shall constitute a Civil Infraction, as provided under Title 1, Chapter 16 of this Code.

4-3-4 EMERGENCY ENFORCEMENT UPON SUFFICIENT FINDINGS:  
Notwithstanding any other section of this Chapter, the Building Official may seek a Summary Abatement Order to enforce the provisions of this Chapter, in accordance with Section 1-16-11 of this Code.

Section 3. That Title VII: FIRE REGULATIONS, Chapter 3, FIRE PREVENTION, and Chapter 4: FIRE ALARM SYSTEMS of the 1963 City Code is hereby repealed and replaced with the following:

7-3-1: The 1988 Edition of the Uniform Fire Code, as modified and adopted by the State of Oregon pursuant to OAR 837-40-005, is hereby adopted in its entirety, and all provisions, rules, regulations, penalties and statements therein are hereby made the rules, regulations and penalties of the City with the following exceptions and modifications:

(A) The following pages, articles, sections, subsections and appendices of the Uniform Fire Code, as modified and adopted by the State of Oregon are not adopted by the City as part of this Chapter: Pages iia, 49 and 50; sections 2.302(e), 11.203(a), 11.203(b), 11.211, 24.201, 24.201(a) with regard to the second sentence only, 25.010, 25.116(a), 26.102, 27.102, 28.102, 29.102, 30.101, 31.102, 33.102, 34.102, 36.102, 45.102, 46.102, 47.102, 48.102, 49.101(c), 50.103, 51.103, 62.102, 63.103, 75.103, 76.102; article 77, divisions II, III and IV; article 80; and appendices IA, IB, IIE, IIID, IVA and VIC.

(B) Article 1, section 1.103(d) of the 1988 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

(d) The following appendices are adopted as part of this Code:

1. I-C,
2. II-A,
3. II-B,
4. II-C,
5. II-D,
6. III-A,
7. III-B,
8. III-C- as amended,
9. V-A - nationally recognized standards,
10. V-B - statutes and administrative rules,
11. VI-A,
12. VI-B,
13. VI-D,
14. VI-E.

- (C) Article 4, section 4.102 of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

(d) Fees. The Fire Chief may establish a schedule of reasonable permit fees for those activities, operations, practices, or functions that require a permit from the chief and for which a permit fee is not otherwise established by this Code or State law.

- (D) Article 4 of the 1988 Edition of the Uniform Fire Code is adopted as amended to include a section 4.109 which shall read as follows:

Sec. 4.109. A permit shall be required prior to engaging in any of the following activities:

1. Bonfires or rubbish fires. To kindle or authorize the kindling or maintenance of bonfires or rubbish fires, as regulated under section 11.101 of the Uniform Fire Code.
2. Compressed gases for medical uses. To store, transport on site, dispense, use or handle at normal temperatures compressed gases regulated under article 74, division II of the Uniform Fire Code.
3. For permits for fireworks as regulated under article 78 of the Uniform Fire Code.
4. Parade floats. To use a parade float for public performance, presentation, spectacle, entertainment or parade, as regulated under section 11.208 of the Uniform Fire Code.
5. Tents, canopies and temporary membrane air-supported structures. To erect or operate a tent or air-supported temporary membrane structure having an area in excess of 200 square feet or any canopy in excess of 400 square feet, except those structures used exclusively for camping purposes, as regulated under articles 12 and 32 of the Uniform Fire Code.

- (E) Article 9, section 9.104 of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Bureau of Fire Prevention is the Oregon City Fire Department.

- (F) Article 9, section 9.108 of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Fire Department is any regularly organized fire department, fire protection district, or fire company regularly charged with responsibility of providing fire protection within the jurisdiction of the City.

- (G) Article 25, section 25.117 of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Sec. 25.117. Whenever, in the opinion of the Fire Chief, it is essential for public safety in any place of public assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved by the chief, to be on duty at that place. These individuals shall be subject to the chief's orders at all times when so employed and shall be in uniform and remain on duty during the times the places are open to the public, or when the activity is being conducted. Before each performance or the start of the activity, the individuals shall inspect the required fire appliances provided to see that they are in proper place and in good working order, and shall keep diligent watch for fires during the time the place is open to the public or the activity is being conducted and to take prompt measures for extinguishment of fires that may occur. These persons shall also enforce all other regulations of article 25, division I, including but not limited to exit doors (sec. 25.108), aisles (sec. 25.107), seat spacing (sec. 25.108) use of exit ways (sec. 25.109), and maximum occupant load (sec. 25.114). These persons shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

- (H) Article 77, section 77.104 of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Sec. 77.104. NFPA 495, Code for Explosive Materials 1985 Edition, excluding Chapter 2, is hereby adopted and made a part of this code.

Section 4. That Title VII: FIRE REGULATIONS, of the 1963 City Code is hereby amended by adding Chapter 5: HAZARDOUS MATERIALS REGULATIONS, which shall read as follows:

7-5-1: ADOPTION OF ARTICLE 80 OF THE UNIFORM FIRE CODE, PERTAINING TO HAZARDOUS MATERIALS: Article 80 and appendix IIE of the 1988 Edition of the Uniform Fire Code are hereby adopted in their entirety, and all provisions, rules, regulations, penalties, and statements therein are hereby made the rules, regulations and penalties of the City, with the following exceptions and modifications:

- (A) Article 80, section 80.102.(a) of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Sec. 80.102.(a)(1). In addition to the definition of Hazardous Materials contained in Article 9 and Article 80 of this Code, Hazardous Materials shall also include the following:

(A) Any material, substance, or waste designated as hazardous by the State Fire Marshal;

(B) Any material, substance or waste designated as hazardous under ORS 453.307(4) or any regulations promulgated thereunder;

(C) Any material, substance, or waste designated as hazardous under ORS 466.005 or any regulations promulgated thereunder;

(D) Any material, substance, or waste which has been collected or stored pursuant to ORS 453.855 - 453.992 from an "illegal drug manufacturing site", as that is defined in ORS 453.858, and which the Fire Chief designates as potentially containing toxic chemicals.

- (B) Article 80, section 80.103.(a) of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Sec. 80.103.(a) General. No person, firm, or corporation shall generate, store, dispose, use, or handle hazardous materials in excess of the quantities specified in Section 4.108 unless and until a valid permit has been issued pursuant to this article.

For any hazardous material, as defined in Section 80.102, that is not listed in Section 4.108, no person, firm, or corporation shall generate, store, dispose, use, or handle any amount unless and until a valid permit has been issued pursuant to this article.

- (C) Article 80, section 80.103.(d) of the 1988 Edition of the Uniform Fire Code is adopted as amended to read as follows:

Sec. 80.103.(d). Permit Application. Each application for a permit required by this article shall include a Hazardous Materials Inventory Statement (HMIS) in accordance with Appendix II-E of the 1988 Edition of the Uniform Fire Code. The chief may require additional information from an applicant which the chief considers necessary.

No permit shall be issued without payment of the appropriate fee, as specified in Section 80.103.(g).

- (D) Article 80, section 80.103 of the 1988 Edition of the Uniform Fire Code is adopted as amended by adding subsections (e), (f), (g), (h), and (i) which shall read as follows:

Sec. 80.103.(e). An amended HMIS shall be provided to the chief within 15 days of the generation, storage, disposal, use, or handling of any hazardous material which changes or adds a hazard class or which increases the quantity for any hazard class by 5 percent or more over that reported in the current HMIS.

No fee is required to file an amended HMIS.

Sec. 80.103.(f). The permit required by this article must be renewed annually, regardless of whether any change has occurred since the previous permit.

Sec. 80.103.(g). The following permit fees are required:

Initial Permit:	\$100.00
Annual Renewal:	\$ 50.00

Sec. 80.103.(h). Compliance. Any person, firm, or corporation required under this article to obtain an initial permit or annual permit, or to amend a permit, who does not, shall be subject to the enforcement provisions of Title 1, Chapter 16 of this Code as a civil infraction.

Sec. 80.103.(i). Nothing in this article shall be construed to imply the approval of any manufacturing or generation process, storage method, use, or disposal involving any substance that is elsewhere regulated under federal or state laws or regulations, administrative rules, city ordinances, or this Code.

- (E) Article 80, section 80.104 of the 1988 Edition of the Uniform Fire Code is adopted as amended by adding subsection (f), which shall read as follows:

Sec. 80.104.(f). Inspection. The chief, or the chief's designate, may enter and inspect any facility that generates, stores, disposes of, uses, or handles hazardous materials, or which the chief reasonably believes does so, to confirm the locations, types, and quantities of hazardous materials or to determine the need for response to a release or threatened release of a hazardous material.

Any person, firm, or corporation shall permit the chief to have access to and copy all records relating to the type, quantity, storage, or location of hazardous materials.

Section 5. Because this ordinance is necessary for the immediate preservation of the peace and public health, safety and welfare of Oregon City, and to provide for an orderly transition in a reasonable amount of time to this regulatory system, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read first time at a regular meeting of the City Commission held on the 16th day of May, 1990, and the foregoing ordinance was finally enacted by the City Commission this 16th day of May, 1990.

JEAN K. ELLIOTT, City Recorder

ATTESTED to this 16th day of May, 1990.

---

DAVID D. SPEAR, Mayor

ORDINANCE NO. 90-1025

Effective Date: May 16, 1990





**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: M-6 Trunk Sewer  
Advance Financing - Setting  
Public Hearing Date**

**Report No. 90-114**

On the May 16, 1990 City Commission agenda is a request to set a public hearing date of June 6, 1990 to consider adoption of an advance financing resolution for the M-6 Trunk sewer project.

As the Commission recalls, this is the second project of three projects that will extend sewer service to the Central Point/McCord Road area. The first project is the off-site sewer currently being constructed by the State for the Intake Assessment Center.

This project is the second project and provides gravity service to approximately 88 acres of property in the Leland/Pease Road area. The project is estimated to cost \$383,000 or approximately \$4,331 per acre and will serve the proposed Ainsworth subdivision and proposed Mt. Pleasant Mobile Home Park expansion.

The third project is the Central Point/McCord Road local improvement district that constructs sewers in Pease, McCord, Central Point and Partlow Roads and serves the proposed Tower Crest and Central Point Heights Subdivisions.

Attached is a map showing the advance finance area. It is recommended the City Commission set a public hearing date of June 6, 1990 to consider the advance financing resolution.

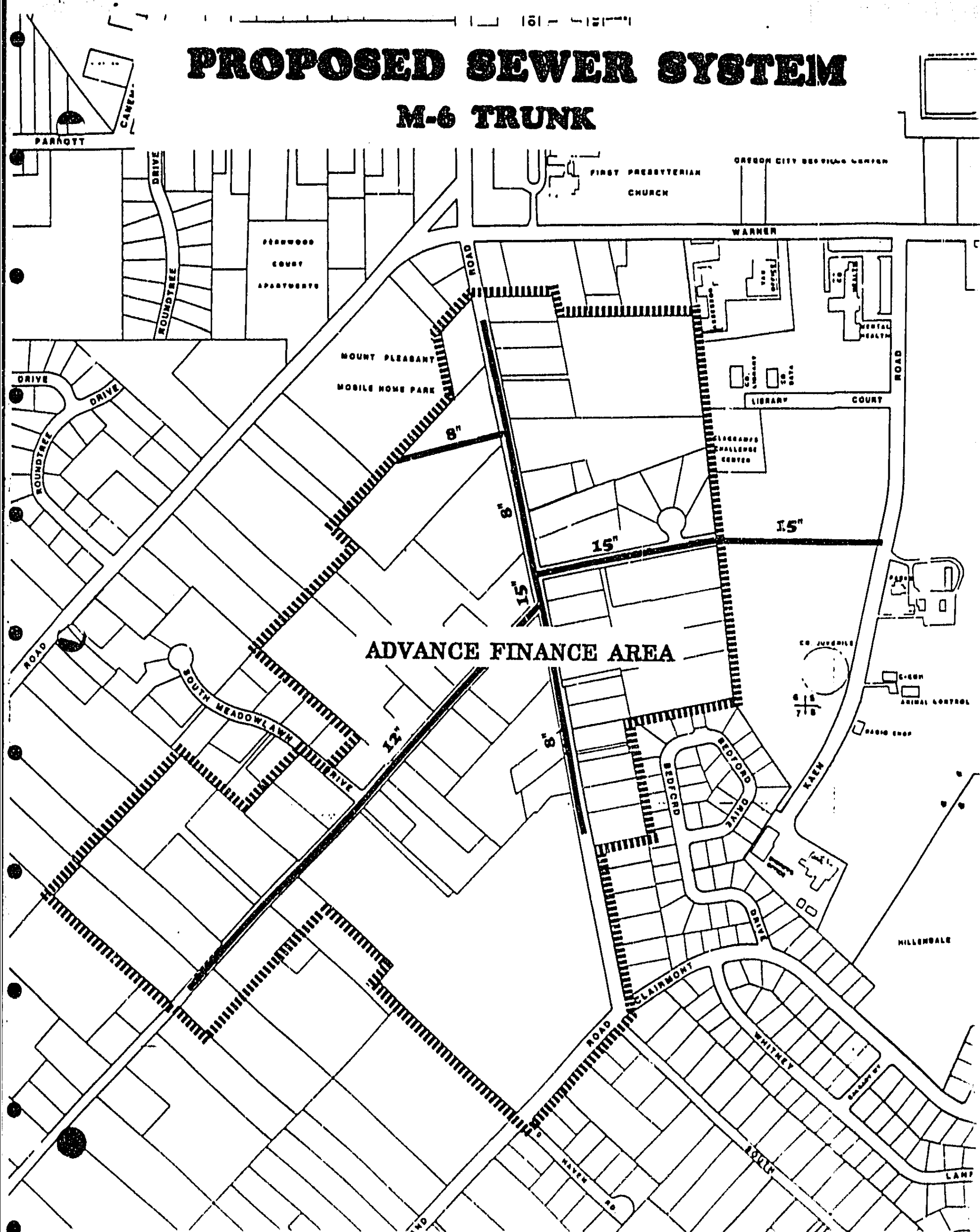
**CHARLES LEESON**  
Interim City Manager

JGB:lm

cc: Development Services Director  
Engineering Division

# PROPOSED SEWER SYSTEM

## M-6 TRUNK





# COST ESTIMATE

ADVANCED FINANCING

LOCATION M-6 SUB-BASIN

DESCRIPTION SANITARY SEWER

DATE 5/10/90

ESTIMATED BY John H.

JOB NUMBER \_\_\_\_\_

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	SUB-TOTAL
1.	15" $\phi$ P.V.C. SEWER / NATIVE BACKFILL	152 LF	\$ 40 <sup>00</sup>	\$ 6,080.00
	10-15	1310 LF	\$ 45 <sup>00</sup>	58,950.00
2.	15" $\phi$ P.V.C. SEWER / ROCK BACKFILL	20 LF	\$ 50 <sup>00</sup>	1,000.00
	10-15	90 LF	\$ 55 <sup>00</sup>	4,950.00
3.	12" $\phi$ P.V.C. SEWER / NATIVE BACKFILL	703 LF	\$ 30 <sup>00</sup>	21,090.00
	10-15	630 LF	\$ 35 <sup>00</sup>	22,050.00
4.	12" $\phi$ P.V.C. SEWER / ROCK BACKFILL	160 LF	\$ 40 <sup>00</sup>	6,400.00
	10-15	405 LF	\$ 45 <sup>00</sup>	18,225.00
5.	8" $\phi$ P.V.C. SEWER / NATIVE BACKFILL	962 LF	\$ 20 <sup>00</sup>	19,240.00
	10-15	638 LF	\$ 25 <sup>00</sup>	15,950.00
	15-20	470 LF	\$ 30 <sup>00</sup>	14,100.00
6.	8" $\phi$ P.V.C. SEWER / ROCK BACKFILL	175 LF	\$ 30 <sup>00</sup>	5,250.00
	10-15	85 LF	\$ 35 <sup>00</sup>	2,975.00
7.	MH'S	19 EA	\$ 2000 <sup>00</sup>	38,000.00
8.	TEE'S	64 EA	\$ 50 <sup>00</sup>	3,200.00
9.	ROCK EXCAVATION	750 CY	\$ 65 <sup>00</sup>	48,750.00
10.	A.C. PVMT. SAWCUT	200 LF	\$ 2 <sup>00</sup>	400.00
11.	PVMT RESTORATION	380 LF	\$ 25 <sup>00</sup>	9,500.00
12.	MOBILIZATION	L.S.		30,000.00
13.	ABANDON PUMP STATION	L.S.		5,000.00

ESTIMATED CONSTRUCTION COST

\$ 322,560.00

ENGINEERING

14,800.00

CONSTR. MANAGEMENT (2%)

6,450.00

ADMIN. (2%)

6,450.00

CONTINGENCY (10%)

32,200.00

392,460.00

SAY

\$ 393,000

COST / ACRE

$\frac{393,000}{89.43} = \$4,331$

89.43



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Central Point/McCord Sewer  
Advance Financing - Setting  
Public Hearing Date**

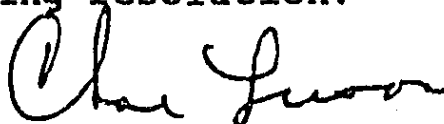
**Report No. 90-115**

On the May 16, 1990 City Commission agenda is a request to set a public hearing date of June 6, 1990 to consider adoption of an advance financing resolution for the Central Point/McCord Sewer project.

As the Commission recalls, at its March 21, 1990 meeting it formed a local improvement district (L.I.D.) to construct sewers in Central Point, McCord and Partlow Roads. Because a portion of the sewers benefited property outside of the L.I.D. boundary the City Commission agreed to participate up to \$71,000 in advance financing. Attached is a map showing the advance finance areas. Area I benefits from gravity, sewer pump station and force main improvements, while Area II benefits only from the pump station and force main.

Advance financing is the City's payment for the cost of installing a public improvement which benefiting property owners may use upon reimbursing a proportional share of the cost to the City. The City's Advance Financing Ordinance requires the City to provide notice and hold a public hearing prior to the adoption of an advance financing resolution. The resolution designates the proposed improvement, provides for the financing reimbursement, and identifies the intervening and future property owners eligible to use the improvements.

It is recommended the City Commission set a public hearing date of June 6, 1990 to consider the advance financing resolution.

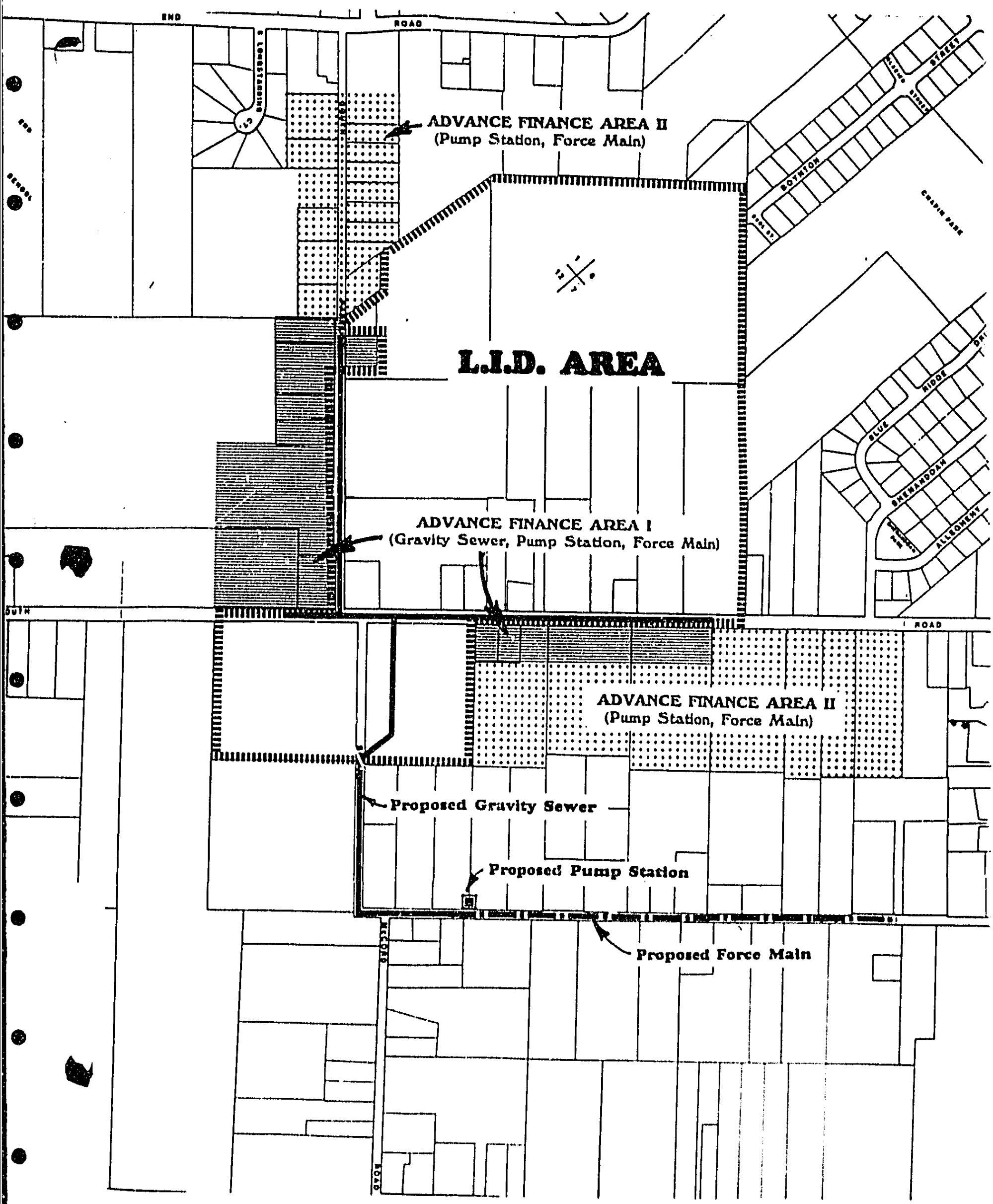
  
**CHARLES LEESON**  
Interim City Manager

JGB:im

attach.

cc: Development Services Director  
Engineering Division

# CENTRAL POINT / McCORD SEWER





**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Clackamas Cable Access Committee -  
Recommendation to Replace  
Programming on Channel 33**

**Report No. 90-116**

On April 4, 1990, a Memorandum from Willamette Falls Television was sent to the cities of Gladstone, Oregon City and West Linn. The Memorandum states that the Community Access Network is an interconnect channel consisting of access programming contributed by Paragon, Multnomah Cable Access, TCI SW Portland, Willamette Falls TV, Tualatin Valley Cable Access, Columbia Cable and Columbia of Vancouver.

On the May 16, 1990 agenda is a recommendation from the Clackamas Cable Access Committee (copy of Memorandum attached) that TCI Cablevision of Oregon replace the TCI Portland access programming now seen on Channel 33 with the Community Access Network.

The cities of Gladstone and West Linn have approved of this change. It is now being presented to the City Commission for approval by Oregon City.

CHARLES LEESON  
Interim City Manager

jke  
Attach.  
cc:

Steve Johnson, Chair, Clackamas Cable Access Committee

# Clackamas Cable Access Studio

707A Main Street, Oregon City, Oregon 97045 650-0198

## MEMORANDUM

WILLAMETTE FALLS TELEVISION

April 4, 1990

TO: City Managers of Gladstone, Oregon City, West Linn  
FROM: Clackamas Cable Access Committee  
SUBJECT: Channel 33

It is the recommendation of this committee that TCI Cablevision of Oregon replace the TCI Portland access programming now seen on channel 33 with the Community Access Network. The Community Access Network is an interconnect channel consisting of access programming contributed by Paragon, Multnomah Cable Access, TCI SW Portland, Willamette Falls TV, Tualatin Valley Cable Access, Columbia Cable and Columbia of Vancouver.

Sincerely,

Steve Johnson  
Chairman

CHARLIE:  
APPROVED BY  
GLADSTONE AND WEST LINN  
DAVE