

WEST LINN CITY COUNCIL MEETING AGENDA

(The order of business is subject to change at Council discretion)

March 14, 2005

West Linn City Hall - Council Chambers - 22500 Salamo Road

6:30 p.m. Agenda Work Session (Rosemont Room) The regular meeting will be preceded by a one-half hour work session wherein the agenda items will be discussed on an informational basis.

7:00 p.m. Regular Session

Call to Order / Pledge of Allegiance

Proclamations, Recognitions and Presentations

- West Linn Community Chorus

Community Comments -- The Council President will call for statements from citizens regarding issues related to City government, properly the subject of Council consideration, and not issues on this agenda. Persons wishing to speak shall be allowed to do so only after completing forms provided in the foyer in advance of Community Comments. All remarks should be addressed to Council as a body. Time limit – 5 minutes for each participant.

Business Meeting -- Persons wishing to speak on agenda items shall be allowed to do so only after completing forms provided in the foyer and turning them in to the Council prior to the item being called for discussion. A separate speaker slip must be turned in for each item. Time limit – 5 minutes for each participant, unless the Council decides prior to the item to allocate more or less time.

Consent Agenda -- Items appearing below are routine and will not be allotted individual hearing time. The items may be passed upon by Council in one blanket motion. Any Council member may remove an item for discussion or questions by requesting such action prior to consideration.

1. Agenda Bill 05-03-01 Minutes of February 14, 2005

Report from the City Manager

Business from the City Council

1. Agenda Bill 05-03-02 PUBLIC HEARING (ANX 04-01) - Step Two Annexation Hearing Eight Acres south and west of Parker Road
RESOLUTION - Submitting a Proposed Annexation Requiring Voter Approval to the Registered Voters of the City for their Approval at the May 17, 2005, election

2. Agenda Bill 05-03-03 PUBLIC HEARING (ANX 04-02) - Step One Annexation Hearing 10.2 Acres north of Carriage Way, and south of Valley View Drive
3. Agenda Bill 05-03-04 RESOLUTION - Updating System Development Charges for the Water System
4. Agenda Bill 05-03-05 RESOLUTION - Updating System Development Charges for the Sanitary Sewer System
5. Agenda Bill 05-03-06 RESOLUTION - Authorizing the City Manager to Sign an Agreement with the West Linn Chamber of Commerce to Co-Sponsor the West Linn Farmers Market
6. Agenda Bill 05-03-07 RESOLUTION - Updating the City's Public Works Standards
7. Agenda Bill 05-03-08 Acting as the Contract Review Board, Motion to Authorize the City Manager to Enter into a Contract with DM Excavating Co., Inc., for the Volpp Street Waterline Replacement Project (Project PW 0502)
8. Agenda Bill 05-03-09 Acting as the Contract Review Board, Motion to Authorize the City Manager to Enter into a Contract with Cipriano and Son Construction, Inc., for the Grove and Holly Street Waterline Replacement Projects (Projects PW 0503&04)

Executive Session pursuant to ORS 192.660 pursuant to ORS 192.660 (2) (h) to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

Adjournment

**AGENDA BILL
05-03-01**

For Council: March 14, 2005

Department: Administration

Subject: Approval of the February 14, 2005,
City Council Meeting Minutes

City Manager's Initials: 

Attachments: No

Budget Impact:

**Expenditures
Required:** 0

**Amount
Budgeted:** 0

**Appropriation
Needed:** 0

Summary:

Draft minutes of the February 14, 2005, City Council meeting have been prepared for your approval.

Council Action Taken:

Approved:

Denied:

Continued:

DRAFT

**West Linn City Council Meeting Minutes
February 14, 2005**

Council Present: Mayor Norman B. King, Councilor Teri Cummings, Councilor Michele S. Eberle, and Councilor Mike Gates

Council Absent: Council President Scott A. Burgess

Staff Present: Sandi Farley, City Manager; Bryan Brown, Planning Director; Peter Spir, Associate Planner; Ken Worcester, Director of Parks and Recreation; Ron Hudson, Public Works Director / City Engineer; Tim Ramis, City Attorney; and Shirley Richardson, Minute Taker

(A) Call to Order/Pledge of Allegiance

Mayor King called the meeting to order at 7:20 p.m. Councilor Gates led the flag salute.

(B) Recognition from Council/Proclamations/Awards/Presentations

Mayor King introduced Representative Scott Bruun. He is here to update the Council on what is going on in the State Legislature.

Scott Bruun, State Representative from House District 37 and West Linn resident, 23069 Bland Circle, thanked the Council for the opportunity to speak tonight. He hopes this starts a precedent where from time to time he comes before the Council and shares what is going on with regard to things that would affect Clackamas County and West Linn and to get concerns that he could take back with him to Salem. Today is the 146th birthday of the State. There was a ceremony in Salem.

Mr. Bruun stated that he is very busy in the committee process. Very little work is being done on the floor. He serves on three committees and that is where the work is being done right now. He serves as the Vice Chair on the Trade and Economic Development Committee. This committee works on regulatory streamlining, and issues to do with attracting and bringing jobs to Oregon and lottery issues. He also serves on the Transportation Committee and Veteran Affairs Committee.

They are currently earnestly debating Measure 37 in the land use committees. It has not reached his committees yet; however, it should reach the Trade and Economic Development Committee soon. There will be a push to make some

minor amendments to Measure 37 with regard to retroactivity. That seems to be most of the discussion.

Fluoride is a major issue right now. He has received dozens of emails from folks overwhelmingly in support of the fluoridation legislation being considered.

He announced that he would be hosting two town hall meetings this Saturday; one at 10:00 a.m. at Starbucks in this shopping complex, and the other at 11:30 a.m. at a Starbucks in Tualatin. He attempted to get a room for free at City Hall; however, it cannot be done without a charge. His legislative budget does not accommodate charges. He suggested that consideration should be given to whether public meetings should or should not have a charge. He invited those interested to come out and have a cup of coffee with him.

(C) Community Comments

Tualatin Valley Fire and Rescue, Chief Jim Davis and Cassandra Ulven. Chief Davis stated that he is from the Bolton Fire Station on the B shift. He introduced Cassandra Ulven, Community Services Representative, for this area. Tonight he is here as a representative of Chief Johnson and Tualatin Valley Fire and Rescue to recognize citizens who helped TVF&R out on the night of January 13th. On that night at approximately 5:30 p.m., they were dispatched to an apartment fire around 16th and Dollar Street. He was on duty that night and responded to the fire. Upon arrival at the apartment complex, there were two units burning and the fire was spreading very rapidly.

There was one fatality that night. He said that the firefighters did a tremendous job in making an effort to get inside the unit to rescue an individual. One unit was fully involved and a second unit took off shortly thereafter. There was tremendous cooperation that night from the citizens that lived in the area, as well as West Linn police officers. Letters have been sent to the Police Chief recognizing those police officers. He is here tonight to recognize the citizens who were there that night and helped them evacuate the apartment complex and initiate 9-1-1 calls. Had these citizens not initiated the 9-1-1 calls and not assisted in the evaluation of the citizens, this incident could have been far worse. The efforts of the citizens and Police Department in assisting the Fire Department kept the fire at bay to the two units.

He recognized Chris and Holly Brown, along with their daughter, and asked them to come forward and accept a plaque from Tualatin Valley Fire and Rescue for notifying 9-1-1 and for their help in evacuating the residents of the apartment complex during the fire on January 13, 2005. Their heroic efforts kept the blaze from burning down many more of the apartment units and assisted the Police Department, firefighters and paramedics. TVF&R sweatshirts were awarded to the entire family, as well.

Mr. Brown thanked the Council for the recognition saying that anyone would have done what they did. They happened to be driving by at the right place at the right time and they were able to help.

Steve Wilmarth, 1873 Willamette Falls Drive, Willamette Merchants Association, First Wednesday Group, stated that his wife owns a little shop in Willamette called the Knitting Café. In conjunction with meeting with staff, it was suggested that he draft a proposal for their upcoming Farmers Market. He submitted the proposal to the Council.

The First Wednesday was started in June 2004 with a handful of merchants and now there are over 30 merchants. The idea of this market is to promote citizens coming down and shopping in their town. They want to expand this to a farmers market starting in April 2005 and running through October. The farmers market will be open from noon to 9 p.m.

His purpose for coming tonight is to discuss the insurance aspect. With regard to liability insurance, they would like to be recognized as an official City of West Linn event, allowing the event to fall under the liability of the insurance covering the City. This would allow them to bring in more vendors, to work with local merchants and to use parking lots, keeping cars off the streets and parking in the residential areas. The Farmers Market would be every Wednesday throughout the summer. Vendors have suggested that they not do a Saturday market so they can work Saturdays in other areas and come over and work theirs on Wednesdays.

Mayor King asked if Mr. Wilmarth has met with staff regarding the insurance issue. Mr. Wilmarth stated that he has talked to John Atkins three times, and he suggested that they come before the Council. They have two options: 1) be covered under the City insurance; or 2) buy outside insurance, which is expensive if they can get it with so many merchants moving in and out. Staff explained the process to receive City sponsorship.

Councilor Gates asked if the issue to be considered is product liability and issues relating to food and items taken away from the premises and consumed or used.

Mr. Wilmarth stated that each vendor will be asked to supply them with a certificate naming the association, and the City of West Linn will be additional insurance.

Tim Ramis stated that the product liability issue is a critical consideration in the coverage.

Mayor King stated that this request wouldn't ordinarily require Council action. It should go through the budget process for sponsorship.

Councilor Gates asked if there is a cost to the City for this process.

Sandi Farley stated that the City is not anticipating any cost. They have checked with their insurance carrier and, as long as there is no alcohol sold or drag racing, the Wednesday Market can be covered under the City's insurance at no additional charge.

Councilor Gates asked if there are any other costs to the City in terms of police presence or otherwise.

Ms. Farley stated that she can bring this information to the next Council study session and then agendize it for the March 14th meeting for Council action. Wednesday Market is asking to be an officially sponsored event of the City. It would be appropriate for Council to officially sanction the West Linn Farmers Market as a City-sponsored event. This decision can be made at the staff level.

Alice Richmond, 3939 Parker Road, congratulated City staff for their prompt public response to the finance issue. She wished a happy birthday to Oregon. The Lewis and Clark expedition opened the Oregon territory, but it was not until 1859 that Oregon gained statehood as the 33rd state of the union. News did not travel fast at that time. On March 17, 1859, at 10:59 Harry Clay Houston of Corvallis wrote in his diary that, upon hearing the news at 10:00 p.m., the brass band played "Hail Columbia" and "Yankee Doodle" and whiskey was consumed on the occasion. The Oregon official state flag was adopted in 1925.

Ms. Richmond stated that she has read the statement in the *West Linn Tidings* that a new era begins with this current City government building on the work of the previous Council. This was good to hear. Included in that statement were eight principles given as intent to increase neighborhood association activities. As president of the Parker Crest Neighborhood Association, she asked why there has been a decision to delay their planning progress. This project was making excellent progress towards their intended completion date. Their end was to provide Council with a completed outline of their vision by spring 2005, and they were well on their way. Time is essential and the activities of the developer and other interests affecting the quality of life in their neighborhood have not slowed or stopped. She asked to have their hard work continued to pursue their goal. They hope that the delay is short and they will be allowed to continue.

(D) Consent Agenda

1. Agenda Bill 05-02-01

Minutes of December 15, 2004

2. Agenda Bill 05-02-02 Minutes of December 22, 2004
3. Agenda Bill 05-02-03 Minutes of January 5, 2005
4. Agenda Bill 05-02-04 Motion to Recommend Approval of Liquor
License Renewal Applications

Councilor Eberle stated that Agenda Item 05-02-04 has been discussed at length in the worksession and an issue raised was the fact that a letter was received from a community member regarding a complaint on activity at Cheers II. Chief Ellison returned a memo regarding this on January 21st, which addressed Cheers II and indicated that there is nothing that is illegal activity going on or issues that would preclude them from being recommended for a license renewal.

Councilor Gates moved to approve the Consent Agenda consisting of the minutes of December 15, 2004, and December 22, 2004, and January 5, 2005, as presented, and the recommended approval of liquor license renewal applications. Councilor Cummings seconded the motion.

Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion carried 4-0.

(D) Report from the City Manager

Sandi Farley reported that the Friends of the Library had a book sale that raised \$1,500. There is an ongoing book sale at the Library that is going well. There is about \$18,000 in their account.

Ms. Farley reported that the City received a call from the corporate offices of the Bank of America to verify the employment of a former employee. An employee in the Finance Department took the call and indicated that this person had not been employed for over two years and asked why the bank was calling. The bank informed her that there had been recent activity on a City credit card. The call was transferred to the Finance Director. This led to the occurrences on Thursday, which culminated in the arrest and booking of an 18-year employee with the Finance Department. She was in court Friday and will appear again on Thursday of this week. There are a number of charges against her, including aggravated theft, identity theft, and fraudulent use of City credit cards for personal purposes.

Ms. Farley stated that she fielded calls from a number of citizens concerned about the identity theft and citizen accounts on auto-pay with the City. There are no accounts that the City has on auto-pay that were tampered with. These offences involved four credit cards that were issued to employees who are no longer here that had been given to this employee to cancel. These four cards

were held for over a year and used for personal reasons. Her employment with the City will terminate on February 16, 2005. The case is still under investigation.

Since this incident a number of changes have been made. She met with the department heads and asked that all credit cards issued under the City's name be returned; none have been reissued. There were a number of credit cards that were out for the use of invoicing. These will not be reissued and the invoicing process will be reinstated. She will reissue Visa cards to department heads only. There will be no other employees in the City that will hold credit cards.

All bills will be sent to department heads and they will match receipts. Then they will send these bills on for review by two other people. Two financial firms have been contacted regarding auditing the system to see how improvements can be made in order to avoid this situation again.

There are more changes that will be made to City accounting practices. All employees were called together Thursday and told of the situation. A press conference was held on Friday. They are still receiving phone calls.

(E) Business from the City Council

Mayor King stated that the City Manager has kept the Council well informed about this situation, and he is confident that she will keep them informed about changes to financial procedures that are to be made in the future.

Mayor King explained that Council President Burgess is out of town this evening, and Councilor Eberle is acting Council President in his place.

Councilor Gates reported that he attended the Tualatin Valley Cable Access meeting. The main focus of discussion was goal setting.

Mayor King reported that the West Linn Chorus would be here for a special presentation at the next Council meeting. Mayor King stated that he attended a meeting with a group of citizens that are part of various heritage groups. There were discussions of the Heritage Committee and how best to accomplish some of the additional goals that the heritage committees as a group need to accomplish. It was decided to have a city heritage commission that would coordinate the activities of the various heritage groups. This would be a historical review board that would serve a general coordinating function. He indicated that Councilor Gates is anxious to get going on a 100-year celebration for West Linn.

- Appointments to Boards, Commissions and Committees

Mayor King explained that the mayor makes the appointments for the boards and commissions and the Council approves the appointments. He thanked everyone for volunteering to serve on these committees and participate and assist the City. He stated that he appreciated all of the applications and the following appointments were made:

Arts Commission

- William D. Brandt – 4-year term ending 12/31/2008
- Veronica Swehla – 1-year term ending 12/31/2005
- David Froode – 3-year term ending 12/31/2007
- Carol Wagner – 4-year term ending 12/31/2008

Budget Committee

- Jim Morton – 3-year term ending 12/31/2007
- Bruce Tribken – 3-year term ending 2007

Fair Commission

- Clint Coleman – 4-year term ending 12/31/2008
- Douglas Fiala – 4-year term ending 12/31/2008
- Mark Buser – 4-year term ending 12/31/2008

Library Board

- Pam North – 4-year term ending 12/31/2008
- Gregory Williams – 4-year term ending 12/31/2008

Parks/Recreation Board

- Richard Paris – 3-year term ending 12/31/2007
- Robert Bjerre – 1-year term ending 12/31/2005
- Alma Coston – 1-year term ending 12/31/2005

Police Advisory Committee

- Willamette Dave Becker – 2-year term ending 12/31/2006
- Parker Crest William Hewitt – 2-year term ending 12/31/2006
- Hidden Springs Al Belais – 2-year term ending 12/31/2006²⁰⁰⁵
- Bolton Nancy Ross – 2-year term ending 12/31/2006
- BHT Ted Watson – 2-year term ending 12/31/2006
- Tanner Basin Dennis Richey – 1-year term ending 12/31/2005
- At Large Greg Ankofski – 2-year term ending 12/31/2006

SFWB Budget Committee (recommendations for appointment by SFWB)

- John Worcester – 3-year term ending 12/31/2007
- Jinny Haines – 1-year term ending 12/31/2005

SFWB Citizens Advisory Committee (recommendation for appointment by Board)

- Bob Adams

Be prepared

Utility Advisory Board

Damien Hendricks – 2-year term ending 12/31/2006
Gretchen Katko – 2-year term ending 12/31/2006
Edward Keonjian – 2-year term ending 12/31/2006
Ray Kindley – 2-year term ending 12/31/2006
Aziz Mahar – 2-year term ending 12/31/2006

Councilor Eberle moved to accept the nominations as stated by the Mayor. Councilor Gates seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

Mayor King announced that there were exceptions to the appointments. Council decided not to fill the Telecommunications Advisory Board because the City is currently negotiating an IGA to replace the arrangement that involves three cities. If approved, it will create a common board that would replace this advisory board.

There were no appointments made to the Traffic Safety Committee because they did not think there were any vacancies; however, there is one vacancy and it will be advertised and filled at a later date.

The Tree Committee was not filled because they are considering broadening the scope of this natural resources area and appointing a natural resources committee that would include the functions that are currently filled by the Tree Committee. Council is considering restructuring the entire group of committees to make the organization more consistent between the committees and the City.

Another committee under consideration is a citizens advisory committee on communications and outreach for the City. There are a lot of resources in the community and the City would like to tap into those talents. Goals and objectives were deemed very important for improvement in the City.

Mayor King opened nominations for the Planning Commission. Councilor Gates nominated John Moss and Gary Hitesman. Councilor Eberle nominated Michael Bonoff and Joyce Jackson. Councilor Cummings nominated Aaik Van der Poel.

Councilor Gates moved to close nominations. Councilor Cummings seconded the motion. Councilors were asked to make two selections from the nominations.

Councilor Gates voted for John Moss and Gary Hitesman.

Councilor Eberle voted for Michael Bonoff and Gary Hitesman.

Councilor Cummings voted for Michael Bonoff and Aaik Van der Poel.

Mayor King voted for John Moss and Michael Bonoff.

The vote resulted in Michael Bonoff being appointed to serve the 4-year term and a roll call vote was taken for the second nomination, as follows:

Councilor Gates – Gary Hitesman

Councilor Eberle – Gary Hitesman

Councilor Cummings – Gary Hitesman

Mayor King – John Moss

Mayor King announced that the two-year term would go to Gary Hitesman.

- Council Goals and Objectives

Mayor King announced that for the last couple of months the Council has been working on developing goals and objectives. Staff has worked on the priorities and implementation of these objectives and goals. He suggested a change to the last goal to read, "Support a vibrant business climate consistent with citizens' values, interests and needs."

Councilor Gates stated that he appreciated the process, deliberations, and the invitation for City staff, citizens groups, and neighborhood associations' participation. This has been a good process.

Councilor Eberle stated that there were two seven-hour meetings that resulted in a lot of thought in these goals. She asked that the goals be read aloud. She read the goals for the audience.

Councilor Gates moved to adopt the goals as read. Councilor Cummings seconded the motion.

Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion carried 4-0.

- Council Rules

Councilor Cummings moved to adopt the Council Rules with the edits as outlined. Councilor Gates seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

Sandi Farley announced that the Council's goals and objectives, the vision, and the rules will be put on the City's website tomorrow morning.

(F) Business Meeting

Mayor King informed the audience that under the new rules the time for testimony has not changed but the procedure for granting minutes has changed. There is a fixed amount of minutes for community comments and agenda item comments, and the Councilors will not be granting additional time for testimony.

Council has changed the order of the agenda to hear first Item No. 5, Agenda Bill 05-02-09, regarding the Willamette Neighborhood. Part A and Part B of this item will not be discussed tonight.

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| 5. | Agenda Bill 05-02-09 | ORDINANCE No. 1515, Amending the Comprehensive Plan Map, Community Development Code, and Zoning Map, Regarding the Willamette Neighborhood New Mixed-Use Zoning District |
|----|----------------------|--|

Councilor Gates explained that the Council is supportive of the Willamette plan as presented. There is a legal question in terms of the language of the vision in the context of local government.

Bryan Brown, Planning Director, reported that this item is for the adoption of the Willamette transitional zone, part of the Community Development Code ordinance amendments proposed to create a mixed-use district. Carole Connell passed out individual maps indicating districts and subject properties. She and Jody Carson are here tonight to answer questions on this item.

The agenda bill and ordinance focuses on three aspects -- the creation of a mixed-use district that would be designated on the Comprehensive Plan Map; the Community Development Code changes to create the mixed-use district; and a change to the zoning map creating the mixed-use district.

Jody Carson, 1296 12th Street, stated that she is here as the co-chair of the neighborhood association. They see this zone as the third element to their neighborhood historic area. The other two components are already in place -- the historic district (older section of Willamette) and the commercial overlay zone, which defines the historic commercial businesses.

The neighborhood felt there was a piece missing. They wanted to protect the integrity of the historic district and the commercial area, but other people were interested in having some additional small businesses come into the community (small businesses, not a traditional commercial look). Stephanie Nicoletti, who is here tonight, chaired the committee that worked hard with members of the neighborhood association, merchants in the area, neighbors, and residents to try to come up with something that met everyone's needs.

This proposal is a very conservative approach. They looked at a lot of different areas around the designations on the map and took the approach that, for the initial zone map, they would only include areas that had absolute community support. There may be additional properties that people would like to include at some future time, and they would be willing to consider those. This first round indicates the uses that everybody had consensus on. There have been several requests for additions into this zone, and they look forward to working with staff in terms of coming up with a process to add properties in the future.

Councilor Gates stated that this proposal is one of the best processes he has seen done, from beginning to end. He likes the fact that there is no end to this. This is a process within a process that allowed for a lot of voices. It is a fluid document and is recognized as such. He appreciates the hours of dedication of those involved.

Mayor King stated that at the beginning of this process he was concerned that this proposal would encourage residential areas to become commercial and encourage destruction of the residential feel for this community. Once he saw what was proposed and how it was approached, he felt more comfortable with the change. It prevents construction of additional neighborhoods by injecting commercial businesses into the community.

Councilor Cummings stated that, as a Planning Commissioner, she has been involved in some of this process. She commended them on the time and dedication put into this project and the community spirit that it has generated. It is great testimony to have people involved in the process and to help plan it.

Councilor Eberle stated that she lives in this neighborhood and has the advantage of walking through the historic business district and seeing how some of this is put into practice. It is wonderful for her neighborhood to have the livability and quality of life. She is in support of adopting this ordinance and hopes that other areas of West Linn look towards this transitional plan for use in their neighborhoods, as well.

Stephanie Nicoletti, 1782 5th Avenue, asked if the two ordinances not being discussed tonight would be brought back in the future. Mayor King assured her that the other two ordinances would be back before the Council in the future.

Mayor King closed the public portion of the hearing and moved into deliberations among the Council.

Tim Ramis read the ordinance for the first time by title only.

Councilor Cummings moved to adopt Ordinance No. 1515 amending the Comprehensive Plan Map, Community Development Code, and Zoning Map, regarding the Willamette Neighborhood new mixed-use zoning district with the amendments made tonight. Councilor Eberle seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

Councilor Cummings read the ordinance for the second time by title only and moved to adopt Ordinance No. 1515, amending the Comprehensive Plan Map, Community Development Code, and Zoning Map, regarding the Willamette Neighborhood new mixed-use zoning district with the amendments made tonight. Councilor Gates seconded the motion.

Ayes: Gates, Eberle, Cummings, King

Nays: None

The motion carried 4-0.

Mayor King suggested that the outstanding questions on this agenda bill be addressed at the next worksession planned for February 28th. He also requested that the issue of the delay of the Parker Crest Neighborhood Association be put on the agenda for that meeting.

Councilor Eberle asked Tim Ramis to review the plans for Agenda Bill 05-02-09 and make recommendations for language before the worksession. The issue is the difference between mandatory items and those that are more aspirational. This reflects on the issue of how or whether it is brought into the Comprehensive Plan. It was asked that all the Councilors get a copy of the recommendation by the City Attorney before the worksession.

1. Agenda Bill 05-02-05 PUBLIC HEARING - Limiting Private Driveway Grades
ORDINANCE No. 1513, Amending the Community Development Code, Chapters 46 and 48, regarding Driveway Slope

Bryan Brown reported that this public hearing is being held to review code amendments in the Community Development Code that pertain to residential driveway grades. There are current standards that deal with this issue. The

Planning Commission has reviewed this ordinance, made a recommendation to Council, and Council remanded it back to the Planning Commission when additional information came up from the Engineering Department on trying to outline specifically how to deal with measuring the slope to be allowed. The Planning Commission agreed on a 15 percent maximum slope, but there was a need to clarify how to measure in the second public hearing that the Planning Commission held on this.

Peter Spir, Associate Planner, stated that the area of confusion was how the driveway slopes were calculated. This is a city of hills and we can't get around the fact that there are some very steep slopes off Wildwood. One of the turning points for the Planning Commission was the realization that Hidden Springs Road approaches 17.5-18.5 percent. It is very difficult to limit property owners to 12 percent or 15 percent. Staff is recommending 15 percent with the last 18 feet going into the garage at 12 percent. What used to be an opportunity for the Building Official to decide how this is accomplished, this ordinance takes that flexibility away. It is up to the Council to accept the recommendation of the Planning Commission or try to come up with a hybrid solution.

Councilor Gates asked for clarification of the loss of flexibility.

Peter Spir stated that, since he started in 1987, the Building Official has had the flexibility to go out at the direction of the Planning Director to sites and make a determination and findings that the building has exhausted all reasonable alternative routes up to the building site and has to go with a 17 percent grade for a long distance or only a few feet. This flexibility has relieved the builder, staff, and Planning Commission of going through a variance process (four months), costing \$1,800, and the outcome being favorable towards the property owner.

Councilor Gates asked what it would take to regain that flexibility.

Mr. Spir stated that the recommendation of the Planning Commission is 15 percent with the 12 percent for the last 18 feet. An alternative is to leave the language as it is, which is 12 percent plus the flexibility for site review by the Building Official.

Councilor Eberle stated that new text was put in which states variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75. She asked if this was added by the Planning Commission.

Mr. Spir stated that it was added by the Planning Commission, but it was recognized by both the Planning Commission and staff that the only way to get around any code language is through a Class II variance. In the old code the reference to the variance was not there.

Councilor Eberle asked if it would be an option to change to 15 percent and to keep all the language about the 12% and leave out the requirement for the variation of the approval of Class II.

Mr. Spir stated that it could be done, but in concert with that one would have to re-establish or make sure the right of the Planning Director is there to make calls.

Councilor Cummings stated that she didn't want to make anything overly onerous, but she is concerned about public safety. Sometimes when people move to this community, they don't know what it entails, especially during an ice storm and inclement weather. There are issues when cars slide down the hills and hit other cars and people. There are measures of what is reasonable. She read from circled Page 35. For the sake of long term, what would create properties that are useable for most people would be best. She has observed cars trying to go up a 19 percent grade in her neighborhood and start sliding into the front yard of a neighbor's property. There has to be some point where the length and the slope create an unsafe situation, and it should just say that; not having some unclear language about someone making a decision outside the public purview. She is inclined to think it is important to adopt the proposed language increasing it to 15 percent.

Bryan Brown stated the one defining point in this change is how to measure. The previous code had no way of measuring or determining what the slope was when the road slopes. The house and garage sit on a level plane and, if you have a roadway that slopes, the decision was to make the measurement down the centerline of the driveway. By doing this you have a defined perspective and the percentage can be hooked on to something that is meaningful.

A review is important because, if it isn't given a review, there is a tendency not to think things out well enough. By grading the slope could be minimized; however, it costs a little more.

Councilor Eberle asked how often the City has been granting on-site variances.

Mr. Spir stated that he didn't have statistics. He works with the Building Department and suspects it is about five per year of the total number (about 100) of building permits.

Councilor Gates stated that he believes that raising the grade is increasing the problem for people. He asked if the 12 percent is adequate or is it crucial to raise it to 15 percent.

Mr. Brown explained that the ordinance did provide the maximum 12 percent that applied the length of the driveway. However, there was another standard being applied by the Building Official who indicated that he would never approve a

driveway that was over 18 percent. From a standpoint of a decision, it would take the heat off of staff to make these types of decisions. The proposed language is open, available in the code, and less restrictive than it is today. There has to be some point where people don't continue to create situations of unsafe driveways. The appeal process is there to review unique situations, allowing the neighbors to come forward and voice adverse impacts.

Changing the slope to 15 percent is not adding to the problem because of the fact that the Building Official in the past made those decisions and approved those that exceeded the specified 12 percent.

Mayor King noted that with a 20-foot setback the first 18 feet have to be 12 percent and the remainder of the driveway (two feet) is what is being questioned.

Mr. Brown stated that there are circumstances where there is a longer driveway. That is where this ordinance comes into play. For driveways that are longer, the 15 percent maximum refers to any point of the rest of the driveway.

Mayor King asked how many lots this proposed ordinance would make unbuildable.

Mr. Brown stated that studies have not been done on this, but they find that the lots that are being developed right now are the ones with the tough conditions. He thinks there will be more and more lots that will be challenged by this language.

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it to deliberation among the Council.

Councilor Eberle read the ordinance for the first time by title only and moved to approve Ordinance No. 1513 amending the Community Development Code, Chapters 46 and 48, regarding driveway slope per Agenda Bill 05-02-05. Councilor Gates seconded the motion.

Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion to approve Ordinance No. 1513 carried 4-0.

Councilor Eberle read the ordinance for the second time by title only and moved to approve Ordinance No. 1513 amending the Community Development Code, Chapters 46 and 48, regarding driveway slope per Agenda Bill 05-02-05. Councilor Cummings seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion to approve Ordinance No. 1513 carried 4-0.

2. Agenda Bill 05-02-06 PUBLIC HEARING - Billboard Signs
ORDINANCE No. 1514 Amending the
Community Development Code, Chapter 52,
Regarding the Prohibition of Billboard Signs

Peter Spir reported that the City of Gladstone was compelled by a billboard company to make accommodation for their billboards because their code did not explicitly ban billboards. In 2003 there was a case involving the City of Tigard who had adopted code amendments that banned billboards and put a cap on the size of freestanding signs. This proposed ordinance would do the same thing for West Linn; that is, ban billboards and limit the size of freestanding signs to 120 square feet.

In the last four weeks he visited Robinwood, 10th Street, etc., and measured the existing signs and discovered that the average sign is about 180 square feet. Staff is proposing a change to Chapter 52 that would prohibit billboards and limit freestanding signs to 180 square feet. At some point in the future, staff can come back with a more comprehensive amendment on Chapter 52 on signs.

Councilor Gates asked, if a sign were larger than 180 square feet, would it have to come down. The answer is no; but at such time that the property/business owner wants to replace the sign, the replacement would have to fall within the 180-square-foot limit.

Mr. Spir stated that any subsequent sign would have to meet the code.

Councilor Eberle noted that the staff report indicates that the billboard industry has not been willing to accommodate smaller signs (120 square feet). Does this apply to 160 square feet? Mr. Spir stated that it does.

Councilor Eberle asked if the existing ordinance (circled Page 26) allows for 150 square feet for a business center. This will be increased to 180 square feet, and yet the language specifically states that billboards would be prohibited. Mr. Spir stated that in the definition section it states that they are prohibited.

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it to deliberation among the Council.

Councilor Gates read the ordinance for the first time by title only and moved to approve Ordinance No. 1514 amending the Community Development Code, Chapter 52, regarding the prohibition of billboard signs

Chapter 279 was replaced with three other chapters -- 279, 279(a) and 279(b). This is a simpler contracting process to follow because it is clear and concise.

Some of the changes include adoption of findings for personal services contracts, advertising requirements, and other criteria regarding local rules that bring the City into compliance with State law.

Staff has made minor changes in the ordinance since it was last presented to the Council in Section 10.015 to bring the limit to \$50,000 and Section 30.035 setting a ceiling at \$50,000.

Mayor King asked how this impacts the Council Rules with the contracting limit.

Mr. Worcester stated that this set of rules does not impact the Council Rules. The limits that are set forth in the Council Rules are still in effect. This refers to the limits that each department head has to enter into a public contract, along with internal purchasing procedures for smaller contracts. All of the checks and balances will still be in place. This deals with the contract process for outside contracts.

Mayor King asked if this proposed change is more cumbersome than what is in place now.

Mr. Worcester stated that to some degree it is more cumbersome in the sense that there are more steps that have to be taken and the process is more difficult. However, although a lot of things changed procedurally, now there are less legal questions. This brings the City into conformance with State statutes and gives a consistent set of rules everyone can go by.

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it to discussion among the Council.

Acting as the Contract Review Board, Councilor Gates moved to approve Resolution No. 05-03, repealing existing Local Contract Review Board administrative rules, adopting new public rules and findings, and stating that the Model Public Contracting Rules proposed by the Attorney General do not apply per Agenda Bill 05-02-07. Councilor Cummings seconded the motion.

Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion carried 4-0.

4. Agenda Bill 05-02-08 RESOLUTION No. 05-04, Designating a Certain Property as "City Owned" (21395 Willamette Drive)

Ken Worcester reported that Council requested that the Parks and Recreation Advisory Board review the designation of "City Owned" at 21395 Willamette Drive. This property was designated as "open space" by Agenda Bill 04-12-13 and Resolution 04-24. The Park Board reviewed this property and other properties under that bill and passed a motion to recommend to Council that this designation be changed from open space to that of other City-owned property. This change was based on the size of the property, its condition, and the fact that there is a structure on the site. The Board was hard pressed to call this a natural area when it has a structure on it.

Mr. Worcester mentioned that City Property Classification Definitions were included in the packet and indicated that, after review of the other properties, the Parks Board recommended that all the other designations remain.

Councilor Gates asked if there would have to be a vote of the people required if this property takes a new designation and what is the process for disposal of the property.

Mr. Worcester stated that, if the designation changes to that of "City-owned" or "City property," a vote would not be required to dispose of the property. Arrangements would have to be made with the County to take back the property or undo the sale. Then the County would be able to dispose of it in a fair-market situation. Another option would be to add it and improve the structure and property to fit the low-income housing inventory (Habitat for Humanity or similar group).

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it to deliberation among the Council.

Mayor King stated that this item has come before the Council previously and he has voted in opposition because there was the lot with a structure and he felt it was an illegal action because the City does not have title to Lots 119 and 120. You can only declare property "open space" to publicly owned lots. These two lots are the only access to recreational areas next to the freeway and they would potentially be the only access except off the freeway. In this case, they would need to be undeclared open space. He feels that it would be a mistake to make Lots 119 and 120 open space until a time when they can actually be declared "open space" or used for another purpose.

Councilor Eberle moved to adopt Resolution No. 05-04 designating a certain property as "City Owned" (21395 Willamette Drive) per Agenda Bill 05-02-08. Councilor Gates seconded the motion.

Councilor Gates asked about the legality of including both Lots 119 and 120 in this resolution.

Mr. Ramis stated that it is within the Council's prerogative to amend the resolution to do that.

Councilor Gates suggested amending the motion to include the two lots.

Councilor Eberle asked staff for their comments on including both lots in the resolution.

Mr. Worcester stated that the "open space" designation doesn't preclude the City from putting in some sort of recreational asset. There are two designations, "open space" and "open space natural area." The "open space natural area" designation is excluded from SDC methodology. On these particular lots, because of the wetlands, depending on the development, they would not do anything more than a footpath down to the additional property. If these are left as "open space," it will allow the City to factor in the SDC methodology once there is a recreational asset on the property.

Councilor Eberle asked if there is any implication of the City trying to include these properties in SDC's by the fact that the City does not have the deed to these properties.

Mr. Ramis stated that the issue would be resolved by the time these properties are dealt with in an SDC context.

Mr. Worcester stated that the impact of the properties by size right now would not be worth addressing until such time that the City actually paid for the improvements and then factored them in.

Discussion followed on access/road improvements proposed to the properties. Councilor Gates withdrew his amendment suggestion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion to approve Resolution No. 05-04 carried 4-0.

- | | | |
|----|----------------------|--|
| 6. | Agenda Bill 05-02-10 | ORDINANCE No. 1516 Revising Municipal Code Section 4.300 through 4.330 relating to Water Supply Cross Connection |
|----|----------------------|--|

Ron Hudson reported that on November 2, 2004, the State of Oregon Department of Human Services, Health Services, revised their administrative rules changing policies and procedures associated with cross connection systems.

Cross connection is the methodology by which the public water system is protected from contamination, mainly from sprinkler systems or in-ground hard plumbed to the domestic water supply system.

Staff has revised the code to change the requirement so that, when the sprinkler systems are activated in the spring, they are tested at that time. This will save the citizens money because they would not have to call people back for a second service. In addition, it will save the City money because it will reduce the amount of time spent contacting residents. This information can be communicated in the local newspaper, posting on the utility bills, and word of mouth.

Mayor King asked how much this process would increase the burden on homeowners.

Mr. Hudson stated that this would lower the homeowner's responsibility. The requirement is dictated by state law that these devices have to be tested annually, and the City is responsible for ensuring that it happens. Instead of the City sending letters when the system is commercially activated, the burden is on the sprinkler companies to test the system.

There have been comments about the time it takes for forms to be returned to the City. The problems have been with the delivery of the test forms. Sometimes they are a month old, six weeks old, two weeks old, etc. There is no timeliness in providing that information. There are plans to put the forms online in the future.

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it up to deliberations among the Council.

Councilor Cummings read the ordinance for the first time by title only and moved to approve Ordinance No. 1516 revising Municipal Code Section 4.300 through 4.330 relating to water supply cross connection per Agenda Bill 05-02-10. Councilor Eberle seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

Councilor Cummings read the ordinance for the second time by title only and moved to approve Ordinance No. 1516 revising Municipal Code Section 4.300 through 4.330 relating to water supply cross connection per Agenda Bill 05-02-10. Councilor Cummings seconded the motion.

Ayes: Gates, Eberle, Cummings, King

Nays: None

The motion to approve Ordinance No. 1516 carried 4-0.

7. Agenda Bill 05-02-11 Vacation of Perimeter Property Easements and Sanitary Sewer Easement Associated with Gregory Heights Development

Ron Hudson reported that last fall a developer came in to develop an area off of Rosemont Road and the easements that existed on that property are shown on Exhibit B-1. In reconfiguring the land to put on the 15-lot subdivision, the easements were not in the form necessary to provide the services needed in that development. Exhibit B-2 reflects the new easements as required by the new subdivision and validates the agreement between the developer and the City that was signed and shown on Exhibit A, indicating that once the development was complete and the plat recorded and easements in, the Council will come back and ratify the agreement and vacate the old easement. This is a verification of that agreement.

Councilor Gates asked if there was a code that prohibited streets being named after a living individual.

Mr. Hudson stated that he did not have that information, but would ask the Planning Department to respond and get that information back to Council.

There was no public testimony on this issue.

Mayor King closed the public testimony portion of the hearing and opened it to deliberations among the Council.

Councilor Gates moved to approve the authorization of the City Manager to sign a quitclaim deed vacating the perimeter public utility easements and sanitary sewer easement that are no longer required due to the platting associated with Gregory Heights Development per Agenda Bill 05-02-11. Councilor Cummings seconded the motion.

Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion carried 4-0.

8. Agenda Bill 05-02-12 Request for Proposals for Attorney Services

Sandi Farley reported that Council periodically reviews the services that it contracts for. The legal services contract has not gone out for bid for some time. It did go out about two years ago and never followed through. A draft copy of the contract was submitted to the Council for comments and revisions.

Councilor Gates noted that there is some recommended language submitted by Council President Burgess. He is comfortable with what is being suggested; however, he doesn't see the necessity of deleting the qualification list elements. He is suggesting that the changes suggested by Council President Burgess be included except for leaving in the three items on Schedule #2.

Councilor Gates moved that a request for proposals be sent out for legal services using the proposed draft with inclusion of the recommended changes made by Councilor Burgess, leaving in the three items on Schedule #2. Councilor Cummings seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

(G) Adjournment

The meeting adjourned at 10:25 p.m.

Councilor Cummings read the ordinance for the second time by title only and moved to approve Ordinance No. 1516 revising Municipal Code Section 4.300 through 4.330 relating to water supply cross connection per Agenda Bill 05-02-10. Councilor Cummings seconded the motion.

Ayes: Gates, Eberle, Cummings, King

Nays: None

The motion to approve Ordinance No. 1516 carried 4-0.

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Ayes: Eberle, Cummings, Gates, King

Nays: None

The motion carried 4-0.

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Councilor Gates moved that a request for proposals be sent out for legal services using the proposed draft with inclusion of the recommended changes made by Councilor Burgess, leaving in the three items on Schedule #2. Councilor Cummings seconded the motion.

Ayes: Cummings, Gates, Eberle, King

Nays: None

The motion carried 4-0.

(G) Adjournment

The meeting adjourned at 10:25 p.m.

AGENDA BILL 05-03-02

March 14, 2005

TO: West Linn City Council
FROM: Planning Department
SUBJECT: MIS 04-01, Olson Annexation on Parker Road

Attached is an additional table clarifying information contained within the staff report. The table, entitled COMPARISON TABLE, compares the analysis prepared by Carole Connell in September, 2004, as a generalized analysis of annexations, with the analysis prepared by staff for this particular annexation. It shows the specific areas where the Connell analysis and the staff analysis for this annexation provide differing results.

COMPARISON TABLE
West Linn Infrastructure Costs – Carole Connell Analysis v. ANX 04-01 Analysis
 Not supported by a System Development Charge

	CAROLE CONNELL 9/04 ANALYSIS	ANX 04-01 3/05 ANALYSIS	
Improvement	Total Growth Cost – September 2004 Analysis	Total Growth Cost	Cost per dwelling unit
West Linn Schools		West Linn Schools	
Elementary	\$7.9m / 625 students	\$7.4m/625 students – since the West Linn-Wilsonville School District already owns the land for an elementary school site, land costs of \$0.5m can be subtracted.	\$11,840 per student X .30 = \$3,552 per d.u.
Middle	\$10.1m / 836 students	\$9.4m/836 students – since the West Linn-Wilsonville School District already owns the land for a middle school site, land costs of \$0.7m can be subtracted.	\$11,244 per student X .16 = \$1,799 per d.u.
High	\$26.8m/1667 students	None – West Linn-Wilsonville School District is not proposing to expand either school – the district will shift attendance boundaries if necessary to utilize excess capacity at Wilsonville High School	None
Total School Costs	\$44.8m	\$16.8 m	\$5,351 per d.u.
County Roads	NA (SDC collected)	NA (SDC collected)	Unknown
State Roads	\$144m statewide in 2000	Statewide costs impacts are too speculative to include as specific figures. The analysis prepared did not account for the fact that 1) some modernization projects are the result of facility obsolescence independent of growth concerns; and 2) vehicle miles per capita have increased, meaning that some of the need for new roads comes from existing state residents, not new growth.	
			\$3,550 per d.u.
			\$9,101 per d.u.

	CAROLE CONNELL 9/04 ANALYSIS	ANX 05-01 3/05 ANALYSIS	
Police	\$2.5m/11,971 d.u.	\$209 per d.u.	None
			The \$2.5m was for a serial levy to pay for increased police service. It is therefore not a public infrastructure cost. This study analyzes unfunded infrastructure costs, not on-going costs such as police service, fire service, road maintenance, utility maintenance, park maintenance, etc.
Library	\$3.9m/11,971 d.u.	\$326 per d.u.	None
			The \$3.9m for expansion of the library is in part related to new growth, but it has already been bonded and paid for, and thus is a "sunk cost." The costs to existing city residents will remain the same whether any new dwellings are built in this city or not.
General City	\$4.3m/11,971 d.u.	\$359 per d.u.	
			The \$4.3m for the new city hall is in part related to new growth, but it has already been paid for, and thus is a "sunk cost." The costs to existing city residents will remain the same whether any new dwellings are built in this city or not.
2 Fire Stations	\$5.15m/11,971 d.u.	\$430 per d.u.	\$209 per d.u.
			\$2.5m/11,971 d.u. – The Bolton Fire Station needs to be replaced because it is functionally obsolescent, therefore the costs of the new station are independent of new growth. The new Williamette Fire Station is estimated to cost \$2.97 million; however the land value of the existing station (approximately \$500,000) must be subtracted from this amount
Total		\$13,975.00 per d.u.	\$5,560 per d.u.
Total amount paid by established residents	\$13,975 x .98 =	\$13,696.00 per d.u.	\$5,448 per d.u.
		\$5,560 * .98	

TO: West Linn City Council
FROM: Bob Thomas

3-14-05

SUBJECT: Agenda Bill 05-03-02 Public Hearing (ANX 04-01) Step Two Annexation Hearing: Reasons why this proposed annexation should not be submitted to the voters at this time and why it should never be developed in any event at a density higher than R-10 (not at R-7 as staff recommends)

There are several reasons why this proposed annexation for development by Ken Olson of over 8 acres lying within the Horton water pressure zone should not be submitted to the voters at this time.

One is a procedural reason. When the applicant Ken Olson was last before the previous council under Mayor Dodds, he asked the council to make a decision that night to put his proposed annexation before the voters, and the council voted to deny doing that at that time. That denial meant that the process would have to start all over from the beginning by again first going first through the Step 1 process whenever Olson might reapply. So this Council cannot legally just proceed now to go through Step 2, but must start the process again with Step 1 whenever Olson reapplies. The previous council did say that they would consider waiving the application fee that Ken Olson had already paid once, but it would take council action in the future to wave the fee whenever Olson might reapply.

Also, at the time, the previous council had adopted a policy resolution to always require having an evaluation of fiscal impacts done as a means of informing the voters of such impacts of any proposed annexation that a council may decide to put before the voters. A consultant, Carole Connell, was hired to identify the fiscal impacts of annexations and to also do a specific analysis of such costs involved for annexation and development proposed by Ken Olson. She did such an analysis based on assessing infrastructure costs not supported by System Development Charges (SDCs). As shown in her Table 1 on page 23 of the agenda packet she came up with a cost figure of \$13,696 for each new dwelling unit (DU) that is not covered presently covered by SDCs. There are undoubtedly somewhat more than 2000 DUs that can be built before build out of West Linn within its present boundaries (not within any expanded UGB). As a rough estimate, using a figure of 2,000 more dwelling units and multiplying \$13,696 by 2000 DU results in an unfunded cost of \$27,392,000 to be borne by city and school district taxpayers between now and build out. Unless the legislators in Salem stop catering to the development industry and instead allow adequate SDCs to be charged for state and county roads, and for school, police, fire and library facilities, the taxpayers will otherwise have to pass general obligation bonds to be serviced by increases in their property taxes in order to provide the money to build such infrastructure needs developed by growth in West Linn between now its build out. The contribution, for example, of Ken Olson's proposed annexation and development of 41 DU to this unfunded cost would be $(41)(13,696) = \$561,536$.

1) criteria for denial? Others first?
2) Measure 37 implications if we say no to putting on the ballot

Carole Connell's evaluation should not have been ignored by staff nor should staff try to argue that it is based on unsupportable reasoning or data and try to discredit the analyses of Eben Fodor of subsidized growth costs in Oregon on which Connell's analysis is based.

In so doing, staff came up with it Table One shown on circle page 15 of the agenda packet, which reduces the financial impact of Olson's 41 house subdivision by dropping consideration of anything but schools and fire protection and then dividing that much reduced cost impact by the number of DU at build out of 11,971. I think this whole way of picturing the impact is far from a correct representation

Another primary reason for not putting this before the voters at this time is that it is not timely nor fair to others who own lands in the Horton water pressure zone and elsewhere throughout the city that are potential candidates for development and which are already within the city, not requiring annexation.

There are of course other lands like the parcel Olson wants to develop that are presently islanded county lands within the present city and will remain as such county islands unless and until annexed to the city. It only makes for common sense and fairness for such lands to not be annexed to the city for urban development until the city approaches build out within its present boundaries.

West Linn has a long way to go to approach build out by adding about another 6000 people through developing available lands within the present city boundaries. It only makes sense for lands needing annexation to be developed at the end of that process, not before, in order to be fair to owners of developable lands not needing annexation.

**Testimony for Submission to the Permanent Record
Written and by Reference on Application for Annexation
City of West Linn File No. ANX-04-01
March 14th, 2005 Public Hearing
Step 2 Annexation of 4300 Parker Road**

Mr. Mayor, City Council, thank you for the opportunity to address the council and I ask your support regarding a proposed annexation of 8.99 acres located at 4300 Parker Road. The Step 1 process has been approved by Council and I am now asking this Council to approve the Step 2 process for annexation of this property to the City of West Linn and forward to the voters of West Linn for their determination.

- This property is part of what is known as an “island” classification, completely surrounded by the City of West Linn. Annexation would help fulfill the goals and intent of the City of West Linn Comprehensive plan, which is its governing authority.
- This property is located over one mile inside the current city limits of West Linn.
- This annexation would help eliminate wasted and or more fully utilize public resource infrastructure that surround and run through this proposed annexation property.
- A middle school, playground park and skate board park are near the site. Development of this property would help add to the safety of children and other citizens by improving the Parker Rd. transportation corridor through increased road width, bike lanes and sidewalks.
- The Stafford-Tualatin Valley CPO for this area [Clackamas County] has requested that this be put before the voters. [CPO letter in the record]
- This property will generate over 800,000 dollars in new Systems Development Charges for future Parks, Roads, Sewer/Water/Storm drain infrastructure. It will also generate over 90,000 dollars a year in general tax receipts for the city plus over 100,000 dollars a year to the School District/Education not counting the bonded school taxes assessed. All bonded assessment taxes paid by the citizens of West Linn will be **reduced** by reducing the prorate share owed by each household.

Again, I ask for your full support in this matter and let this Annexation Request go to the voters for their final decision and thank you for your consideration in this matter

Respectfully submitted by:

Ken Olson





Adult Community Center

Library

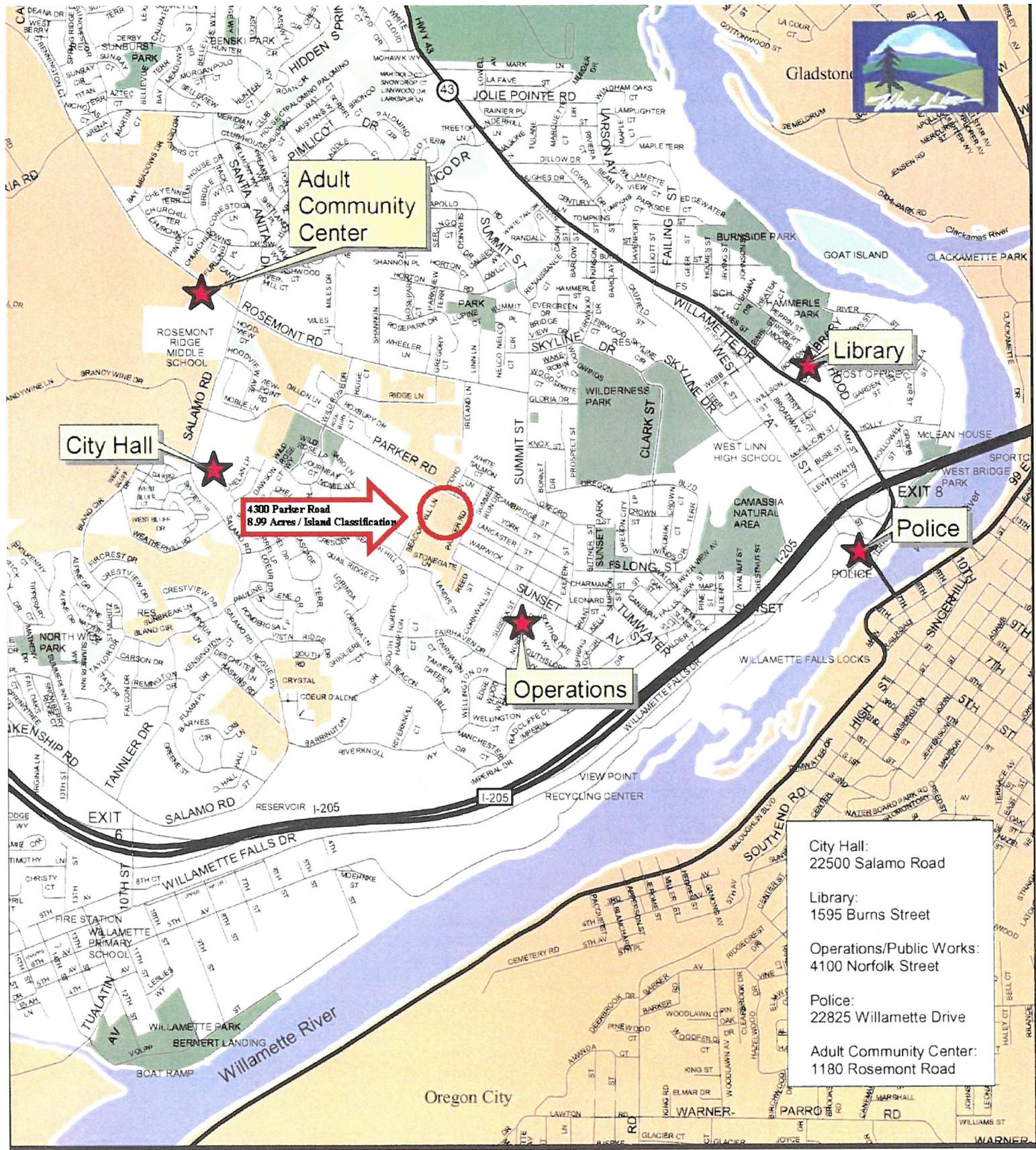
City Hall

4300 Parker Road
8.99 Acres / Island Classification

Police

Operations

- City Hall:
22500 Salamo Road
- Library:
1595 Burns Street
- Operations/Public Works:
4100 Norfolk Street
- Police:
22825 Willamette Drive
- Adult Community Center:
1180 Rosemont Road



Oregon City

West Linn City Council Meeting Minutes - Draft
August 4, 2004
Page 13 of 20

DRAFT

moves to allow the sodding, it will be done tomorrow and the fields will be ready for play in 30 days.

- Land use approvals have been received for Fields Bridge Park. The contractors are moving in next Monday to begin the upgrades. A great deal of these costs will be paid for by grants applied for by Ken Worcester and received.
- For those who take advantage of the walking/jogging path in Mary S. Young Park, a one-half mile portion of the path has been repaved.

Councilor Adams announced the Arts in the Park Summer Festival at Mary S. Young Park on August 14th and 15th. There will be a wide variety of activities for everyone ages 2 to 100. There are a number of brochures scattered throughout the City. Anyone who wishes to find out more about the types of activities that will be available at this festival can pick one up.

Council President Kapigian thanked the City Manager for the report. It is very useful to talk about the positive things that are happening in the community.

(F) Business from the City Council

Mayor Dodds announced that he would be having his regular open office hours this Friday and next Friday from 2:00 p.m. to 4:00 p.m.

[A recess was taken at 8:55 p.m. and the meeting reconvened at 9:10 p.m.]

(G) Business Meeting

- 
1. Agenda Bill 04-08-02 PUBLIC HEARING - Step 2 Annexation of 4300 Parker Road (8.99 acres); ANX-03-01

Ken Olson, 6021 Caufield Street, read a one-page statement to the Council into the record, dated August 4, 2004, entitled Testimony for Submission to the Permanent Record Written and by Reference on Application for Annexation, City of West Linn File No. ANX-03-01.

Mayor Dodds asked if this property was part of the overall Tanner Basin.

Mr. Olson said yes. He added that, if you go back to earlier Comprehensive Plans, you will see that Tanner Basin did not come in until 1991/1992.

Mayor Dodds stated that the amount allocated to the sidewalks along Willamette Falls Drive was \$50,000. Other funds were used for road maintenance and infill. There is additional ancillary money coming from the storm drain.

KEN OLSON

503-504-1888

81.050

APPROVAL CRITERIA

222-197.
198.

- A. The City Council shall approve or deny a boundary change proposal based on findings and conclusions addressing the following criteria:
 1. If an annexation, the proposal complies with the requirements of ~~Code Section 3-920~~ and
 2. For all boundary changes, the proposal complies with the criteria of ~~Metro Code Section 3-09-050(a)~~ and, if applicable, ~~(c)~~

81.060

EXPEDITED PROCESS

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by ~~Metro Code Chapter 3-09~~
- B. An expedited boundary change proposal shall be considered by the City Council without a public hearing. The Council decision on the proposal shall be considered the "Final Decision" for purposes of compliance with ~~Metro Code Chapter 3-09~~
- C. Petition requirements for expedited applications shall be listed in ~~Section 81-040~~ except that the initiation of an expedited boundary change petition must follow the requirements of ~~Metro Code 3-09-045(a)~~
- D. Notice of petition for an expedited process must be provided a minimum of 20 days prior to the final decision and shall follow the expedited notice requirements provided in ~~Metro Code Section 3-09-045(b)~~
- E. A brief report shall be issued at least seven days prior to the decision date pursuant to the requirements of ~~Metro Code 3-09-045(c)~~
- F. The City Council shall approve or deny an expedited boundary change proposal based on the criteria listed in ~~Section 81-050~~
- G. An expedited process cannot be used if a necessary party gives written notice to contest the decision pursuant to ~~Metro Code 3-09-045(b)~~

CHAPTER 3.09

LOCAL GOVERNMENT BOUNDARY CHANGES

SECTIONS	TITLE
3.09.010	Purpose and Applicability
3.09.020	Definitions
3.09.030	Uniform Notice Requirements for Final Decisions
3.09.040	Minimum Requirements for Petitions
3.09.045	Expedited Decisions
3.09.050	Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions
3.09.060	Creation of Boundary Appeals Commission
3.09.070	How Contested Case Filed
3.09.080	Alternate Resolution
3.09.090	Conduct of Hearing
3.09.100	Ex Parte Communications to the Boundary Appeals Commission
3.09.110	Ministerial Functions of Metro
3.09.120	Minor Boundary Changes to Metro's Boundary

3.09.010 Purpose and Applicability

The purpose of this chapter is to carry out the provisions of ORS 268.354. This chapter applies to all boundary changes within the boundaries of Metro or any urban reserve designated by Metro prior to June 30, 1997. Nothing in this chapter affects the jurisdiction of the Metro Council to amend the region's Urban Growth Boundary.

(Ordinance No 98-791, Sec. 1.)

3.09.020 Definitions

As used in this chapter, unless the context requires otherwise:

(a) "Affected entity" means a county, city, or special district for which a boundary change is proposed or is ordered.

(b) "Affected territory" means territory described in a petition.

(c) "Approving entity" means the governing body of a city, county, city-county or district authorized to make a decision on a boundary change, or its designee.

(d) "Boundary change" means a major or minor boundary change, involving affected territory lying within the jurisdic

tional boundaries of Metro and the urban reserves designated by Metro prior to June 30, 1997.

(e) "Contested case" means a boundary change decision by a city, county or district that is contested or otherwise challenged by a necessary party.

(f) "District" means a district defined by ORS 198.710 or any district subject to Metro boundary procedure act under state law.



(g) "Final decision" means the action by an approving entity whether adopted by ordinance, resolution or other means which is the determination of compliance of the proposed boundary change with all applicable criteria and which requires no further discretionary decision or action by the approving entity other than any required referral to electors. "Final decision" does not include resolutions, ordinances or other actions whose sole purpose is to refer the boundary change to electors or to declare the results of an election.

(h) "Major boundary change" means the formation, merger, consolidation or dissolution of a city or district.

(i) "Minor boundary change" means an annexation or withdrawal of territory to or from a city or district or from a city-county to a city. "Minor boundary change" also means an extra-territorial extension of water or sewer service by a city or district.

(j) "Necessary party" means: any county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory, Metro, and any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory.

(k) "Petition" means a petition, resolution or other form of initiatory action for a boundary change.

(l) "Uncontested case" means a boundary change decision by an approving entity that is not challenged by a necessary party to that decision.

(m) "Urban services" means sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1; Ordinance No. 02-972A, Sec. 1.)

 3.09.030 Uniform Notice Requirements for Final Decisions

(a) The following minimum requirements apply to all boundary change decisions by an approving entity. Approving entities may choose to provide more notice than required. These procedures are in addition to and do not supersede the applicable requirements of ORS Chapters 197, 198, 221 and 222 and any city or county charter for boundary changes. Each approving entity shall provide for the manner of notice of boundary change decisions to affected persons.

(b) An approving entity shall set a time for deliberations on a boundary change within 30 days after the petition is completed. The approving entity shall give notice of its proposed deliberations by mailing notice to all necessary parties, by weatherproof posting of the notice in the general vicinity of the affected territory, and by publishing notice in a newspaper of general circulation in the affected territory. Notice shall be mailed and posted at least 45 days prior to the date of decision for major boundary changes and for those minor boundary changes which are not within the scope of adopted urban service provider agreements and for which a shorter notice period has not been agreed to by all necessary parties. However, notice of minor boundary changes to special districts may be mailed and posted at least 40 days prior to the proposed date of decision. Notice shall be published as required by state law.

(c) The notice of the date of deliberations shall: describe the affected territory in a manner that allows certainty; state the date, time and place where the approving entity will consider the boundary change; and state the means by which any interested person may obtain a copy of the approving entity's report on the proposal. The notice shall state whether the approving entity intends to decide the boundary change without a public hearing unless a necessary party requests a public hearing.

(d) An approving entity may adjourn or continue its final decision on a proposed boundary change to another time. For a continuance later than 31 days after the time stated in the original notice, notice shall be reissued in the form required by subsection (b) of this section at least 15 days prior to the continued date of decision. For a continuance scheduled within 31 days of the previous date for decision, notice shall be adequate if it contains the date, time and place of the continued date of decision.

(e) An approving entity's final decision shall be reduced to writing and authenticated as its official act within 5 working days following the decision and mailed to Metro and to all necessary parties to the decision. The mailing to Metro shall include payment to Metro of the filing fee required pursuant to Section 3.09.110. The date of mailing shall constitute the date from which the time for appeal runs for appeal of the decision to the Metro Boundary Appeals Commission.

(f) Each county shall maintain a current map and list showing all necessary parties entitled to receive notice of proposed boundary changes. A county shall provide copies of the map, list, and any changes thereto, to Metro.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1.)

3.09.040 Minimum Requirements for Petitions

(a) A petition for a boundary change shall be deemed complete if it includes the following information:

- (1) The jurisdiction of the approving entity to act on the petition;
- (2) A narrative, legal and graphical description of the affected territory in the form prescribed by the Metro Chief Operating Officer;
- (3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk;
- (4) A listing of the present providers of urban services to the affected territory;
- (5) A listing of the proposed providers of urban services to the affected territory following the proposed boundary change;
- (6) The current tax assessed value of the affected territory; and
- (7) Any other information required by state or local law.

(b) A city or county may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 02-972A, Sec. 1.)

3.09.045 Expedited Decisions

(a) Approving entities may establish an expedited decision process that does not require a public hearing consistent with this section. Expedited decisions are not subject to the requirements of Sections 3.09.030(b) and 3.09.050(a), (b), (c), (e) or (f). The expedited decision process may only be utilized for minor boundary changes where the petition initiating the minor boundary change is accompanied by the written consent of one hundred percent (100%) of the property owners and at least fifty percent (50%) of the electors, if any, within the affected territory.

(b) The expedited decision process must provide for a minimum of 20 days notice to all interested parties. The notice shall state that the petition is subject to the expedited process. The expedited process may not be utilized if a necessary party gives written notice of its intent to contest the decision prior to the date of the decision. A necessary party may not contest a minor boundary change where the minor boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065.

(c) At least seven days prior to the date of decision the approving entity shall make available to the public a brief report that addresses the factors listed in Section 3.09.050(b). The decision record shall demonstrate compliance with the criteria contained in Sections 3.09.050(d) and (g).

(d) Decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.

(Ordinance No. 99-803, Sec. 1.)

 3.09.050 Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions

(a) The following minimum requirements for hearings on boundary change decisions operate in addition to all procedural requirements for boundary changes provided for under ORS chapters 198, 221 and 222. Nothing in this chapter allows an approving entity to dispense with a public hearing on a proposed boundary change when the public hearing is required by applicable state statutes or is required by the approving entity's charter, ordinances or resolutions.

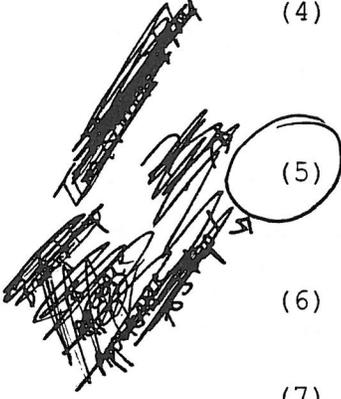
(b) Not later than 15 days prior to the date set for a boundary change decision, the approving entity shall make available to the public a report that addresses the criteria in subsections (d) and (g) below, and that includes at a minimum the following:

- (1) The extent to which urban services presently are available to serve the affected territory including any extra territorial extensions of service;
- (2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;
- (3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;
- (4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and
- (5) The proposed effective date of the decision.

(c) In order to have standing to appeal a boundary change decision pursuant to Section 3.09.070 a necessary party must appear at the hearing in person or in writing and state reasons why the necessary party believes the boundary change is inconsistent with the approval criteria. A necessary party may not contest a boundary change where the boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065. At any public hearing, the persons or entities proposing the boundary change shall have the burden to prove that the petition meets the criteria for a boundary change.

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 → (d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

- (1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

- 
- (2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;
 - (3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;
 - (4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;
 - (5) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;
 - (6) The territory lies within the Urban Growth Boundary; and
 - (7) Consistency with other applicable criteria for the boundary change in question under state and local law.

(e) When there is no urban service agreement adopted pursuant to ORS 195.065 that is applicable, and a boundary change decision is contested by a necessary party, the approving entity shall also address and consider, information on the following factors in determining whether the proposed boundary change meets the criteria of Sections 3.09.050(d) and (g). The findings and conclusions adopted by the approving entity shall explain how these factors have been considered.

- (1) The relative financial, operational and managerial capacities of alternative providers of the disputed urban services to the affected area;
- (2) The quality and quantity of the urban services at issue with alternative providers of the urban services, including differences in cost and allocations of costs of the services and accountability of the alternative providers;
- (3) Physical factors related to the provision of urban services by alternative providers;
- (4) For proposals to create a new entity the feasibility of creating the new entity.

- (5) The elimination or avoidance of unnecessary duplication of facilities;
- (6) Economic, demographic and sociological trends and projections relevant to the provision of the urban services;
- (7) Matching the recipients of tax supported urban services with the payers of the tax;
- (8) The equitable allocation of costs to alternative urban service providers between new development and prior development; and
- (9) Economies of scale.
- (10) Where a proposed decision is inconsistent with an adopted intergovernmental agreement, that the decision better fulfills the criteria of Section 3.09.050(d) considering Factors (1) through (9) above.

(f) A final boundary change decision by an approving entity shall state the effective date, which date shall be no earlier than 10 days following the date that the decision is reduced to writing, and mailed to all necessary parties. However, a decision that has not been contested by any necessary party may become effective upon adoption.

(g) Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1; Ordinance No. 02-964, Sec. 4.)

3.09.060 Creation of Boundary Appeals Commission

(a) The Metro Boundary Appeals Commission is created to decide contested cases of final boundary change decisions made by approving entities. The Metro Council shall appoint the Commission which shall consist of three citizen members, one each to be appointed from a list of nominees provided to the Metro Council President at least 30 days prior to the commencement of each term by Clackamas, Multnomah and Washington counties, respectively. The Council shall appoint two of the members for a initial four-year term and one for a nominal two-year term, the

initial terms to be decided by chance; thereafter, each commissioner shall serve a four year term. Each Commission member shall continue to serve in that position until replaced. Commission members may not hold any elective public office.

(b) The Metro Chief Operating Officer shall provide staff assistance to the Commission and shall prepare the Commission's annual budget for approval by the Metro Council.

(c) At its first meeting and again in its first meeting of each successive calendar year, the Commission shall adopt rules of procedure that address, among other things, the means by which a position is declared vacant and the means of filling a vacant position; and, the Commission at that first meeting shall elect a chairperson from among its membership, who shall serve in that position until a successor is elected and who shall preside over all proceedings before the Commission.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 02-972A, Sec. 1.)

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3.09.070 How Contested Case Filed

(a) A necessary party to a final decision that has appeared in person or in writing as a party in the hearing before the approving entity decision may contest the decision before the Metro Boundary Appeals Commission. A contest shall be allowed only if notice of appeal is served on the approving entity no later than the close of business on the 10th day following the date that the decision is reduced to writing, authenticated and mailed to necessary parties. A copy of the notice of appeal shall be served on the same day on Metro together with proof of service on the approving entity, the affected entity and all necessary parties. The notice of appeal shall be accompanied by payment of Metro's prescribed appeal fee. Service of notice of appeal on the approving entity, the affected entity and all necessary parties by mail within the required time and payment of the prescribed appeal fee shall be jurisdictional as to Metro's consideration of the appeal.

(b) An approving entity shall prepare and certify to Metro, no later than 20 days following the date the notice of appeal is served upon it, the record of the boundary change proceedings.

(c) A contested case is a remedy available by right to a necessary party. When a notice of appeal is filed, a boundary change decision shall not be final until resolution of the contested case by the Commission.

~~(d)~~ (d) A final decision of an approving entity is subject to appeal to the Commission by a necessary party when it is the last action that needs to be taken by the approving entity prior to the referral of the boundary change to the electors in those cases where approval of the electors is required or permitted.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1.)

3.09.080 Alternate Resolution

(a) On stipulation of all parties to a contested case made at any time before the close of the hearing before the Commission, the Commission shall stay further proceedings before it for a reasonable time to allow the parties to attempt to resolve the contest by other means.

(b) A contested case that is not resolved by alternate means during the time allowed by the Commission shall be rescheduled for hearing in the normal course.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1.)

3.09.090 Conduct of Hearing

(a) The Commission shall schedule and conduct a hearing on a contested case no later than 30 days after certification of the record of the boundary change proceedings.

(b) The Commission shall hear and decide a contested case only on the certified record of the boundary change proceeding. No new evidence shall be allowed. The party bringing the appeal shall have the burden of persuasion.

(c) The Commission shall hear, in the following order, the Metro staff report, if any; argument by the approving entity and the affected entity; argument of the party that contests the decision below; and rebuttal argument by the approving entity and the affected entity. The Commission may question any person appearing before it. Metro staff shall not make a recommendation to the Commission on the disposition of a contested case.

(d) The deliberations of the Commission may be continued for a reasonable period not to exceed 30 days.

(e) The Chairperson may set reasonable time limits for oral presentation and may exclude or limit cumulative, repetitious or immaterial testimony. The Chairperson shall cause to be kept a

verbatim oral, written, or mechanical record of all proceedings before the Commission.

(f) No later than 30 days following the close of a hearing before the Commission on a contested case, the Commission shall consider its proposed written final order and shall adopt the order by majority vote. The order shall include findings and conclusions on the criteria for decision listed in Sections 3.09.050(d) and (g). The order shall be deemed final when reduced to writing in the form adopted, and served by mailing on all parties to the hearing.

(g) The Commission shall affirm or deny a final decision made below based on substantial evidence in the whole record. The Commission shall have no authority to remand a decision made below for further proceedings before the approving entity, and may only stay its proceedings to allow for alternate resolution as provided for in this chapter.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 99-803, Sec. 1.)

3.09.100 Ex Parte Communications to the Boundary Appeals Commission

Commission members shall place in the record a statement of the substance of any written or oral ex parte communication on a fact in issue made to them during the pendency of the proceeding on a contested case. A party to the proceeding at its request shall be allowed a reasonable opportunity to rebut the substance of the communication.

(Ordinance No 98-791, Sec. 1.)

3.09.110 Ministerial Functions of Metro

(a) Metro shall create and keep current maps of all service provider service areas and the jurisdictional boundaries of all cities, counties and special districts within Metro. The maps shall be made available to the public at a price that reimburses Metro for its costs. Additional information requested of Metro related to boundary changes shall be provided subject to applicable fees.

(b) The Metro Chief Operating Officer shall cause notice of all final boundary change decisions to be sent to the appropriate county assessor(s) and elections officer(s), the Secretary of State and the Oregon Department of Revenue.

(c) The Metro Chief Operating Officer shall establish a fee structure for establishing the amounts to be paid upon filing notice of city or county adoption of boundary changes, appeals to the Boundary Appeals Commission and for related services. The fee schedule shall be filed with the Council Clerk and distributed to all cities, counties and special districts within the Metro region.

(Ordinance No 98-791, Sec. 1. Amended by Ordinance No. 02-972A, Sec. 1.)

3.09.120 Minor Boundary Changes to Metro's Boundary

(a) Minor boundary changes to the Metro Boundary may be initiated by property owners and electors, or as otherwise provided by law. Petitions shall meet the minimum requirements of Section 3.09.040 above. The Chief Operating Officer shall establish a filing fee schedule for petitions that shall reimburse Metro for the expense of processing and considering petitions. The fee schedule shall be filed with the Council.

(b) Notice of proposed minor boundary changes to the Metro Boundary shall be given as required pursuant to Section 3.09.030.

(c) Hearings will be conducted consistent with the requirements of Section 3.09.050. When it takes action on a minor boundary change, the Metro Council shall consider the requirements of Section 3.09.050 and all provisions of applicable law.

(d) Minor boundary changes to the Metro Boundary are not subject to an expedited process.

(e) Contested case appeals of decisions regarding minor boundary changes to the Metro Boundary are subject to appeal as provided in Section 3.09.070.

(Ordinance No. 99-818A, Sec. 5. Amended by Ordinance No. 02-972A, Sec. 1.)

TABLE 1
West Linn Infrastructure Costs
 Not supported by a System Development Charge

	CAROLE CONNELL 9/04 ANALYSIS	ANX 05-01 3/05 ANALYSIS	
Improvement	Total Growth Cost – September 2004 Analysis	Total Growth Cost	Cost per dwelling unit
West Linn Schools		West Linn Schools	
Elementary	\$7.9m / 625 students	\$7.4m/625 students – since the West Linn-Wilsonville School District already owns the land for an elementary school site, land costs of \$0.5m can be subtracted.	\$11,840 per student X .30 = \$3,552 per d.u.
Middle	\$10.1m / 836 students	\$9.4m/836 students – since the West Linn-Wilsonville School District already owns the land for a middle school site, land costs of \$0.7m can be subtracted.	\$11,244 per student X .16 = \$1,799 per d.u.
High	\$26.8m/1667 students	None – West Linn-Wilsonville School District is not proposing to expand either school – the district will shift attendance boundaries if necessary to utilize excess capacity at Wilsonville High School	None
Total School Costs	\$44.8m	\$16.8 m	\$5,351 per d.u.
County Roads	NA (SDC collected)	NA (SDC collected)	
State Roads	\$144m statewide in 2000	Statewide costs impacts are too speculative to include as specific figures. The analysis prepared did not account for the fact that 1) some modernization projects are the result of facility obsolescence independent of growth concerns; and 2) vehicle miles per capita have increased, meaning that some of the need for new roads comes from existing state residents, not new growth.	Unknown

CAROLE CONNELL 9/04 ANALYSIS		ANX 05-01 3/05 ANALYSIS	
Police	\$2.5m/11,971 d.u.	\$209 per d.u.	None
Library	\$3.9m/11,971 d.u.	\$326 per d.u.	None
General City	\$4.3m/11,971 d.u.	\$359 per d.u.	
2 Fire Stations	\$5.15m/11,971 d.u.	\$430 per d.u.	\$209 per d.u.
Total		\$13,975.00 per d.u.	\$5,560 per d.u.
Total amount paid by established residents	\$13,975 x .98 =	\$13,696.00 per d.u.	\$5,448 per d.u.

AGENDA BILL

05-03-02

For Council: March 14, 2005

Department: Planning

Dept. Head Initials: RR

Subject: Public Hearing (ANX 04-01)
Step Two Annexation Hearing
Eight acres south and west of,
Parker Road

City Manager's Initials: S

Attachments:

Draft Resolution

Staff Report

Step One Final Decision

Budget Impact:

None.

**Expenditures
Required \$ -0-**

**Amount
Budgeted \$ -0-**

**Appropriation
Needed \$ -0-**

Summary:

This matter is before the City Council because the applicant, Ken Olson, has submitted a complete annexation application, for which the decision-maker is the City Council. The hearing will be a Step Two annexation because Step One was approved by the City Council in March 2004. In August 2004, the City Council refused to put this matter on the ballot and directed Mr. Olson to re-apply (with a waiver of fees) after the City adopted a revised annexation ordinance. After the City approved the revision in October 2004, Mr. Olson re-applied.

The applicant proposes to annex eight acres into the city. The site consists of land south and west of Parker Road, where the road makes a ninety-degree turn near Lancaster Street and Coho Lane. The site is designated for low-density residential development, and the applicant proposes to implement this plan designation with the R-7 zoning district (one dwelling per 7,000 square feet)

Staff Recommendation:

Staff recommends that the City Council adopt the attached resolution approving Step Two of the proposed annexation, and setting an election date for May 20, 2005.

As an alternative, the City Council may choose to refuse to put this matter on the ballot.

Council Action Taken:

Approved:

Denied:

Continued:

RESOLUTION NO. ____
WEST LINN, OREGON

A RESOLUTION OF THE WEST LINN CITY COUNCIL SUBMITTING A PROPOSED ANNEXATION REQUIRING VOTER APPROVAL TO THE REGISTERED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE MAY 17, 2005 ELECTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON THAT:

- Section 1: An election is hereby called in and for the City of West Linn, Clackamas County, Oregon for the purpose of submitting to the legal voters of the City the Measure attached to this resolution as Exhibit "A", which by this reference is made a part of this resolution.
- Section 2: Tuesday, May 17, 2005 is hereby designated the date for holding the election for the purpose of voting on the measure as stated in the above paragraph.
- Section 3: The election will be conducted by the Clackamas County Elections Department, which department shall establish polling places, precincts, and election boards for such election.
- Section 4: The precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of West Linn.
- Section 5: The ballot title to appear on the ballots shall be:

CAPTION

ANNEXATION OF PROPERTY ON PARKER ROAD REQUIRING VOTER APPROVAL

QUESTION

Shall the City annex an eight-acre property located on Parker Road and apply R-7 city zoning?

SUMMARY

West Linn Charter Section 3 requires that annexation of any territory be approved by the voters of the City. This measure, if approved, would annex an eight-acre parcel of real property located on the south and west sides of Parker Road where the road curves from north-south to east-west. To the south is a residence at 4340 Parker Road. To the west is a residence at 3560 Parker Road. The West Linn City Council has determined that the proposed annexation complies with all relevant land use criteria for annexations.

This resolution adopted this _____ day of _____, 2005.

Norman King, Mayor

ATTEST:

P:\development review/resolutions/res-anx0401.doc

EXHIBIT A

CAPTION

ANNEXATION OF PROPERTY ON PARKER ROAD REQUIRING
VOTER APPROVAL

QUESTION

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EXHIBIT A

CAPTION

ANNEXATION OF PROPERTY ON PARKER ROAD REQUIRING
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Shall the City annex an eight-acre property located on Parker Road and apply R-7 city zoning?

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TO: West Linn City Council
FROM: West Linn Planning Staff
DATE: March 14, 2004
FILE NO.: ANX-04-01
SUBJECT: Step 2 annexation of eight acres at 4300 Parker Road

SPECIFIC DATA

OWNER: Gary and Mollie Eder, P.O. Box 72, Powell Butte, OR 97753
APPLICANT: Ken Olson, 6021 Caufield Street, West Linn, OR 97068
SITE LOCATION: 4300 Parker Road
LEGAL DESCRIPTION: Clackamas County Assessor's Map 2S-1E-36, Tax Lot 100 (8.0 acres)
COUNTY ZONING: FU-10 Future Urban 10-acre minimum

COMPREHENSIVE PLAN

DESIGNATION: Low Density Residential

APPROVAL CRITERIA:

None

PUBLIC NOTICE: Notice was mailed to all interested parties, including property owners within 500 feet on February 16, 2005. Public notice was posted on the site and in four public places within West Linn on February 16, 2005. The hearing was noticed in the West Linn Tidings on March 3, 2005, and March 10, 2005. All notice requirements for Step 2 annexations were fulfilled. NOTE: Notice was sent out for a Step 1 annexation hearing in January. The new notice sent out and posted in February corrected the earlier notice.

SPECIFIC PROPOSAL

Ken Olson is proposing a Step 2 annexation of an eight-acre site located at 4300 Parker Road.

BACKGROUND

The site is contiguous to the City limits along its northern, western, and eastern property lines. According to the Municipal Code, one of the methods an annexation can be initiated is when the petition initiating the change is accompanied by the written consent of 100 percent of the property owners and at least 50 percent of the electors, if any, within the affected territory. Gary and Mollie Eder are the sole property owners and therefore has achieved 100 percent property owner consent.

On March 3, 2004, the West Linn City Council approved a Step One annexation request from Ken Olson. On August 4, 2004, The City Council decided at the Step Two annexation hearing not to put Mr. Olson's petition on the ballot for city voters to decide. The Council indicated that they would reconsider Mr. Olson's application after they had passed a revised annexation ordinance, which they did in November 2004. They also waived Mr. Olson's annexation application deposit fee.

On November 30, 2004, Mr. Olson submitted a new annexation application. After discussions with the City Attorney, staff has determined that Mr. Olson is not required to go through a Step One Annexation hearing again. The one addition to the process affecting Mr. Olson's property is the requirement for the City Staff Report to prepare a fiscal and community impact analysis. This analysis is attached. However, since the fiscal and community impact analysis is logically related to the Step Two process (because it does not relate to any of the land use findings required for Step One), there is no need to revisit any of the matters already determined by the Council in the Step One process.

MAJOR ISSUES

Major issues are discussed below, among the findings required.

PUBLIC COMMENTS

As of February 18, 2005, staff had not received any public comment to this proposal.

RECOMMENDATION

Staff recommends that the Council adopt the attached resolution submitting a proposed annexation requiring voter approval to the registered voters of the city for their approval at a special election to be held on May 17, 2005.

COMMUNITY AND FISCAL ANALYSIS: ANX 04-01

Ken Olson, the applicant, proposes to annex 8 acres into the City of West Linn. The property is located along Parker Road at a point where it makes a ninety-degree turn from north-south to east-west.

SITE CHARACTERISTICS

The site is gently sloped from north to south. It is bisected by a drainage course tributary to Tanner Creek, offsite to the south. The site has been cleared of all trees for many years. The site is currently vacant.

The site is bounded on two sides by Parker Road (north and east). North of Parker Road is the Parker Ranch subdivision, zoned R-7 (one dwelling for every 7,000 square feet). East of Parker Road is the Sunset neighborhood. The immediate area on the other side of the road from this property is zoned R-10 (one dwelling for every 10,000 square feet). The property to the south is in unincorporated Clackamas County, with a single-family dwelling and some agricultural uses and a fish pond on 7.2 acres. To the east is a sixteen-acre property with a single-family dwelling that is within the City Limits of West Linn and is zoned R-10.

PROPOSED CITY PLAN AND ZONE DESIGNATIONS

The site is within the Portland Metropolitan Area Urban Growth Boundary. It is currently unincorporated land within Clackamas County, with a zoning classification of FU-10, a Future Urban zoning classification with a ten-acre minimum parcel size for land divisions. The large minimum is intended to preclude piecemeal rural development prior to annexation into West Linn.

The West Linn Comprehensive Plan Map designates the property for Low Density Residential Use. The implementing zoning classifications for the Low Density plan designation range from R-40 (one dwelling for every 40,000 square feet) to R-7 (one dwelling for every 7,000 square feet). The applicant requests that the Council choose to apply the R-7 zoning district if this matter is referred to the voters and the annexation is approved.

The maximum allowable density of development on this site would be as a Planned Unit Development under the R-7 zoning classification. Using the density methodology of Chapter 24 of the West Linn Community Development Code, which requires subtraction of public roadways and density transfer of 50% from the drainageway area, staff estimates the maximum number of dwelling units allowed on this property to be 41. Most likely the actual density would be lower, but since 41 dwelling units are possible, staff will use this number in calculating maximum potential impacts of the site onto city services and facilities.

The site is suitable for the R-7 zoning district as opposed to a lesser zoning density because: 1) it has no development constraints other than the drainage ditch through the site which cannot be cured by public facility improvements associated with development of the site; and 2) it is adjacent to R-7 zoned areas north of Parker Road along Coho Lane to the north and R-5 zoned areas in the Sunset neighborhood to the east.

TRANSPORTATION SYSTEM PLAN ISSUES

Parker Road to the north and east of the site is designated by the City Comprehensive Plan and Transportation System Plan as a Minor Arterial roadway. It is planned to be a "constrained" minor arterial, with a right-of-way of 60 feet, two travel lanes, a bike or parking lane on each side, landscaped strip, and planter strip. No center median lane is proposed. The site is bisected by a proposed "neighborhood route," a future roadway designed to connect Coho Lane running north from Parker Road to Beacon Hill Drive, an existing roadway to the south that ends in a bridge over Tanner Creek.

Recently the City Engineer has been considering an amendment urged by city residents in the Barrington Heights neighborhood to the south of this area to the City Transportation System Plan. The proposed amendment would remove the proposed neighborhood collector designation on the Transportation System Plan. The concern of the Barrington Heights residents is that placement of a through roadway between Coho Lane and Beacon Hill Drive would result in "short-cut" traffic to the I-205 area from the Parker Crest and Rosemont Summit neighborhoods using local streets in Barrington Heights instead of traveling to Salamo Road (the nearest arterial connection down the hill to I-205). The result for this site would be the replacement of a straight connecting roadway between Beacon Hill Drive and Coho Lane with a series of local roadways that would provide only a circuitous connection.

ENVIRONMENTAL IMPACTS

The eight-acre site is currently undeveloped. It appears to have been used as pasture land, since there are no significant trees on the site. An open drainage ditch runs through the pasture.

Development of this site will have some adverse environmental impacts, but also at least one beneficial impact. There will be a loss of open space, and loss of habitat for native plants and animals (although the latter loss is lessened by the fact that the site is not forested. Impacts to downstream water quality and flooding are entirely mitigated by the city's storm water detention and treatment standards. The beneficial impact will come from the re-creation of a riparian drainageway corridor along the path of the existing drainage ditch. As part of any development of the site, the applicant will be required to provide a 30-foot buffer of native vegetation on each side of this drainage ditch, where only pasture grasses exist today.

INFRASTRUCTURE IMPACTS

Streets

If developed, the property will contribute \$4,216.75 per single-family dwelling unit to the Street Systems Development (SDC) fund. If 41 dwelling units were constructed on the site, this would require payment of \$172,886.75. The applicant would be required to construct half-street frontage improvements on Parker Road for approximately 1,300 feet of frontage. The Parker Road frontage from the property's western edge to the intersection with Lancaster Avenue (approximately 1,000 feet) is a project to be built with Street SDC funds. When an applicant makes such frontage improvements as part of a project, then the costs that would have been borne by the Street SDC fund

paid for directly by the applicant are creditable against the SDC payments made by the applicant. It is at least possible that the applicant's entire street SDC charges would be offset by required frontage improvements to Parker Road.

Regardless of whether any contribution to the SDC fund is realized, the site's internal streets will be fully improved and adjacent streets to this development will be improved along the property's frontage. The additional traffic impact to the adjacent roadways is expected to be approximately 400 trips per day, dispersed in all directions from the site and not concentrated on any one segment of roadway. Parker Road, upon improvements required by the development, will be able to accommodate traffic upon it with no reduction in the level of service rating.

Water

The property is located within West Linn's Horton Pressure Zone, those lands served by the Horton Reservoir. This zone has adequate capacity to serve the development of this site.

The amount of contribution from the property if developed in Water System SDC's depends upon the size of house and lot, and therefore size of water meter. A 5/8 inch meter is adequate for houses less than 4,200 square feet in size, while a 3/4 inch meter is required for larger houses. Each single-family dwelling unit with a 5/8 inch meter will contribute \$4,606.00 to West Linn's Water SDC fund, and \$1,225.00 to the South Fork Water Board's Water SDC fund. Each single-family dwelling unit with a 3/4 inch meter will contribute \$6,909.00 to West Linn's Water SDC fund, and \$1,837.00 to the South Fork Water Board's Water SDC fund. Thus, a 41-dwelling unit project with 5/8 inch meters would contribute \$188,846.00 to the City's Water SDC fund and \$50,225.00 to the South Fork Water Board's Water SDC fund. A project with 3/4 inch meters would most likely have significantly fewer dwelling units on larger lots, so the contributions to the Water SDC funds would not be greater, and might actually be less if few enough larger homes are constructed on the property.

The necessary water service infrastructure can and will be made available to serve this property. All necessary internal water line extensions are put in by the developer, and the adjacent water service mains will be adequate to serve the development of this property without service declines to existing residences.

Sanitary Sewer

Sewer lines from this site travel by gravity south to the Willamette area, and thence easterly to the Tri-Cities sewage treatment plant at the confluence of the Willamette and Clackamas Rivers. The capacity of existing lines and the plant is adequate to serve this project.

The amount of contribution from the property if developed in Sanitary Sewer System SDC's is \$3,393.00 per single-family dwelling unit. If 41 dwelling units were constructed on the site, this would require payment of \$139,113.00.

Parks

The nearest existing park is the Tanner Creek Park, approximately one mile to the west. Sunset Park is located approximately 1.5 miles to the east. There are no parks planned closer to the site. The site is also served by city greenspaces and trails that are or will be associated with Tanner Creek to the south of this property.

The amount of contribution from the property if developed in Parks System SDC's is \$8,029.00 per single-family dwelling unit. If 41 dwelling units were constructed on the site, this would require payment of \$329,189.

Storm Drainage

The site drains southward into Tanner Creek via a natural drainage channel. This channel would be left open as part of any development on the site, and any development would be set back at least 30 feet pursuant to Chapter 32 of the West Linn Community Development Code. Any development of the site would require an on-site storm detention and water quality treatment facility pursuant to Chapter 33 of the West Linn Community Development Code.

The amount of contribution from the property if developed in Storm SDC's is \$455.00 per single-family dwelling unit. If 41 dwelling units were constructed on the site, this would require payment of \$18,655.00.

Schools

The site is located within the boundary of the West Linn-Wilsonville School District. It is served by Sunset Primary School, Rosemont Ridge Middle School, and West Linn High School.

Based upon factors developed by the West Linn-Wilsonville School District, each single-family dwelling developed on the site will produce as an average .30 elementary school students, .16 middle school students, and .21 high school students. If the site is developed with 41 dwellings, this translates to 12 elementary school students, 7 middle school students, and 8 high school students.

As of September 30, 2004, Sunset Primary School had 439 students and a capacity of 514 students. Rosemont Ridge Middle School had 688 students and a capacity of 818 students. West Linn High School had 1,558 students and a capacity of 1,779 students. Thus all three schools can accommodate projected students from this site. Staff did not attempt to calculate impacts on class size or teacher load.

However, all future projected growth in West Linn will result in the need for a new primary school within the West Linn Urban area. This cost should be apportioned to new development. The West Linn-Wilsonville School District does not project the need for a new high school – it will adjust boundaries between West Linn and Wilsonville High Schools if necessary to take advantage of excess capacity built into the latter school.¹ The District's staff also does not project the need for a new

¹ Since no new high school is needed, there are no costs of new high school facilities to be applied to new development.

middle school in the West Linn portion of the district – however a new middle school may be built in Wilsonville and boundaries adjusted to affect West Linn. Therefore, it is fair to apportion costs of a new middle school to new development.

The District is also currently revising its long-range plan to consider the possibility that all or part of the Stafford Triangle area will be urbanized. If this occurs, the District will need to construct several new schools. However, such a need is purely speculative at this point.

The average cost of a new elementary school in Oregon is estimated at approximately \$7.4 million for 625 students. The average cost of a new middle school is \$9.4 million for 836 students. Normally land costs would be added to these costs. However, the School District already owns the land upon which such schools would be placed.² The cost per student for a new elementary school is thus \$7.4 million/625 students, or \$11,840.00 per student. The cost per student for a new middle school is thus \$9.4 million/836 students, or \$11,244.02. Multiplied by the student generation factors of .30 for primary schools and .16 for middle schools, the school impacts per dwelling unit on this site would be \$3,552.00 for elementary schools and \$1,799.04 for middle schools. Thus the total impact per single-family dwelling unit upon school facility needs is \$5,351.04. If 41 dwelling units were constructed on the site, the aggregate school facility impact would be \$219,392.64.

State law does not allow collection of impact fees from new development to pay for the proportional costs of new school facilities. Thus, voters will have to pass a general obligation bond measure if the school district is going to construct any new schools. Therefore, the \$219,392.64 cost of the schools will be divided among all city property owners. Since approximately 10% of the city's assessed value lies in non-residential property, the remaining approximately \$200,000 of lost impact fees would be divided among an eventual total of 11,971 dwelling units. So if growth within the district continues as projected, the impact of annexing this property based upon the expected development pattern will be approximately \$17 per dwelling unit and \$20,000 to be picked up by further non-residential property tax assessment.

Government Administration

West Linn's City Hall building was purchased in 2002. There is no plan to purchase additional administrative space to accommodate growth. Therefore, development of this site will not impose additional fiscal impacts upon government administration facilities in West Linn.³

Library

West Linn's Library was expanded in 2002. There is no plan to purchase additional library space to accommodate growth. Therefore, development of this site will not impose additional fiscal impacts upon government administration facilities in West Linn. In fact, new homes on this site would pay, as

² The School District owns three sites within West Linn: 20 acres along Dollar Street, 23 acres along Hidden Springs Road, and 7 acres along Parker Road. While these sites may not be individually suitable for school use, they can be sold and the proceeds used for a more suitable school site. Thus land costs do not need to be figured into the total cost of new development upon school facilities.

³ \$4.3 million was spent on a new City Hall in 2000. However, this expenditure should not be charged to new development, as it is a "sunk cost," which has already occurred regardless of whether this site is annexed into West Linn or not.

part of their property tax rate, for a bond measure city voters approved to expand the library in 2000. The revenue generated from the additional assessed value of the potential 41 new homes is available for maintenance of continuing existing library service levels in a manner that includes the homes in the newly annexed area.

Police

While there is no current plan to do so, West Linn's Police Station is in an old building and may need to be replaced in the future. However, the need to replace the building is not related to growth, but rather to the obsolescence of the facility itself. Thus, not only are the costs of a new police station hypothetical, but also these costs cannot be attributed to growth. It is probable that a new station would need to be larger because of growth impacts. However, assuming that the cost of the station is directly proportional to the number of city residents it serves, and a new station is paid for with a bond measure taxing all city residences, old and new, the actual cost to existing city residents for replacing the police station would be the same whether the new growth occurs or not.

A recent police levy approved by voters in 2002 is also not related to the costs of growth, since it is for police services and not a police facility. The revenue generated from the additional assessed value of the potential 41 new homes is available for expansion of existing police service levels in a manner that includes the homes in the newly annexed area.

Fire Protection

In 2003 the Tualatin Valley Fire and Rescue District (TVF&R), which provides fire and emergency services to West Linn, estimated costs of constructing a new fire stations in the Bolton neighborhood at \$2.62 million. A new station in the Willamette area would cost \$2.97 million. However, the Bolton station reconstruction is necessary because the existing fire bays are too small for the larger fire fighting apparatus used by TVF&R. This new station, like a new police station, will be built or not built independent of growth considerations, and thus its cost cannot be attributed to new growth. As with police services, any new station will require a bond measure, paid for by old and new residences. Assuming the increased costs of the facility are directly proportional to the new residences served, the cost to existing residences would be the same whether the new growth occurs or not.

The new Willamette station would replace an existing station within the Willamette Neighborhood. This station is not functionally obsolescent, so the entire cost of the new station can be attributed to growth. However, these costs must be discounted by the value of the existing station and its site. The 10,900 square foot commercially-zoned lot with improvements on Willamette Falls Drive has an assessed value of \$476,000. Although assessed values do not always reflect actual sales prices, they provide a baseline for this discussion. Thus, the price of the new Willamette Fire Station to city residents should be reduced to \$2.5 million.

When divided by the estimated 11,971 dwelling units at full buildout under the City's Comprehensive Plan, the cost of the new Willamette fire station equals \$208.83 per dwelling unit. If 41 single-family dwellings were constructed on the site, the impact upon fire protection from development of this site would be \$10,171.69. Without development impact fees, the entire cost of the facility would most likely come from a general obligation bond measure. The cost on residential taxpayers would be

approximately 90% of the total costs, the rest coming from property tax assessments on non-residential property. Dividing the \$9,000 cost among an eventual 11,971 dwelling units, the average cost per residence from the annexation and development of this site is less than one dollar.

Statewide Infrastructure Impacts

The *Summary Report on Infrastructure Subsidies and Identifying the Fiscal Impacts of Annexations*, prepared by Carole Connell for the City Council in September 2004, has a discussion of growth impacts to Oregon State Highways. (See attached) Ms. Connell's methodology relies upon information provided by Eben Fodor, Principal of Fodor & Associates, which has studied the issue of subsidies to growth in Oregon. (See attached) Based upon Mr. Fodor's analysis, Ms. Connell's report posits a \$3,550 per dwelling unit cost to state roads.

However, Mr. Fodor's analysis raises some questions:

1. Mr. Fodor assigns all road "modernization" costs undertaken by the Oregon Department of Transportation to new growth within the state. Such projects include addition of lanes, new alignments, new facilities, highway reconstruction with major alignment improvements or major widening, grade separations, widening of bridges, and new safety rest areas. However, many of these improvements may be unrelated to growth and resultant increased traffic volumes. Highway reconstructions may be related to safety or obsolescence issues with existing highways in conjunction with increased traffic volumes. Grade separations are often related as much to safety issues as to increased traffic volumes. While a substantial amount of these costs are related to increased traffic volumes, it is unlikely that this relation equals 100% of such costs.

2. Mr. Fodor assumes that all increased traffic causing the need for road modernization projects comes from new growth. His analysis apparently ignores the fact that increased traffic also comes from existing state residents. Between 1957 and 1993, overall vehicle miles traveled in the three northwest states increased more than fourfold, from 21 billion to 86 billion overall miles traveled.⁴ During the same period, population in these three states did not quite double, meaning that per capita vehicle miles traveled increased from 11 to 25. A more recent study of just the Portland Metropolitan Area showed vehicle miles traveled increasing faster than population growth between 1993 and 1999, increasing from 20.3 miles per capita to 23.2 miles.⁵ If at least part of the new demand upon the state road system comes from existing residents, it is inequitable to assign all of these costs to new growth.

In addition, the analysis performed for the annexation ordinance does NOT consider other potential statewide impacts from growth. One example is the State University System, which must accommodate future students from new development. Another example is the State Prison system, which will have to accommodate future miscreants (hopefully not too many) emanating from these new homes. But, once again, any analysis based purely on new growth is complicated by other factors. Increased demands on the State University system may arise from increased educational

⁴ See Northwest Environment Watch, "May 1995: Vehicles Outnumber Drivers in Northwest," available at <http://www.bettertransport.info/pitf/portlandseattle.htm>.

⁵ See Nelson, Dick, "Transportation and Land Use: Seattle vs. Portland," available at <http://www.northwestwatch.org/publications/indic2.asp> (Dec. 18, 2000).

aspirations of existing state residents. And increased demands on the State Prison system may also arise from increased criminal activity among existing residents, or, as is more likely, a societal decision to incarcerate convicted criminals for longer periods of time.

In summary, there undoubtedly exist impacts to statewide infrastructure from new growth. However measuring these impacts requires a degree of complexity and sophistication not yet accomplished satisfactorily, and beyond the scope and abilities of city staff. Therefore, such impacts must remain undefined at this time.

Conclusion

The proposed annexation of 8 acres on Parker Road into the city will have the following quantifiable impacts on city infrastructure that are not recouped by Systems Development Charges:

TABLE ONE

IMPROVEMENT	COST PER DWELLING UNIT	COST OF ANNEXATION (if 41 single-family dwelling units are constructed)	COST PER DWELLING UNIT (assuming 11,971 eventual city residences & 10% allowance for non-residential assessed value)
Schools ⁶	\$5,351.04	\$219,392.64	\$17
Fire Protection ⁷	\$248.09	\$10,171.69	Less than \$1
TOTAL	\$5,609.13	\$229,564.33	\$17

⁶ Costs of one new middle school and one new elementary school, discounting land costs.

⁷ Costs of a new Willamette Fire Station, discounting existing land costs, and accounting for the fact that all city property owners will make use of the facility.

Summary Report on Infrastructure Subsidies and Identifying the Fiscal Impacts of Annexations

For the City of West Linn, Oregon

By

Carole Connell, AICP

September 2004

Introduction

The purpose of this report is to create a process for reviewing the fiscal impacts of growth associated with annexing land into the City. The West Linn Municipal Code Section 2.910 currently defines the conditions and procedures for annexation. But the review process is based on a vague set of criteria that do not adequately inform voters of the impact the annexation and new growth could have on city taxpayers. As outlined by the City Council, the goal is:

- *To develop annexation review criteria whereby the voters will have an informed basis for their decision on whether or not to approve an annexation request.*

Background

Twenty-nine cities in Oregon currently require voter approval of annexations. But the review of annexation ordinances from a number of jurisdictions around the state reveals no rigorous analysis of the fiscal impacts an annexation and its related growth will have on the established taxpayers of the City. There is an underlying premise in state and local land use laws that if the subject land is in the urban growth boundary and the service infrastructure can be made available, the annexation should be approved.

However, it is becoming increasingly clear that new development and growth bring cumulative individual tax bill increases and in some cases service declines. This is not exclusive to West Linn. At all levels of government it appears that growth is not paying its full fare and over time taxpayers are increasingly picking up the extra tab.

This report is based on the review of state annexation law that applies to West Linn (ORS Chapter 222), sample annexation procedures from various cities in Oregon, and the study of the fiscal impacts of growth.

Growth and Infrastructure Subsidies

A review of information about the fiscal impacts related to growth revealed a bibliography of publications that are typically textbooks and geographic case studies. Some of the most relevant and current work has come from an Oregon firm, Fodor &

Associates who has studied the costs of growth for many years. This work is particularly relevant because it is based on the Oregon tax system and state provisions for systems development charges. Recently, the firm compiled an important study titled, Assessment of Statewide Growth Subsidies in Oregon, by Fodor & Associates 2002, prepared for the nonprofit organization Alternatives to Growth Oregon (AGO). The "trail-breaking research" in the report made it possible to develop a rough and conservative estimate of the magnitude of growth subsidization in Oregon. In conclusion, the report found that *statewide* growth subsidies totaled a conservative \$1.14 billion for the year 2000. This does not account for many indirect subsidies that could not be reasonably determined or that involve federal funds. Nor does it include \$880 million in annual traffic congestion costs for the three largest urban areas in Oregon, or the \$672 million needed for school facilities statewide.

It appears that the extent of growth subsidies are unknown by average taxpayers. The authors conclude that local surveys indicate the general public is not supportive of subsidizing growth and that "better information, awareness and understanding of growth subsidization should result in wiser growth policies and better decisions about the use of public funds to induce local growth."

Definition of a Growth Subsidy

The Fodor study focuses on *urban* growth as opposed to *economic* growth. Urban growth produces population increases and land development. The question raised is: "Who pays for, and who benefits from, the services government provides?" In the report the definition of a growth subsidy is:

A 'growth subsidy' occurs when a broad base of taxpayers or utility ratepayers pays for services or investments which are conveyed primarily to the beneficiaries of new urban growth.

In order to determine who pays for growth, Fodor's methodology assumes that each year's growth related costs will be paid through property taxes. The statewide growth rate has been 1.9%. The West Linn average annual growth rate has been about 1.8% annually. Mr. Fodor acknowledges that this is only a close estimate "because each year's growth increases the size of the tax base slightly." But we can assume that the tax base increases at about the same rate as the population.

Funded and Un-funded Infrastructure Costs

Although Mr. Fodor found a lack of standard reporting of growth-related expenditures, since 1991 West Linn has separated growth-related service costs for many City services. The City established a system development charge (SDC) for water, sanitary sewer, storm drainage, city streets and city parks. These are charges paid for by new development to help defray added infrastructure prompted by the subject new growth. Therefore, generally developers pay for their added impact on the City's sewer, water, storm, street and park systems.

But other city and public services are excluded from systems development charges to help defray the costs of growth, such as city police, the library, fire service and general city government. Further, the costs to construct new schools in the West Linn-Wilsonville School District are not covered by growth-related funding mechanisms like SDC's. The subsidy issue grows larger when taking into account growth related impacts such as traffic congestion, air and water pollution, loss of open space, and state social costs and economic subsidies that create additional taxpayer subsidies. The state legislature has not authorized system development charges for schools. But in 2002 the City Council enacted a resolution to support the concept of systems development charges for police, fire, library and schools, should the state legislature pass such provisions.

The purpose of this report is to determine the growth related costs of most City, fire, police, school and transportation improvements that are not supported by SDC's. This is followed by a methodology for evaluating the growth-related costs associated with future annexation proposals, and the impact on un-funded services. The purpose of the analysis will be to provide the City with a method to inform city voters with an estimate of the fiscal impact of a given annexation request.

West Linn Total Growth Infrastructure Costs

To determine how much growth is subsidized, we must first identify the known cost to expand certain un-funded services to accommodate growth. As stated earlier, *all* the costs cannot be measured, and this report does not tackle the environmental and social costs related to growth in West Linn, or many statewide costs subsidized by taxpayers. The City has utility master plans and SDC's for water, sewer, storm drainage, streets and parks. Growth costs for those services are essentially covered by new development through SDC charges. In addition, Clackamas County also utilizes SDC's to pay for growth-related county road improvements.

The City also provides police protection, library services and general city government. In addition, the City has estimated the cost of building two local fire stations in the Bolton and Willamette neighborhoods. Further, it is anticipated that a new elementary and middle school will eventually be needed for West Linn residents. State highways serving West Linn residents will also be expanded as population increases. These are the some of the services that have no funding source from growth.

The population of West Linn is 23,966 as of November 2003. The most recent projected build-out of the City plans for a total of about 29,615 residents within the West Linn urban growth boundary. The build-out population equates to an estimated 11,971 total dwelling units in the City's UGB, based on the housing section of the Comprehensive Plan. Each unit is estimated to have 2.65 persons per household, based on 1999 PSU census data. Residential development pays SDC's based on the number of households. Commercial and industrial development pays SDC's based on an equivalent dwelling unit (EDU) estimate. These estimates are included in each of the City utility plans, based on the zoning and build-out of vacant land. The number of new dwelling units or the

equivalent dwelling units become the basis for determining the appropriate SDC charge the developer pays to cover the needed improvements costs associated with growth.

For determining growth costs associated with general city government, fire service, police and library services that have no SDC's, a similar equivalent dwelling factor will be used. For City government the total infrastructure cost should be divided by the total number of dwelling units, which becomes the basis for each new unit.

West Linn Schools

Based on the eventual build-out of the West Linn Urban Growth Boundary, the West Linn-Wilsonville School District is planning for one new primary school and one new middle school in the West Linn urban area. When the current high school enrollment exceeds capacity, it is anticipated that some areas in the district will be shifted to Wilsonville High School because of the excess capacity recently added to that school.

The number of children per household in West Linn varies from .35 for multi-family dwellings to .8 for single-family dwellings. The district has developed an overall average of between .6 and .7 students per household. For purposes of this report, the institutional average of .67 students per household will be used. Since single-family housing dominates the market in West Linn, this number is reasonable. Based on the total number of grades from K through 12, in each level of school elementary school accounts for 30% of the total demand; middle school is 16% of the total demand, and high school accounts for 21% of the total demand.

For new schools, school costs and the average number of students per household become the basis for growth-related costs. The architectural firm Dull Olson Weekes in Portland, Oregon designs a large number of schools in the Willamette Valley and statewide. They provided the City with a basis for determining average school costs to use in estimating the capital cost of a new elementary and middle school in West Linn. The acreage cost of land for a school must also be factored into the cost. For purposes of this report, a conservative 2004 average of \$50,000 per acre is used. This number should be periodically updated when analyzing an annexation. The average size of an elementary school is 9.5 acres and a middle school is 14 acres. The average for a high school is 27 acres. Therefore, multiply the current market rate times the acreage requirement to determine the added cost of land.

According to Dull Olson Weekes data, the average cost of four new elementary schools in the state is \$7.4m for an average of 625 students. The average cost of a middle school is \$9.4m for 836 students, and the average cost of a high school is \$25m for 1,667 students. Add the cost of land and factor in the .67 students per household, the cost of a child from kindergarten through high school can be calculated. See Table 1.

Clackamas Community College is another public education facility that is affected by growth. Their modernization and growth-related improvements are not funded by SDC's

or other mechanisms. This report intended to include those costs, but the college administration was unwilling to respond to repeated inquiries.

West Linn Police, Library and Government Administration

The City finance director identified \$2.5m for recent growth-related police services and \$4.3m for construction of City Hall. The recent library expansion and construction cost an estimated \$3.9m. See Table 1. To determine a one-time assessment per dwelling for those particular improvements, the above public costs are divided by the number of estimated 11,971 dwelling units in the West Linn UGB in this analysis. When new growth-related city service improvements are built, Table 1 should be updated to include a similar one-time assessment. Note that past improvements costs are not captured in this analysis.

West Linn Fire Protection

For fire protection, in 2003 the TVFRD estimated the cost to construct new stations at the Bolton and Willamette facilities. Including the cost of land, Bolton is estimated to cost \$2.62 million, and Willamette is estimated to cost \$2.97m. These figures are added together and divided by the estimated 11,971 dwelling units at full build out of the UGB to equal \$430 per dwelling unit. For purposes of this analysis, the \$430 is a one-time equal assessment per dwelling unit to pay for those specific growth-related costs. The figure does not take into account past fire protection improvement costs. See Table 1.

Oregon State Highways

An estimate of state road costs associated with new development in future annexed areas of West Linn can be based on several methods. One is to identify all future state road projects serving West Linn and allocate this to the future growth in West Linn over the same period. This is complex because future residents will use many state roads and it is difficult to determine what the appropriate share of cost is.

A simplified approach is used here, which involves identifying all state road construction costs associated with increasing capacity and allocates those costs to all growth occurring within the same time period. To be consistent with the other infrastructure calculations, this methodology also uses *equivalent dwelling units* as the basis for transportation demand, rather than population, vehicle miles traveled, or trip generation.

The following procedure for identifying state road costs is intended to be on the conservative side so that cost figures will tend to be low and will not be overstated.

Amount Spent Annually by State For Road Expansion Projects

The *Final 2004-2007 Statewide Transportation Improvement Program* (STIP) identifies all budgeted transportation improvements by the state.

According to the STIP, "*The Modernization Program funds capital construction projects which add capacity to the system, either through adding lanes, or building new facilities, such as bypasses.*"

"Modernization" includes the following:

Improvements to accommodate existing traffic and/or projected traffic growth.

- *Addition of lanes: High Occupancy Vehicle (HOV) lanes, new alignments, new facilities (bypasses)*
- *Highway reconstruction with major alignment improvements or major widening; grade separations*
- *Widening of bridges to add travel lanes*
- *New safety rest areas*

These "modernization" projects are capacity-increasing capital projects involving new or expanded roads, and are therefore growth-related costs. These projects do not include maintenance of the existing road system. (Specifically *not* included in the "modernization" category are: pavement preservation; bridge maintenance; safety improvements; and operations.)

The total modernization budget varies from year to year. In 2000 the state modernization budget was \$144 million.¹ This included state spending on state, county and city roads. The 2004-2007 STIP budgets a mandatory minimum of \$51 to \$54 million annually to modernization. For 2004 the modernization budget is \$81.6 million. However, the Oregon Transportation Investments Acts (OTIA I, II, and III) have added considerably to this in the past, with \$250 million added in 2002 and \$300 million in 2003. The OTIA investments indicate that the minimum STIP budget has been inadequate to meet the needs for system expansion.

In order to use figures consistent with the 2000 U.S. Census population and housing data, the annual modernization cost for 2000 of \$144 million is used here.

Allocation of State Highway Costs to Growth

The US Census reports that 19,877 new housing units of all types were built in Oregon in 2000.² Distributing the 2000 state road costs across the new households results in a cost per housing unit of \$7,245. This figure must be reduced by approximately 2 percent to \$7,100 to reflect the share of costs paid by the new development.³

However, this figure attributes all state road costs to new residential land uses. In fact, new non-residential (commercial and industrial) will contribute a significant amount of the demand. Within the time limits of this project it was not possible to identify data suitable for determining an appropriate split of costs between residential and non-residential land uses. Non-residential development represents about 30 to 40 percent of typical urban land use. To be conservative, the cost per housing unit is reduce by half to \$3,550. This is a figure that represents a cost per equivalent dwelling unit and is suitable for use in annexation cost estimates.

When the city needs to update this figure in the future, a Construction Cost Index is a simple means to adjust for inflation.

¹
See *Oregon Highway Cost Allocation Study*, Final Report, June 1, 1999 by Department of Administrative Services, Exhibit D, page 19.

²
See: <http://www.census.gov/const/C40/Table2/tb2u2000.txt>

³
According to the 2000 Census, the state population grew at an average rate of 1.9 percent per year from 1990 to 2000. Using this growth rate for 2000, approximately 2 percent of the costs will be paid by new residents and 98 percent will be paid by existing residents.

(The state highway information was provided by Eben Fodor in a letter dated 8/4/04)

Report Conclusion and Estimated Growth Costs

The following table identifies total estimated infrastructure growth cost by type. Then a factor to determine the cost per dwelling is identified. The cost is divided by the per unit impact and then multiplied by the number of new units proposed in an annexation. The total cost of the development becomes the amount in which growth can be considered subsidized by established residents. Note that for state roads and City service improvements, past projects are not included in the cost, and therefore the total cost is very conservative.

TABLE 1
A Portion of
West Linn Infrastructure Costs
Not supported by a System Development Charge
September 2004

Improvement	Total Growth Cost	Cost per new dwelling unit
West Linn Schools		
Elementary	\$7.9m / 625 students	\$12,640 per student x.30 = \$3,792 per d.u.
Middle	\$10.1m / 836 students	\$12,081 per student x.16 = \$1,933 per d.u.
High	\$26.8m/1667 students	\$16,077 per student x.21= \$3,376 per d.u.
Total School Costs	\$44.8m	\$9,101 per d.u.
County Roads	NA (SDC collected)	
State Roads	\$144m statewide in 2000	\$3,550 per d.u.
Police	\$2.5m/11,971 d.u.	\$209 per d.u.
Library	\$3.9m/11,971 d.u.	\$326 per d.u.
General City	\$4.3m/11,971 d.u.	\$359 per d.u.
2 Fire Stations	\$5.15m/11,971 d.u.	\$430 per d.u.
Total		\$13,975.00 per d.u.
Total amount paid by established residents	\$13,975 x .98 =	\$13,696.00 per d.u.

Table 1 Notes: The data in Table 1 above is derived from sources described in the text of this report. See text for the complete explanation. The data sources are summarized here as follows:

- West Linn Schools: “The Long Range School Facilities Plan” for the West Linn-Wilsonville School District projects future school needs and the estimated number of school-aged children per household. The firm Dull Olson Weekes Architects provided data for average school costs and average acreage of a school site. The City of West Linn provided the estimated land cost for schools.
- State Roads: ODOT “Statewide Transportation Improvement Program”, 2000 roadway modernization costs which were divided by the number of new housing units in the state in 2000 and reduced by 50% to account for non-residential growth impacts.
- City Police, Library and General City Administration: Costs are based on recent construction and known costs to expand the police and library facilities and to build a new city hall, divided by the 11,971 dwelling units projected for city build-out, providing a one-time residential assessment.
- Fire Facilities: Costs are based on TVFRD estimates costs to construct the new Bolton and Willamette stations, divided by the 11,971 dwelling units projected for city build-out, providing a one-time residential assessment.

ANNEXATION & TABLE UPDATE WORKSHEET

City Staff can update Table 1 above and estimate the fiscal impacts of an annexation through the following steps, and in accordance with the attached sample staff report outline.

1. Identify the area to be annexed and developed. Determine the planned city zoning.
2. Determine the number of planned dwelling units or commercial/industrial equivalent units, based on the most intense land use in the proposed zone.
3. Determine if the proposed development will construct any planned capital improvements identified in Table 1 above. If so, deduct from the table.
4. Update average school and land costs used in the text of this report and in the table, if necessary. Update the assessment for any new state road modernization projects and city improvements that are growth-related.
5. Determine the estimated growth subsidy for established residents by multiplying the reconfigured total net cost by the most recent growth rate, subtracted from 100% and substitute for the .98 figure in Table 1 above.

City of West Linn
SAMPLE STAFF REPORT
To complete the Fiscal Impact Analysis for a City Annexation

Follow the steps described under Table 1 Worksheet above and prepare a staff report as per West Linn Municipal Code Chapter 2, Section 2.935 (2), using the following format. This may be amended periodically by resolution to take into account factors such as inflation and more current information.

- I. Introduction
 - Nature of request
 - Location
 - Applicant

- II. Site Characteristics
 - Physical and Environmental Features
 - Public Service Availability
 - Transportation Service

- III. Proposed City Plan and Zone Designations
 - Planned zone designation, intended uses and most intensive impacts
 - Maximum density or equivalent dwelling units

- IV. Infrastructure Impacts – Complete Table 1 Analysis
 - City sanitary sewer, water, storm drainage, street, police, fire and governmental service requirements
 - Public school impacts
 - State highway impacts

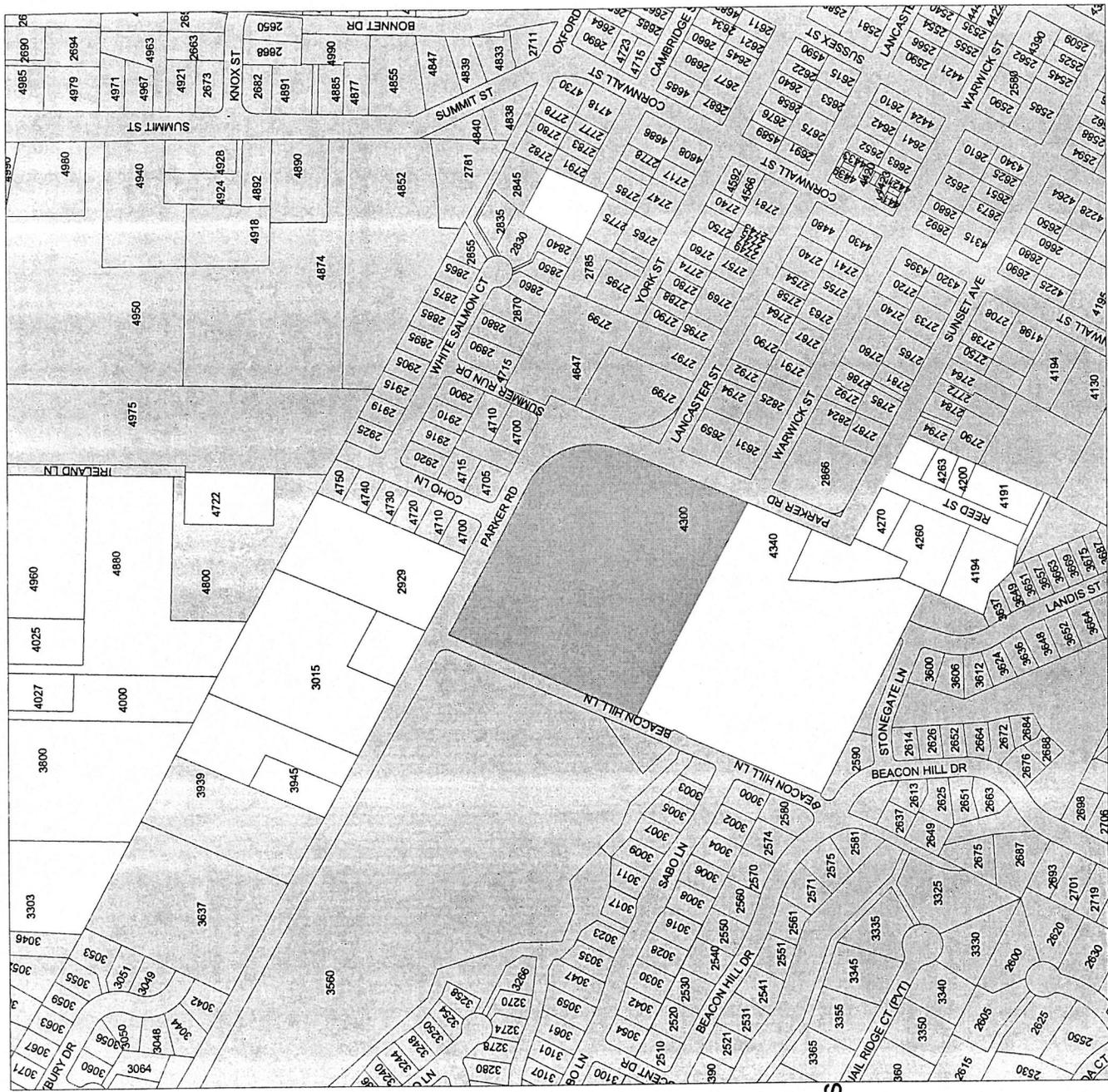
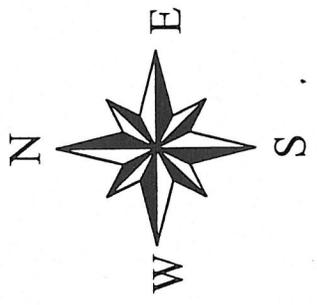
- V. Compliance with Annexation Review Criteria, West Linn Municipal Code Chapter 2 Section 2.920 and 2.930

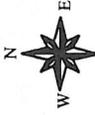
- VI. Recommendation

ANX 04-01 Vicinity Map

28
100

-  Site
-  Tax Lots
-  Area within West Linn City Limits





ANX 04-01

Zoning Vicinity Map

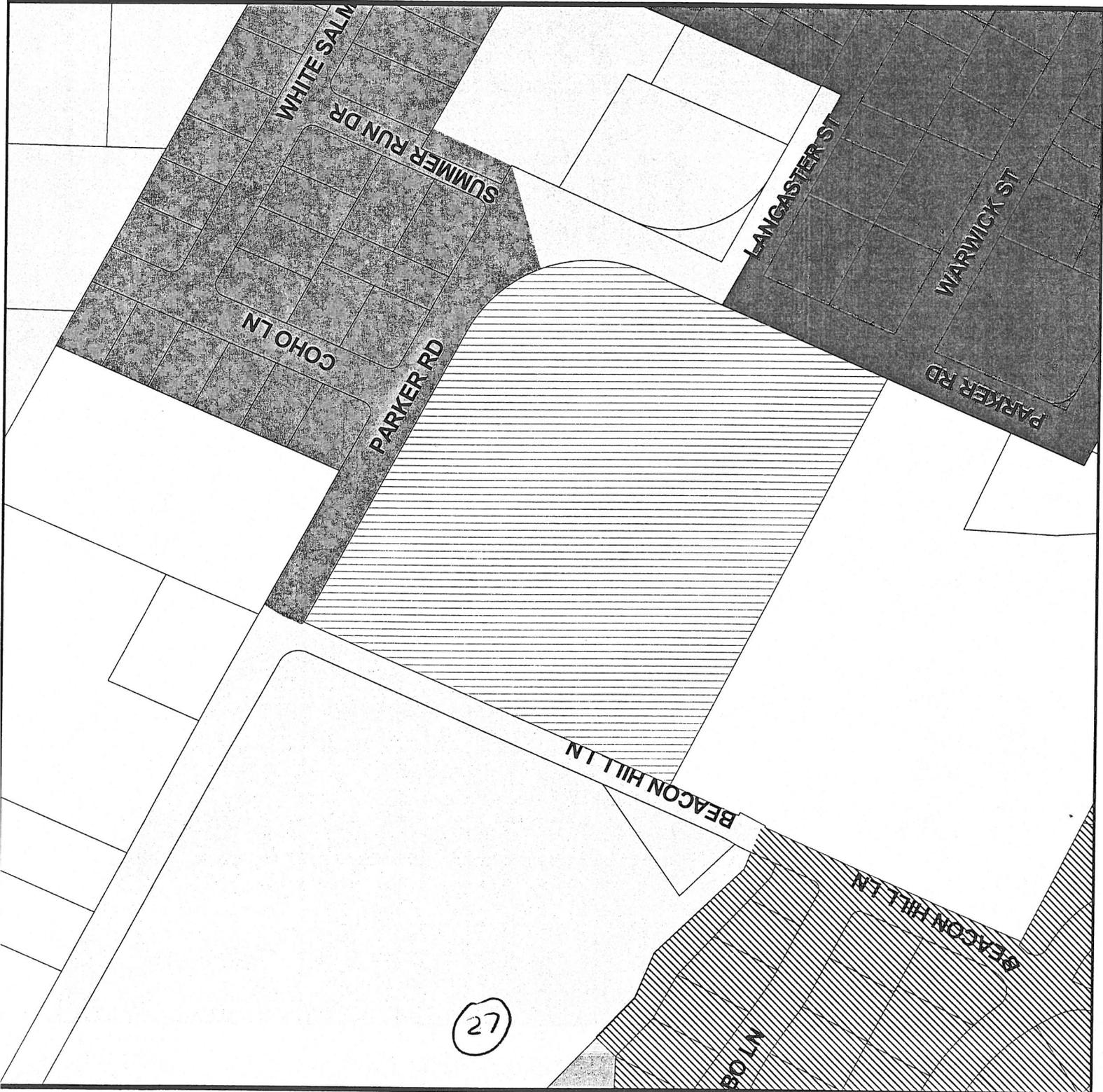
- Site
- Tax Lots
- Zoning Classifications
 - R-20
 - R-10
 - R-7
 - R-5

Blank Areas are not within the city

TAXLOT BASE SOURCE: CLACKAMAS COUNTY GIS



This map and other information have been compiled for preliminary and general purposes. They are not intended to be complete or accurate for any other purposes. Specifically, this information is not intended to be complete for purposes of land use restriction zoning, title, size, and suitability of the property for specific uses



AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. ANX-04-01 Applicant's Name Ken Olson & Gary Eder
Development Name Annexation of 4300 Parker Rd.
Scheduled Meeting/Decision Date 3-14-05

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check one below)

Type A

- A. The applicant (date) 1/28/05 (signed)
B. Affected property owners (date) 1/28/05 (signed)
C. School District/Board (date) 1/28/05 (signed)
D. Other affected gov't. agencies (date) 1/28/05 (signed)
E. Affected neighborhood assns. (date) ALL 1/28/05 (signed)
F. All parties to an appeal or review (date) NA (signed)

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:
Tidings (published date) Mar 3 and 15, 2005 (signed)
City's website (posted date) (signed)

Type B

- A. The applicant (date) (signed)
B. Affected property owners (date) (signed)
C. School District/Board (date) (signed)
D. Other affected gov't. agencies (date) (signed)
E. Affected neighborhood assns. (date) (signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: (signed)

Type C

- A. The applicant (date) (signed)
B. Affected property owners (date) (signed)
C. Affected neighborhood associations (date) (signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: (signed)

SIGN

At least 45 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code. + 4 public places in city - City Hall, Senior Center, City Library, City Police Station
(date) 1/27/05 (signed) Gordon Howard

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.
(date) (signed)

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.
(date) (signed)



**CITY OF WEST LINN
CITY COUNCIL MEETING NOTICE**

**STEP 1 ANNEXATION
8 ACRE PARCEL AT 4300 PARKER ROAD**

FILE NO. ANX-04-01

The West Linn City Council, at its regularly scheduled meeting on **Monday, March 14, 2005**, starting at **7 p.m.** in the Council Chambers of City Hall (located at 22500 Salamo Road, West Linn, OR), will hold a meeting on a Step 1 annexation of an 8-acre parcel at 4300 Parker Road. The decision by City Council shall consider the provisions of Community Development Code Chapter 81 and Municipal Code Sections 2.915 through 2.960 for the Step 1 annexation.

The City of West Linn has established a two-step process for consideration of annexation requests. Step 1 involves consideration of the land use aspects of the annexation request, and requires a public hearing. Step 2 involves consideration of other policy issues and referral of the annexation to the voters, which also requires a public hearing. An annexation to the City is not effective unless it is approved by a majority vote among the City's electorate.

The applicant submitted a petition requesting that the City Council consider the annexation of the property. During the March 14 City Council hearing, the Council will be asked to make a motion to approve or deny the Step 1 portion of the annexation. If the Council approves the Step 1 annexation, staff will request that the Step 2 hearing be scheduled, at which time the City Council will hear testimony regarding whether the annexation should be referred to the voters. If the Council approves the Step 2 portion of the annexation, they will set a date for the election.

At least 15 days prior to the City Council meeting, a copy of the staff report will be available for inspection at no cost. For further information, please contact Gordon Howard, at City Hall, 22500 Salamo Road, #1000, West Linn, OR 97068 (phone: 503-656-4211).

Failure to raise an issue in person or by letter at some point prior to the close of the meeting, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the appellant body with jurisdiction based on that issue.

NANCY L. SCHMIDT
Planning Department Secretary

(Publish: West Linn Tidings, March 3, 2005 and March 10, 2005)

p:\devrvw\notices\ccnotic.anx0401(Step 1)

PETITION FOR ANNEXATION TO THE CITY OF WEST LINN, OREGON

TO: The Council of the City of West Linn, Oregon.

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of West Linn.

The property to be annexed is described as follows:

*(Insert Legal Description here or attach it as Exhibit "A")**

pls. see Exhibit "A"

* A metes and bounds legal description of the territory to be annexed shall be submitted. This description should be attached to the Petition. A lot, block, and subdivision description may be substituted for the metes and bounds description if the area is platted and no metes and bounds description is available, and if this is acceptable to the County Assessor's Office.

Exhibit "A"

Legal Description Annexation to City of West Linn

A tract of land situated in Section 36, T 2S, R 1E of the WM, Clackamas County, Oregon described as:

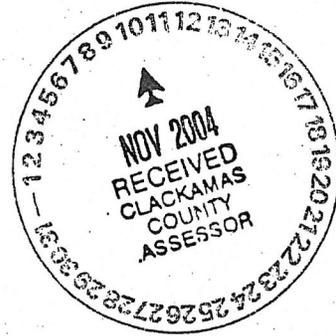
Beginning at a stone in the County road known as Parker Road which is S 63° E, 3564 feet and S 22° W, 460.02 feet of the Northwest corner of the Julia Ann Lewis DLC; also being the Northwest corner of that certain tract of land conveyed to Gary B. Eder in deeds recorded as instruments No. 84-37314, 84-37315, 84-37316, 83-44327, and 83-44328; thence S 63° E, 20 feet to the TRUE POINT OF BEGINNING; thence following an extension of a line along the east right-of-way of Beacon Hill Lane, S 22° W, 30 feet to the Northwest corner of tax lot 21E36 00100; thence along the east right-of-way of Beacon Hill Lane, S 22° W, approximately 564 feet; thence S 65° E, approximately 644 feet; thence N 22° E, approximately 569 feet; thence N 62° 44' W, approximately 657 feet to the TRUE POINT OF BEGINNING. Including a portion of the right-of-way of Parker Road.

CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 21E36 00100) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Elsie Harvey Craig Ferris
TITLE Cartography 2 CARTOGRAPHER III
DEPARTMENT Cartography ASSESSMENT & TAX
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 09-10-03 11-10-04



CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation of the territory described herein to the City of West Linn contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

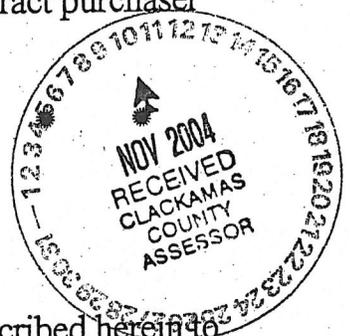


NAME Elsie Harvey Craig Ferris
TITLE Cartographer 2 CARTOGRAPHER III
DEPARTMENT Cartography ASSESSMENT & TAX
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 09-10-03 11-10-04

* "Owner" means the owner of the title to real property or the contract purchaser of real property.



CERTIFICATION OF REGISTERED VOTERS



I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.

AT
11-10-04
NO REGISTERED VOTERS
AT.



NAME FLOYD THOMAS
TITLE DEPUTY CLERK
DEPARTMENT _____
CLACKAMAS COUNTY ELECTION'S DEPARTMENT
DATE 9-10-03 11-10-04

Floyd Thomas
Floyd Thomas
(233)

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That Norman R. Eder, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary B. Eder

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit: an undivided 1/6th interest in and to the following described property:

Part of the Julia Ann Lewis DLC No. 54 in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: lying at a stone in the County road that is 6.97 chains south 22° west of a point on the north line of said DLC, 54 1/2 chains South 63° east of the northwest corner thereof and running thence South 22° west 19.31 chains; thence south 65° east 5 chains; thence north 22° east 406.90 feet; thence south 63° east 50 feet; thence north 22° east 13.27 chains to a point in the County road; thence north 62°44' west 10.50 chains to the place of beginning. SAVE AND EXCEPT THE FOLLOWING: Part of the DLC of Julia Ann Lewis in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: lying at the most northerly corner of a tract of land conveyed by E.L. Eastman and J.W. Cochran to James S. Cochran to James S. Cochran, as per deed recorded on page 430 of book 31, Clackamas County records; and running thence South 22° west 181.75 feet; thence South 65° east 659.62 feet; thence north 22°30' East 172.40 feet to the north line of said Cochran tract; thence north 64°08' West parallel with the south line of said claim 659.62 feet to the place of beginning. ALSO EXCEPTING the northwesterly 20.00 feet conveyed to Grant A. Day, et ux by deed recorded August 7, 1951, in Book 447, page 326, Records of Clackamas County, Oregon. AND FURTHER EXCEPTING the following: Beginning at a point in the center of the County Road known as Parker Road No. 375 that is 253 feet south 22° west of a stone 18x18x10 set in the center of the center line of the County Road known as Parker Road No. 375 at an intersection of center line of County Road No. 658; thence north 65° west, 681 feet, more or less, to an intersection with the southerly line of right of way conveyed by deed to Grant Day, recorded August 7, 1951, in Book 447, page 326, Deed Records; thence south 22° west along the southerly line of said right of way 523 feet, more or less, to the southwest corner of a tract of land conveyed to Jeston L. McGee, et ux, by deed recorded January 31, 1964, Fee No. 1789; thence south 64°08' east 639.62 feet, more or less, to the most southerly corner of said McGee tract, thence north 22° east 234.50 feet; thence south 63° east 50 feet to a point of intersection with the southwesterly extension of the center line of Parker Road; thence north 22° east to the true point of beginning. SUBJECT TO: The right of the public in and to that portion of the above property lying within the limits of roads and highways. ALSO SUBJECT TO: Rights of way reserved by M.A. Stratton et ux by deed recorded September 5, 1892, in Book 48, page 197, Clackamas County Deed Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ love and affection.

However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 22nd day of October, 1984; 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.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON, County of Multnomah } ss.

The foregoing instrument was acknowledged before me this October 22, 1984, by Norman R. Eder

STATE OF OREGON, County of _____) ss.

The foregoing instrument was acknowledged before me this _____, 19____, by _____, president, and by _____, secretary of _____ corporation, on behalf of the corporation.

Notary Public for Oregon

(SEAL)

My commission expires:

(If executed by a corporation, affix corporate seal)



Notary Public for Oregon, Norman R. Eder

GRANTOR'S NAME AND ADDRESS Gary B. Eder

GRANTEE'S NAME AND ADDRESS

After recording return to: Gary B. Eder, 3445 S.E. Harold Ct., Portland, OR 97222

Until a change is requested all tax statements shall be sent to the following address: No change

STATE OF OREGON,

1984 OCT 24 PM 2:40



JUANITA N. ORR County Clerk

Recording Certificate 84 37316

CCP-R4

84 37316

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That Beverly R. Harris

, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary B. Eder

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas State of Oregon, described as follows, to-wit: an undivided 1/6th interest in and to the following described property:

Part of the Julia Ann Lewis DLC No. 54 in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: ... beginning at a stone in the County road that is 6.97 chains south 22° west of a point on the north line of said DLC, 54 ...

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$love and affection.

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 22nd day of October, 1984, 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.

Beverly R. Harris (handwritten signature)

(If executed by a corporation, affix corporate seal)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,

STATE OF OREGON, County of Multnomah ss.

County of Multnomah

The foregoing instrument was acknowledged before me this

The foregoing instrument was acknowledged before me this October 22, 1984, by Beverly R. Harris

1984, by president, and by secretary of

Beverly R. Harris

corporation, on behalf of the corporation.

Notary Public for Oregon (Signature: John D. Farmer)

Notary Public for Oregon

My commission expires: 9/25/85

My commission expires: (SEAL)

Beverly R. Harris

STATE OF OREGON.

Gary B. Eder

STATE OF OREGON) ss. I, Juanita N. Orr, County Clerk, Ex-Officio Recorder of Conveyances of the State of Oregon, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County at

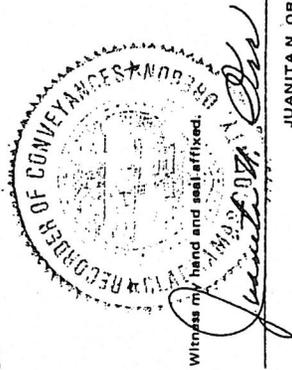
After recording return to:

Gary B. Eder 3445 S.E. Harold Ct. Portland, OR 97202

Until a change is requested all tax statements shall be sent to the following address: No change

NAME, ADDRESS, ZIP

1984 OCT 24 PM 2:40



JUANITA N. ORR County Clerk 84 37315 Recording Certificate CCP-R4

Handwritten initials or mark at the bottom center.

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That Clarice L. Eder

hereinafter called grantor,

for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary B. Eder

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit: an undivided 1/6th interest in and to the following described property:

Part of the Julia Ann Lewis DLC No. 54 in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: beginning at a stone in the County road that is 6.97 chains south 22° west of a point on the north line of said DLC, 54 chains South 63° east of the northwest corner thereof and running thence South 22° west 19.31 chains; thence south 65° east 66 chains; thence north 22° east 406.90 feet; thence south 63° east 50 feet; thence north 22° east 13.27 chains to a corner in the County road; thence north 62°44' west 10.50 chains to the place of beginning. SAVE AND EXCEPT THE FOLLOWING: Part of the DLC of Julia Ann Lewis in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: beginning at the most northerly corner of a tract of land conveyed by E.L. Eastham and J.W. Cochran to James S. Cochran to James S. Cochran, as per deed recorded on page 439 of book 31, Clackamas County records; and running thence South 22° west 181.75 feet; thence South 65° east 659.62 feet; thence north 22°30' East 172.40 feet to the north line of said Cochran tract; thence north 64°08' West parallel with the south line of said claim 659.62 feet to the place of beginning. AND FURTHER EXCEPTING the northwesterly 20.00 feet conveyed to Grant A. Day, et ux by deed recorded August 7, 1951, in Book 17, page 326, Records of Clackamas County, Oregon. AND FURTHER EXCEPTING the following: Beginning at a point in the center of the County Road known as Parker Road No. 375 that is 253 feet south 22° west of a stone 18x18x10 set in the middle of the center line of the County Road known as Parker Road No. 375 at an intersection of center line of County Road known as J.F. Clark Road No. 658; thence north 65° west, 681 feet, more or less, to an intersection with the southerly line of right of way conveyed by deed to Grant Day, recorded August 7, 1951, in Book 447, page 326, Deed Records; thence south 22° west along the southerly line of said right of way 523 feet, more or less, to the southwest corner of a tract of land conveyed to Jeston L. McGee, et ux, by deed recorded January 31, 1964, Fee No. 1789; thence south 64°08' east 639.62 feet, more or less, to the most southerly corner of said McGee tract, thence north 22° east 224.50 feet; thence south 63° west 50 feet to a point of intersection with the southwesterly extension of the center line of Parker Road; thence north 22° east to the true point of beginning. SUBJECT TO: The right of the public in and to that portion of the above property lying within the limits of roads and highways. ALSO SUBJECT TO: Rights of way reserved by M.A. Stratton et ux by deed recorded September 5, 1892, in Book 48, page 197, Clackamas County Deed Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ love and affection

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

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 22nd day of October, 1984.

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.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Clarice L. Eder

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,

County of Multnomah

ss.

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this

_____, 19____, by _____,

_____, president, and by _____,

_____, secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

(SEAL)

My commission expires: _____

(If executed by a corporation, affix corporate seal)

The foregoing instrument was acknowledged before me (Initials) October 22, 1984, by Clarice L. Eder

Notary Public for Oregon My commission expires: 9/25/85

Clarice L. Eder

STATE OF OREGON,

GRANTOR'S NAME AND ADDRESS

Gary B. Eder

GRANTEE'S NAME AND ADDRESS

After recording return to:

Gary B. Eder

3445 S.E. Harold Ct.

Portland, OR 97202

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following or

No change

NAME, ADDRESS, ZIP

STATE OF OREGON) ss. County of Clackamas)

I, Juanita N. Orr, County Clerk, Ex-Officio, Recorder of Conveyances of the State of Oregon, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County at

1984 OCT 24 PM 2:40



Witness my hand and seal affixed. Juanita N. Orr, County Clerk

JUANITA N. ORR County Clerk

Recording Certificate 84 37314 CCP-R4

Handwritten number 213 in a circle.

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That Sharon R. Eder

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary B. Eder

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit: an undivided 1/6th interest in and to the following described property:

Part of the Julia Ann Lewis DLC No. 54 in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: Beginning at a stone in the County road that is 6.97 chains south 22° west of a point on the north line of said DLC, 54 chains South 63° east of the northwest corner thereof and running thence South 22° west 19.31 chains; thence south 65° east 3.66 chains; thence north 22° east 406.90 feet; thence south 63° east 50 feet; thence north 22° east 13.27 chains to a stone in the County road; thence north 62°44' west 10.50 chains to the place of beginning. SAVE AND EXCEPT THE FOLLOWING: Part of the DLC of Julia Ann Lewis in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: Beginning at the most northerly corner of a tract of land conveyed by E.L. Eastham and J.W. Cochran to James S. Cochran to James S. Cochran, as per deed recorded on page 430 of book 31, Clackamas County records; and running thence South 22° west 181.75 feet; thence South 65° east 659.62 feet; thence north 22°30' East 172.40 feet to the north line of said Cochran tract; thence north 64°08' West parallel with the south line of said claim 659.62 feet to the place of beginning. FURTHER EXCEPTING the northwesterly 20.00 feet conveyed to Grant A. Day, et ux by deed recorded August 7, 1951, in Book 447, page 326, Records of Clackamas County, Oregon. AND FURTHER EXCEPTING the following: Beginning at a point in the center of the County Road known as Parker Road No. 375 that is 253 feet south 22° west of a stone 18x18x10 set in the middle of the center line of the County Road known as Parker Road No. 375 at an intersection of center line of County Road known as J.F. Clark Road No. 658; thence north 65° west, 681 feet, more or less, to an intersection with the southerly line of right of way conveyed by deed to Grant Day, recorded August 7, 1951, in Book 447, page 326, Deed Records; thence South 22° west along the southerly line of said right of way 523 feet, more or less, to the southwest corner of a tract of land conveyed to Jeston L. McGee, et ux, by deed recorded January 31, 1964, Fee No. 1789; thence south 64°08' east 639.62 feet, more or less, to the most southerly corner of said McGee tract, thence north 22° east 234.50 feet; thence south 63° east 50 feet to a point of intersection with the southwesterly extension of the center line of Parker Road; thence north 22° east to the true point of beginning. SUBJECT TO: The right of the public in and to that portion of the above property lying within the limits of roads and highways. ALSO SUBJECT TO: Rights of way reserved by M.A. Stratton et ux by deed recorded September 5, 1892, in Book 48, page 197, Clackamas County Deed Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 28th day of December, 1983; 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.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,

County of Multnomah

The foregoing instrument was acknowledged before me this 28th day of December, 1983, by Sharon R. Eder

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this _____, 19____, by _____

_____ president, and by _____

_____ secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon (SEAL)

My commission expires: (If executed by a corporation, affix corporate seal)

Notary Public for Oregon (SEAL) My commission expires: 9/25/85

Sharon R. Eder 8900 SW Becker Dr. Portland OR 97223

Gary B. Eder 30892 S.E. Judd Rd. Eagle Creek, OR 97022

After recording return to: H. Philip Eder 3445 S.E. Harold Ct. Portland, OR 97202

Until a change is requested all tax statements shall be sent to the following address: No Change

STATE OF OREGON,

STATE OF OREGON County of Clackamas ss. I, Juanita N. Orr, County Clerk, Ex-Officio Recorder of Conveyances of the State of Oregon, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County at

1983 DEC 30 PM 3:25



JUANITA N. ORR County Clerk

Recording Certificate CCP-R4

83 44327

BARGAIN AND SALE DEED



KNOW ALL MEN BY THESE PRESENTS, That H. Philip Eder

....., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary B. Eder

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit: an undivided 1/6th interest in and to the following described property:

Part of the Julia Ann Lewis DLC No. 54 in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: Beginning at a stone in the County road that is 6.97 chains south 22° west of a point on the north line of said DLC, 54 ins South 63° east of the northwest corner thereof and running thence South 22° west 19.31 chains; thence south 65° east 5 chains; thence north 22° east 406.90 feet; thence south 63° east 50 feet; thence north 22° east 13.27 chains to a point in the County road; thence north 62°44' west 10.50 chains to the place of beginning. SAVE AND EXCEPT THE FOLLOWING: Part of the DLC of JULIA ANN LEWIS in T. 2S., R. 1E., of the W.M., Clackamas County, Oregon described as: Beginning at the first northerly corner of a tract of land conveyed by E.L. Eastham and J.W. Cochran to James S. Cochran to S. Cochran, as per deed recorded on page 430 of book 31, Clackamas County records; and running thence South 22° east 181.75 feet; thence South 65° east 659.62 feet; thence north 22°30' East 172.40 feet to the north line of said Cochran tract; thence north 64°08' West parallel with the south line of said claim 659.62 feet to the place of beginning. FURTHER EXCEPTING the northwesterly 20.00 feet conveyed to Grant A. Day; et ux by deed recorded August 7, 1951, in Book 326, Records of Clackamas County, Oregon. AND FURTHER EXCEPTING the following: Beginning at a point in the center of the County Road known as Parker Road No. 375 that is 253 feet south 22° west of a stone 18x18x10 set in the center of the center line of the County Road known as Parker Road No. 375 at an intersection of center line of County Road known as J.F. Clark Road No. 658; thence north 65° west, 681 feet, more or less, to an intersection with the southerly line of right of way conveyed by deed to Grant Day, recorded August 7, 1951, in Book 447, page 326, Deed Records; thence north 22° west along the southerly line of said right of way 523 feet, more or less, to the southwest corner of a tract of land conveyed to Jeston L. McGee, et ux, by deed recorded January 31, 1964, Fee No. 1789; thence south 64°08' east 639.62 feet, more or less, to the most southerly corner of said McGee tract, thence north 22° east 234.50 feet; thence south 63° east 50 feet to a point of intersection with the southwesterly extension of the center line of Parker Road; thence north east to the true point of beginning. SUBJECT TO: The right of the public in and to that portion of the above property lying within the limits of roads and highways. ALSO SUBJECT TO: Rights of way reserved by M.A. Stratton et ux by deed recorded September 5, 1892, in Book 48, page 197, Clackamas County Deed Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$.....None.....

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 30th day of December, 1983;

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.

H. Philip Eder

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,)
County of Multnomah) ss.

STATE OF OREGON, County of) ss.

The foregoing instrument was acknowledged before me this

....., 19....., by

....., president, and by

..... secretary of

a corporation, on behalf of the corporation.

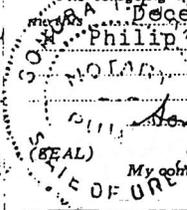
Notary Public for Oregon

(SEAL)

My commission expires: 9/25/85

(If executed by a corporation, affix corporate seal)

The foregoing instrument was acknowledged before me this December 30th, 1983, by H. Philip Eder
Sandra L. Farmer
Notary Public for Oregon
My commission expires: 9/25/85



H. Philip Eder
3445 S.E. Harold Ct.
Portland, OR 97202
GRANTOR'S NAME AND ADDRESS

Gary B. Eder
30892 S.E. Judd Rd.
Eagle Creek, OR 97022
GRANTEE'S NAME AND ADDRESS

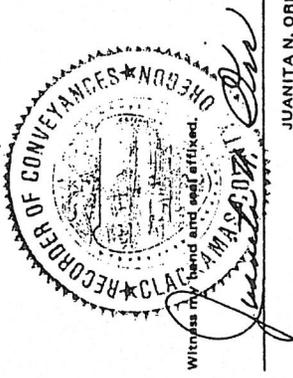
After recording return to:
H. Philip Eder
3445 SE Harold Ct.
Portland, OR 97202
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
No change
NAME, ADDRESS, ZIP

STATE OF OREGON,

1983 DEC 30 PM 3:25

STATE OF OREGON)
County of Clackamas) ss.
I, Juanita N. Orr, County Clerk, Ex-Officio Recorder of Conveyances of the State of Oregon, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County at



JUANITA N. ORR
County Clerk

83 44328

Recording Certificate

CCP-R4



07/01/2002 to 06/30/2003 REAL PROPERTY TAX STATEMENT

CLACKAMAS COUNTY, OREGON * 168 WARNER MILNE RD. * OREGON CITY, OREGON 97045

PROPERTY DESCRIPTION

4300 S PARKER RD
WEST LINN OR 97068

EDER GARY B
PO BOX 72
POWELL BUTTE OR 97753

MAP: 21E36 00100

Code Area 003-031

ACCOUNT NO: 00410549

Acres:
8.99

2002-2003 CURRENT TAX BY DISTRICT:

COM COLL CLACK	2.25
ESD CLACKAMAS	1.49
SCH WLINN/WILS	20.27
SCH WLINN/WILS LOCAL OPT	6.24
EDUCATION TOTAL:	30.25
COUNTY CLACK R	11.76
COUNTY LAW ENHANCED	2.71
FD64 TUAL LOC OPT	1.04
FD64 TUALATIN	6.35
PORT OF PTLD	0.28
SRV 2 METRO - OREGON ZOO	0.39
URBAN RENEWAL COUNTY	1.66
VECTOR CONTROL	0.03
GENERAL GOVERNMENT TOTAL:	24.22
COM COLL CLACK BOND	0.82
FD64 TUALATIN BOND	0.19
SCH WLINN/WILS BOND	11.60
SRV 2 METRO BOND	0.75
TRANS TRIMET BOND	0.50
EXCLUDED FROM LIMIT TOTAL:	13.86
2002-2003 TAX BEFORE DISCOUNT	68.33

VALUES: LAST YEAR THIS YEAR

REAL MARKET VALUES (RMV):		
RMV LAND	515,992	536,629
RMV TOTAL	515,992	536,629
SAV TOTAL	10,068	11,093
ASSESSED VALUE (AV):	4,045	4,162

PROPERTY TAXES: 66.46 68.33

Questions about your property value or taxes
Please call 503-855-8671

Please Make Payment To: CLACKAMAS COUNTY TAX COLLECTOR
(Refer to the insert enclosed for more information)

DELINQUENT TAXES: NO DELINQUENT TAXES DUE

See back for explanation of taxes marked with an (*).

Delinquent tax amount is included in payment options listed below.

TOTAL (after discount): 66.28

*pd 11/8/02
ch. 7126
66.28*

(See back of statement for instructions)

TAX PAYMENT OPTIONS

Payment Options	Date Due	Discount Allowed	Net Amount Due
FULL PAYMENT	Nov 15, 2002	2.05 3% Discount....	66.28
2/3 PAYMENT	Nov 15, 2002	0.91 2% Discount....	44.64
1/3 PAYMENT	Nov 15, 2002	No Discount....	22.77

40

NARRATIVE WITH REFERENCE TO 2,920; 3.09.040; AND 3.09.050(d):

A request to annex property located within the city limits of West Linn with an address of 4300 Parker Road. The approving jurisdiction entity is the City of West Linn.

The property is approximately 8.99 acres bounded on two sides by Parker Road (North and East) on the West by R-3 zoned property and on the South by approximately 7 acres of FU10 property also outside the city limits of West Linn. This property is an "island" classification, surrounded by the city of West Linn who is the comprehensive plan governing authority. Per Metro Functional Plan as well as the 2040 goals and per ORS 195.065, this would be a priority annexation. The annexation would help eliminate wasted public resources that surround this annexation property. The property is also over one mile inside the current city limits of West Linn completely surrounded by the city and is planned low density residential. A middle school, skateboard park and playground are near the site. Development would add to children and overall citizen "safety" by improving the transportation corridor with sidewalks and bike lanes over a good portion of Parker Road. Please see legal attached.

2.920:

- (a) The subject site is within the West Linn Urban Growth Boundary.
- (b) Subject site has been assigned a City Comprehensive Plan Map Designation. The address is 4300 Parker Road and the site is planned for low-density residential.
- (c) The property is over 1 mile inside the current city limits of West Linn completely

241

surrounded by the City and is planned low-density residential. A middle school, skateboard park and playground are near the site. Development would add to children and overall citizen "safety" by improving the transportation corridor with sidewalks and bike lanes over a good portion of Parker Road. Please see legal attached.

- (d) The territory to be annexed lies within the Urban Growth Boundary and is compatible with other applicable criteria regarding boundary changes under State and Local law. This property is a "island" annex classification and under the goals per ORS 195.065 this would be a priority annexation. The requirements of Oregon Revised Statutes for initiation of the annexation process have been and are being met through this application.

3.09.040:

- (a)(1) The approving jurisdiction entity is the City of West Linn.
- (2) Number two has been complied with, with all information supplied in the petition package.
- (3) This area has been provided in the petition page.
- (4) There are no basic urban services providers. Sewer runs through the property but currently due to no urban service provider, the area is on septic tank. There is no storm sewer water provider, it is currently all natural. Water is currently to the subject area but due to no services provider it is on wells. Local road transportation is supported by Clackamas County and the City of West Linn.
- (5) The services provider for sewer would be Tri-Cities Service District, water provided by South Fork Water Board, electrical by Portland General Electric, storm water

services by the City of West Linn, and transportation mainly by the City of West Linn and minor Clackamas County Road involvement.

- (6) The current tax assessed value of the effected property is attached.
- (7) Information per this petition package.

3.09.050(d):

- (1)(2) Per Metro Functional Plan as well as the 20/40 Goals and per ORS 195.065, this would be a priority annexation. The annexation would help eliminate wasted public resources that surround this annexation property. This petition is consistent and directly applicable with the Urban Services Provider Agreement on annexation of the area. Services currently surround the property site with all urban services (water, sewer, electrical, etc.) and are directly and currently available to include sewer running through the property. It is consistent with West Linn's Comprehensive Plan and the area is also part of the Tanner Basin Agreement (that includes Parker Road dialogue).
- (3)(4) This petition is consistent and specifically directly applicable to the standards and criteria boundary changes contained in West Linn's Comprehensive Land Use Plan and Public Facility Plan. It also meets and is within the Regional Framework Plan of Metro and its long range Functional Plan.
- (5) The annexation of this area will promote the timely, orderly, and economic provision of public facilities and services within the area. This also meets and supports the goals of the City of West Linn.

- (6) The territory to be annexed lies within the Urban Growth Boundary and is compatible with other applicable criteria regarding boundary changes under State and Local law.
- (7) This annexation is consistent with other applicable criteria with a boundary change under State and Local law, to include its consistency and directly applicable with the proposed providers urban services in the area.

3.09.050(e):

This is not applicable.

The current tax assessed value is attached..

**DOR 3-P139-2004
Preliminary Review**



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of West Linn
22500 Salamo Road, #1000
Attn: Kristi Crowell
West Linn, OR 97068

Date: 11/29/2004

This letter is to inform you that the map and description for your PLANNED annex to City of West Linn (CL2303) in Clackamas County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2005 per ORS 308.225.

Previously submitted and approved as Preliminary Review DOR 3-P108-2003.

If you have any questions please contact: Carolyn Sunderman, 503-945-8882

45
JK

WEST LINN CITY COUNCIL
FINAL ORDER
FILE NO. ANX-03-01

**IN THE MATTER OF A PROPERTY OWNER REQUEST FOR A STEP 1
ANNEXATION OF AN 8-ACRE PARCEL LOCATED AT 4300 PARKER ROAD.**

At their regular meeting date of January 21, 2004, the West Linn City Council held a public hearing pursuant to the provisions of Community Development Code Chapter 81 to consider the request of Ken Olson, who represented the property owners, for a Step 1 annexation of an 8-acre site located at 4300 Parker Road. The City Council heard the staff report and findings included therein.

Ron Hudson, City Engineer, summarized the memo by Assistant City Engineer Dennis Wright dated November 18, 2003 stating that the City's utility systems have included this property in master planning efforts and could support the addition of this property into the City.

The applicant, Ken Olson, 6021 Caufield Street, West Linn, testified in favor of the application. The public hearing was then continued to February 4, 2004.

At the February 4, 2004 public hearing, Bob Thomas, 2563 Pimlico Drive, testified about his concerns regarding water storage, and vehicle trips generated by future development of the property. He stated in his testimony that it was not prudent to annex more land into the City at the present time.

Ken Olson read his submittal dated February 4, 2004 into the record regarding the Tanner Basin Agreement and stated that the annexation should be fully supported by the Council and referred to the citizens of West Linn for a vote.

Ron Hudson, City Engineer, provided data to the City Council regarding the City-wide potential deficit of available water capacity versus available lots of record that could request a building permit; in other words, that there were more lots of record than available water meters on a City-wide basis. However, the Horton Water Zone in which the site is located has adequate transmission capability.

Councilor Kapigian stated that he was not convinced that the public infrastructure was in place, based on Metro Code Section 3.09.050(d)(5), and that it could be argued that the annexation request was not timely. He requested that Finding No. 2 in the staff report be amended to state that the City will plan for and provide urban services within a 20-year timeframe, and that the Rosemont Fire District is no longer in existence. He expressed concern regarding the uncertainty of being able to serve the property with City services at the present time. Councilor Tripp described his concerns about the impact of future development of the site on the City's transportation systems.

1 (2/18/04)

After deliberation, the City Council found that the Step 1 annexation request met the approval criteria of Community Development Code Section 81.050. The Council found that the four conditions necessary to process an annexation were met based on Municipal Code Section 2.920(1). The City Council found that the proposal complies with the criteria of Metro Code Section 3.09.050(d), and that Section 3.09.050(e) was not applicable (Exhibit A).

The City Council found that the proposal complies with the Comprehensive Plan, the Sanitary Sewer Master Plan Update (1999), Storm Drainage Master Plan (1996), and Water System Master Plan (1999). The County Enhanced Law Enforcement District is the only unit of government that would lose territory as a result of annexation to the City. The Tri-City Sewer Service District is the only service district that would add territory as a result of annexation to the City.

A motion was made and seconded to amend Finding No. 2 in the staff report to reflect Councilor Kapigian's clarifications regarding the Rosemont Fire District and the 20-year timeframe to plan for and provide urban services. Specifically, Finding No. 2 in the staff report is amended as follows:

FINDING NO. 2

The City of West Linn will provide urban services in the future as has been anticipated by both the Tanner Basin Master Plan and the agreement with Clackamas County for provision of urban services. It is anticipated that the City will provide the following services to the proposed annexed site on Parker Road within a 20-year timeframe: police services, library, sanitary sewer, domestic water, stormwater, parks, open space, and streets. Tri-met will provide transit service and Tualatin Valley Fire & Rescue is anticipated to provide fire response, depending upon the outcome of the election in March 2004 to annex the City into the Tualatin Valley Fire & Rescue District. If the election fails, the City will provide for fire services. The City has not adopted an annexation plan under ORS 195.065, and there are no urban service agreements in place for the area. The Comprehensive Plan designation is low density residential. The proposal is consistent with the Sanitary, Water, and Storm Drainage Master Plans. As per the attached Engineering Division memo dated November 18, 2003, the site can be served by City services (Exhibit B).

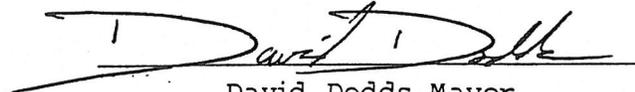
The County Enhanced Law Enforcement District and Tualatin Valley Fire & Rescue (if the election fails) are the only units of government that would lose territory as a result of annexation to the City. These changes have been anticipated. There is no urban service agreement that is applicable. At the time of application, a necessary party had not contested the boundary change.

The motion was approved by a 4 to 0 vote, with Councilor King absent. A motion was made and seconded to approve the Step 1 annexation. The Step 1 annexation was approved with a vote of 3 to 1, with Councilor Kapigian opposed and Councilor King absent.

2 (B) 47

This decision is final on the date it is signed. Necessary parties can appeal to the Metro Boundary Appeals Commission within 10 days of the final decision, and citizens can appeal to LUBA within 21 days of the final decision.

March 5, 2004
Date


David Dodds, Mayor

MAILED THIS 8th DAY OF March, 2004.

p:/dev rev/final decisions/ANX-03-01 Step 1 final decision

3 (48)
2/17

AGENDA BILL

05-03-03

For Council: March 14, 2005

Department: Planning

Dept. Head Initials: BA

Subject: Public Hearing (ANX 04-02)
Step One Annexation Hearing
10.2 acres north of Carriage Way,
and south of Valley View Drive

City Manager's Initials: AS

Attachments:
Draft Final Decision
Staff Report

Budget Impact:

None.

**Expenditures
Required \$ -0-**

**Amount
Budgeted \$ -0-**

**Appropriation
Needed \$ -0-**

Summary:

The City of West Linn Parks and Recreation Department proposes to annex 10.2 acres into the city, for development of a new city park. The site consists of two discrete parcels, an 8.2 acre parcel located south of Valley View Drive, and a two acre parcel located north of Carriage Way. An intervening 2.3 acre parcel is owned by the Oregon Department of Transportation and is not part of this application. However, ODOT is in discussions with the City Parks Director to allow trail access and modest improvements to the parcel connecting the two city-owned parcels proposed for annexation.

Staff Recommendation:

Staff recommends that the City Council adopt the attached final decision approving Step One of the proposed annexation. Staff further recommends that the City Council direct placement of the Step Two annexation hearing on the April 11, 2005 agenda, for consideration of whether and when to place this matter before the city voters.

Council Action Taken:

Approved:

Denied:

Continued:

**BEFORE THE WEST LINN CITY COUNCIL
FINAL ORDER**

Regarding the property owner request for a Step)
1 Annexation of two parcels totaling 10.2 acres) ANX-04-02
between Carriage Way and Valley View Drive)

At their regular hearing date of March 14, 2005, the West Linn City Council held a meeting pursuant to the provisions of Community Development Code Chapter 81 to consider the City Parks and Recreation Department's request for a Step 1 annexation for a 10.2-s in two parcels between Carriage Way and Valley View Drive. They contended that:

FINDINGS OF FACT

1. The City Council conducted a meeting on March 14, 2005 and heard and accepted the staff report and findings included therein.
2. The City Council found that the Step 1 annexation request met the approval criteria of Community Development Code Section 81.050, which included meeting Municipal Code Section 2.920(1). The Council found that the conditions necessary to process an annexation were met.
3. The City Council found that the proposal complies with the criteria of Metro Code Section 3.09.050(d) and that Section 3.09.050(e) was not applicable. The City has not adopted an annexation plan under ORS 195.065, and there are no urban service agreements in place for the area.
4. The City Council found that the proposal complies with the Comprehensive Plan, the Sanitary Sewer Master Plan Update (1999), Water System Master Plan (1999), and Storm Drainage Master Plan (1996).
5. The City Council found that the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services. This site is adjacent and contiguous to recent development and is timely and will not interfere with economic provision of the public facilities or services. The County Enhanced Law Enforcement District is the only unit of government that would lose territory as a result of annexation to the city. The Tri-City Sewer Service District is the only service district that would add territory as a result of annexation to the city.
6. A motion was made and seconded to approve the Step 1 annexation and set a Step 2 public hearing date of April 11, 2005. The Step 1 annexation was unanimously approved.

This decision is final on the date it is signed. Necessary parties can appeal to the Metro Boundary Appeals Commission within 10 days of the final decision, and citizens can appeal to LUBA within 21 days of the final decision.

NORMAN KING, MAYOR

DATE

MAILED THIS ____ DAY OF _____, 2005.

Fin dec.anx0402(Step 1)

TO: West Linn City Council
FROM: West Linn Planning Staff
DATE: March 14, 2004
FILE NO.: ANX-04-02
SUBJECT: Step 1 annexation of 10.2 acres between Carriage Way and Valley View Drive

SPECIFIC DATA

OWNER: City of West Linn
APPLICANT: Ken Worcester, City Parks and Recreation Director
SITE LOCATION: North of Carriage Way; south of Valley View Drive; east of Michlen Street
LEGAL DESCRIPTION: Clackamas County Assessor's Map 2S-1E-23BC, Tax Lots 1400 and 1600.
COUNTY ZONING: FU-10 Future Urban 10-acre minimum

COMPREHENSIVE PLAN

DESIGNATION: Low Density Residential

APPROVAL

CRITERIA: Community Development Code Chapter 81

PUBLIC NOTICE: Notice was mailed to all interested parties, including property owners within 500 feet on January 28, 2005. Public notice was posted on the site and in four public places within West Linn on January 27, 2005. The hearing will be noticed in the West Linn Tidings on March 3, 2005, and March 10, 2005. All notice requirements for Step 1 annexations were fulfilled.

SPECIFIC PROPOSAL

The City of West Linn, Department of Parks and Recreation, is proposing a Step 1 annexation of two discontinuous parcels totaling 10.2 acres. An 8.2 acre parcel is located south of Valley View Drive and east of Michlen Street. A two-acre parcel is located north of Carriage Way. The parcels are separated by a 2.3 acre parcel owned by the Oregon Department of Transportation (ODOT) and used for a wireless transmission facility. ODOT has not requested that the city annex this property and it is not part of the annexation application.

BACKGROUND

The site, along with the intervening ODOT parcel, are almost completely surrounded by city boundaries and land within the Portland Metropolitan Urban Growth Boundary. The City of West Linn purchased the site for a city park with proceeds from a 1998 Parks Bond issue. The City must annex the property to build the public park and provide it with city services such as water and sewer. The ODOT parcel is undeveloped except for the transmission facility, and the City Parks Director expects ODOT to agree to allow the city an access easement for a trail to connect the two city park parcels.

MAJOR ISSUES

Major issues are discussed below, among the findings required.

PUBLIC COMMENTS

As of February 18, 2005, staff had not received any public comment to this proposal.

RECOMMENDATION

Staff recommends approval of the Step 1 annexation of the two parcels totaling 10.2 acres located north of Carriage Way, south of Valley View Drive, and east of Michlen Street..

FINDINGS

81.050 APPROVAL CRITERIA

- A. The City Council shall approve or deny a boundary change proposal based on findings and conclusions addressing the following criteria:
1. *If an annexation, the proposal complies with the requirements of Code Section 2.920(1); and,*
 2. *For all boundary changes, the proposal complies with the criteria of Metro Code Section 3.09.050(d) and, if applicable, (e).*

The following Conditions for Annexation are contained within Municipal Code Section 2.920(1):

- (a) *The subject site must be located within the Portland Metropolitan Growth Boundary adjacent to West Linn as it existed on or prior to October 2002.*

FINDING NO. 1: The site is within the pre-October 2002 Urban Growth Boundary.

- (b) *The subject site must have been assigned a City Comprehensive Plan Map designation.*

FINDING NO. 2: The site is designated as Low Density Residential on the West Linn Comprehensive Plan Map.

- (c) *The subject site must be contiguous to the existing City limits, or separated from it only by a public right-of-way, or a stream, bay, lake, or other body of water.*

FINDING NO. 3: The site is contiguous to the existing city limits on all sides, except for the ODOT-owned parcel between the two city-owned parcels.

- (d) *The requirements of Oregon Revised Statutes for initiation of the annexation process are met.*

FINDING NO. 4: Oregon Revised Statute (ORS) Section 222.111(2) allows initiation of an annexation proposal “by a petition to the legislative body of the city by owners of real property in the territory to be annexed.” The petition required has been submitted. ORS Section 222,170 states that “the legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half the owners of land in the territory ... consent in writing to the annexation...” In the petition submitted 100% of the owners have consented to the annexation.

- (e) *No property may be included in the proposed annexation that was subject to voter rejection of annexation within twelve (12) months of the new application.*

FINDING NO. 5: This property has not been the subject of an annexation vote.

- (f) *The submittal requirements set forth under section 2.935 must be satisfied prior to the application being deemed complete.*

Municipal Code Section 2.935(1) includes the following submittal requirements:

- (a) *Written Consent: A statement of written consent for the annexation signed by the owner(s) of all land to be annexed*

FINDING NO. 6: The application includes the written consent of the property owner.

- (b) *Legal Description: A legal description of the property to be annexed and a boundary survey certified by a registered surveyor or engineer.*

FINDING NO. 7: The application includes a legal description and certified boundary survey.

- (c) *Vicinity Map: A map of the area to be annexed, including adjacent city territory, surrounding features or landmarks that will help the voters determine the location of the property.*

FINDING NO. 8: The application includes a properly detailed vicinity map.

- (d) *Fees And Deposits: A deposit adequate to cover any and all accrued staff time to review as well as prorated election costs, including public notices, is required. These amounts shall be established by the City. The money due for election costs shall be due at the time the election date is set. All money shall be paid no less than 60 days prior to the election.*

FINDING NO. 9: Since West Linn itself is the applicant, no fee is required. The City will pay for its fair proportion of any election fees.

- (g) *The subject area has been included within each of the adopted City facility master plans and capital improvement plans and the subject area is planned for all needed City infrastructure.*

FINDING NO. 10: This area is included in the city's water, sewer, storm drainage, and transportation master plans. When these plans are implemented, the area will be fully and adequately served by each of these types of facilities.

- (h) *The City has determined that there will be adequate public services for all types of infrastructure whose construction is not specifically excluded by State statute for the subject area at build-out.*

FINDING NO. 11: See attached community and fiscal impact analysis.

The following Conditions for Annexation are contained within Metro Code Section 3.09.050(d):

- (1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

FINDING NO. 12: The City does not have any urban service provider agreements or annexation plans adopted pursuant to ORS 195.065. Therefore, this criterion does not apply..

- (2) *Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;*

FINDING NO. 13: The City of West Linn and Clackamas County have an Urban Growth Management Agreement with regards to this property. The agreement calls for annexation and provision of city services as part of any urban development. Therefore, the application is consistent with this criterion.

- (3) *Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;*

FINDING NO. 14: Comprehensive Plan. The West Linn Comprehensive Plan Designation is for Low Density Residential Development. This category allows a range of between one and 6 dwelling units per acre.

Sanitary Sewer Master Plan Update (1999). No needed sanitary sewer system upgrades were identified in the proximity of the site. Sanitary sewer lines are located in adjacent streets.

Water System Master Plan (1999). The proposed annexation is consistent with the Water System Master Plan. Water lines in adjacent streets are available to serve the site. The site is within the Rosemont Pressure Zone.

Storm Drainage Master Plan (1996). The proposed annexation is consistent with the Storm Drainage Master Plan.

- (4) *Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;*

FINDING NO. 15: There are no specific directly applicable standards and criteria for boundary changes relevant to this proposal.

- (5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

FINDING NO. 16: Since the site currently receives no urban services except for fire services, and the site is already within the Tualatin Valley Fire & Rescue district, this proposal is consistent with this criterion.

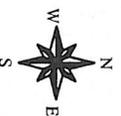
- (6) *If the proposed boundary change is for annexation of territory to Metro, a determination by the Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval; Metro Code 3.09.050(d)(7). Consistency with other applicable criteria for the boundary change in question under state and local law.*

FINDING NO. 17: This application is not for annexation inside Metro's boundaries and therefore is not applicable.

- (7) *Consistency with other applicable criteria for the boundary change in question under state and local law.*

FINDING NO. 18: The subject property complies with the approval criteria for the City of West Linn, and the annexation process complies with the procedures set forth under state law.

Metro Code 3.09.050(e) applies when there is no urban service agreement adopted pursuant to ORS 195.065 that is applicable, and a boundary change decision is contested by a necessary party. Since there is no necessary party contesting this proposal, this code section is inapplicable.



ANX 04-02 Zoning Vicinity Map

-  Site
-  Tax Lots
- Zoning**
-  R-15
-  R-10
-  R-7
- 

Blank areas are not within the city

TAXLOT BASE SOURCE: CLACKAMAS COUNTY GIS



This map and other information have been compiled for preliminary and general purposes. They are not intended to be complete or accurate for any other purposes. Specifically, this information is not intended to be complete for purposes of land use restriction, zoning, title, size, and suitability of the property for specific uses.





ANNX 04-02 Vicinity Map

10

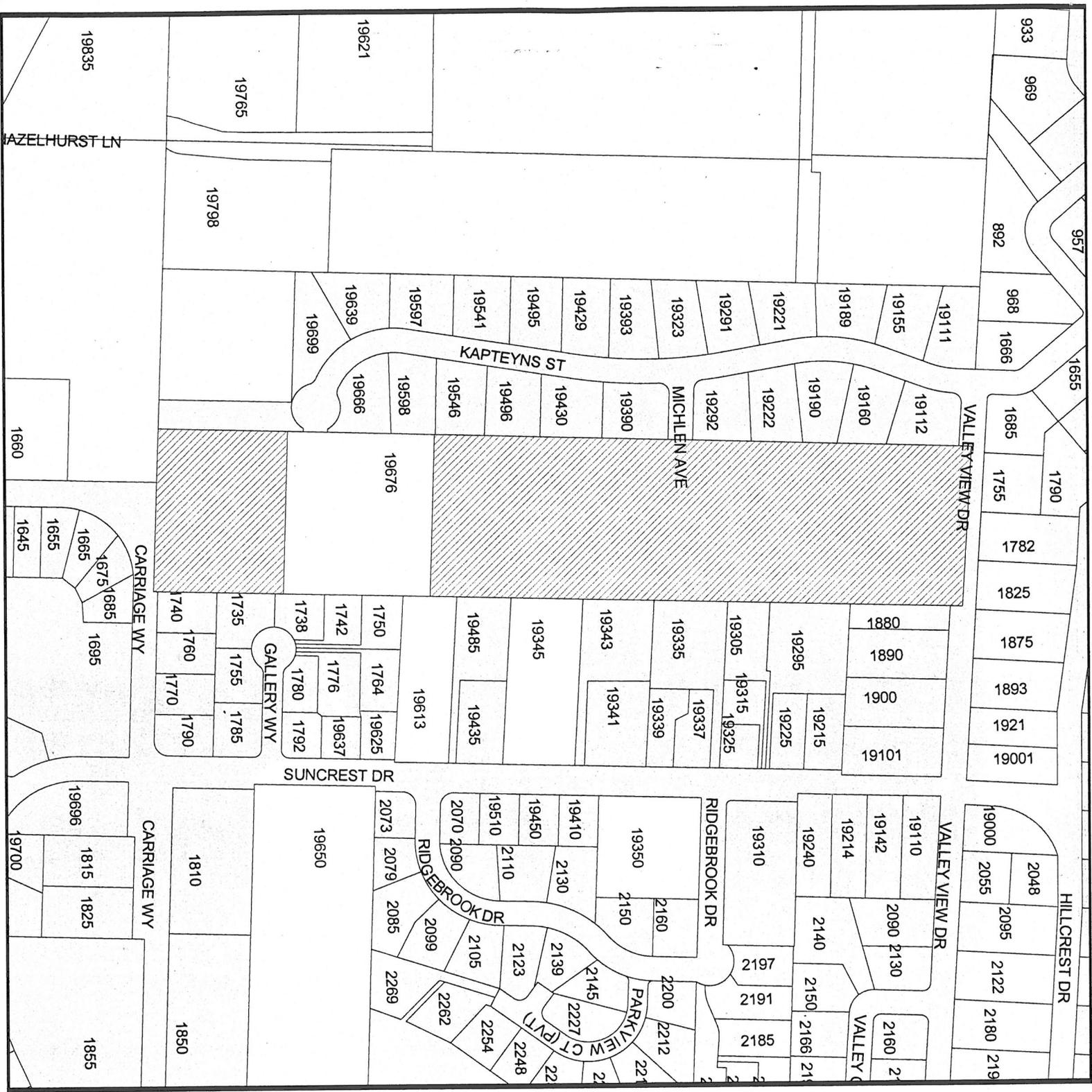
-  Site
-  Tax Lots
-  Areas within City Limits

Blank areas are not within the city

TAXLOT BASE SOURCE: CLACKAMAS COUNTY GIS



This map and other information have been compiled for preliminary and general purposes. They are not intended to be complete and accurate for any other purposes. Specifically, this information is not intended to be complete for purposes of land use restrictive zoning, title, size, and suitability of the property for specific uses



West Linn

DEVELOPMENT REVIEW APPLICATION RECEIVED

AX 04-02

DEC - 2 2004

TYPE OF REVIEW (Please check all boxes that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> Non-Conforming |
| <input type="checkbox"/> Appeal and Review | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Quasi-Judicial Plan or Zone Change |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Street Vacation |
| <input type="checkbox"/> Easement Vacations | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Temporary Uses |
| <input type="checkbox"/> Historic District Review | <input type="checkbox"/> Tualatin River Greenway |
| <input type="checkbox"/> Home Occupation - Type II | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Wetland |
| <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Willamette River Greenway |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Other/Misc. |
| <input type="checkbox"/> Natural Drainageway Protection | |

PLANNING & DEVELOPMENT
CITY OF WEST LINN
CIVIL ENGINEER

TOTAL FEES/DEPOSIT N/A

City of West Linn, Parks + Rec. Dept 22500 Salamo Rd West Linn OR 97068

OWNER	ADDRESS	CITY	ZIP	PHONE(res. & bus.)
Parks + Rec Dept	22500 Salamo Rd	W Linn	97068	503-557-4700
APPLICANT	ADDRESS	CITY	ZIP	PHONE(res. & bus.)

CONSULTANT	ADDRESS	CITY	ZIP	PHONE (bus.)
1700				

SITE LOCATION A Carriage Way + Valley View Drive

Assessor's Map No.: _____ Tax Lot(s): 21E23 BC 01600
21E23 BC 02800 Total Land Area: 10.65

1. All application fees are non-refundable (excluding deposit).
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or grant may be reversed on appeal. No permit will be in effect until the appeal period has expired.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application.

SIGNATURE OF PROPERTY OWNER(S)
X Jarred Farley

Date 12-2-04

SIGNATURE OF APPLICANT(S)
X Real Estate

Date 12-2-04

BY SIGNING THIS APPLICATION, THE CITY IS AUTHORIZED REASONABLE ACCESS TO THE PROPERTY.
ACCEPTANCE OF THIS APPLICATION DOES NOT INFER A COMPLETE SUBMITTAL.
COMPLETENESS WILL BE DETERMINED WITHIN 30 DAYS OF SUBMITTAL.

**PLANNING AND BUILDING; 22500 SALAMO RD #1000; WEST LINN, OR 97068
PHONE: 503-656-4211 FAX: 503-656-4106**

81.040 Petition to Annex to City of West Linn through Expedited Process

- A. A petition to annex to the City of West Linn may be initiated by the property owners of the area to be annexed, or the City, as set forth in Section 2.950(1) of the City Code.
- B. Pre Application meeting held on December 2, 2004.
- C. A petition to annex shall include completed petition form and the following:

Minimum Petition requirements under Metro Code 3.09.40

- 1. City of West Linn is approving entity to act on petition
- 2. Narrative & legal description of affected territory.
See Attachments A & B.
- 3. Only City of West Linn is property owner.
- 4. No current service providers
- 5. City of West Linn is proposed service provider.
- 6. Current tax assessed value: approx \$730,265
- 7. N/A

Approval Criteria Set forth in City Code Section 2.920

The subject site meets all of the criteria or will meet the criteria as laid out in City Code Section 2.920.

Vicinity, legal and other descriptive maps. See Attachments "A", "B", and "C"

- D. Annexation shall be processed by State law and Metro Code Chapter 3.09
- E. Applicant shall pay requisite fee.

**DOR 3-P140-2005
Preliminary Review**



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of West Linn
22500 Salamo Road, #1000
Attn: Gordon Howard
West Linn, OR 97068

Date: 1/14/2005

This letter is to inform you that the map and description for your PLANNED annex to City of West Linn (2 1E 23BC) in Clackamas County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2005 per ORS 308.225.

**Preliminary
Review**

If you have any questions please contact: Carolyn Sunderman, 503-945-8882

CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 21 E 23 BC) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME CRAIG FERRIS *Craig Ferris*

TITLE CARTOGRAPHER III

DEPARTMENT ASSESSMENT & TAX
CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE 12-14-04



3P
10/15
11

2016
Return to:
**FIRST AMERICAN TITLE COMPANY
OF COLUMBIA COUNTY**
240 SOUTH FIRST ST.
ST. HELENS, OR 97051

RECORDED IN CLACKAMAS COUNTY
JOHN KAUFFMAN, COUNTY CLERK

2004-003937



\$56.00

02/16/2000 03:09:23 PM

DD - 1 - 3 AMIEE
\$18.00 \$11.00 \$10.00 \$20.00

Bus (503) 397-2587

STATUTORY WARRANTY DEED

AGNES JANE THOMPSON, Grantor

conveys and warrants to **CITY OF WEST LINN**, an Oregon municipal corporation, Grantee

the following described real property free of liens and encumbrances, except as specifically set forth herein:

Beginning at a point in the South boundary of the Southwest one-quarter of the Northwest one-quarter of Section 23, Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, which point is 8.93 chains East from the Southwest corner of the Southwest one-quarter of the Northwest one-quarter of said section; running thence North 25.38 chains, more or less, to a point in the South boundary of the Gabriel Walling Donation Land Claim in said Township and Range; thence South 88° East tracing the South boundary of said claim 5.015 chains to a point; thence South 25.22 chains, more or less, to a point in the South boundary of the Southwest one-quarter of the Northwest one-quarter of said section; thence West 5.01 chains to the place of beginning.

EXCEPTING THEREFROM that portion described as Parcel No. 1 of Final Judgment filed in the Circuit Court of Clackamas County, Oregon on August 24, 1966, Case No. 62637 being more particularly described as follows:

A parcel of land lying in the Southwest quarter of the Northwest quarter of Section 23, Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, and being a portion of that property described in that certain deed to Agnes Jane Thompson, recorded in Book 579, page 265 of Clackamas County Record of Deeds; the said parcel being described as follows:

Beginning at the West quarter corner of said Section 23; thence Easterly along the Southerly line of said Southwest quarter of the Northwest quarter, 13.94 chains (920.04 feet) to the Southeast corner of said property; thence Northerly along the Easterly line of said property 265 feet to the true place of beginning; thence continuing Northerly along said Easterly line 300 feet; thence Westerly parallel to the Southerly line of said Southwest quarter of the Northwest quarter, 330.66 feet to the Westerly line of said property; thence Southerly along said Westerly line 300 feet; thence Easterly parallel to said Southerly line 330.66 feet to the true place of beginning.

Recorded By
First American Title Insurance Company of Oregon
No. 89053870

This property is free of liens and encumbrances, EXCEPT:

- 1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

///

TAX STATEMENT
CITY OF WEST LINN
ATTN: CITY MANAGER
22500 SALAMON ROAD
WEST LINN, OREGON
97068



157

CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation of the territory described herein to the City of West Linn contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.



NAME CRAIG FERRIS *Craig Ferris*

TITLE CARTOGRAPHER III

DEPARTMENT ASSESSMENT & TAX
CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE 12-14-04

* "Owner" means the owner of the title to real property or the contract purchaser of real property.



CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.

NO REGISTERED VOTERS *CF*

NAME FLOYD THOMAS

TITLE DEPUTY CLERK

DEPARTMENT ELECTIONS
CLACKAMAS COUNTY ELECTION'S DEPARTMENT

DATE 12-14-04

Floyd Thomas



CLACKAMAS COUNTY ELECTIONS
825 PORTLAND AVENUE
GLADSTONE, OR 97027

THIS MAP IS FURNISHED AS A CONVENIENCE IN LOCATING PROPER AND THE COMPANY ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY ACTUAL SURVEY



First American Title Insurance Company of Oregon

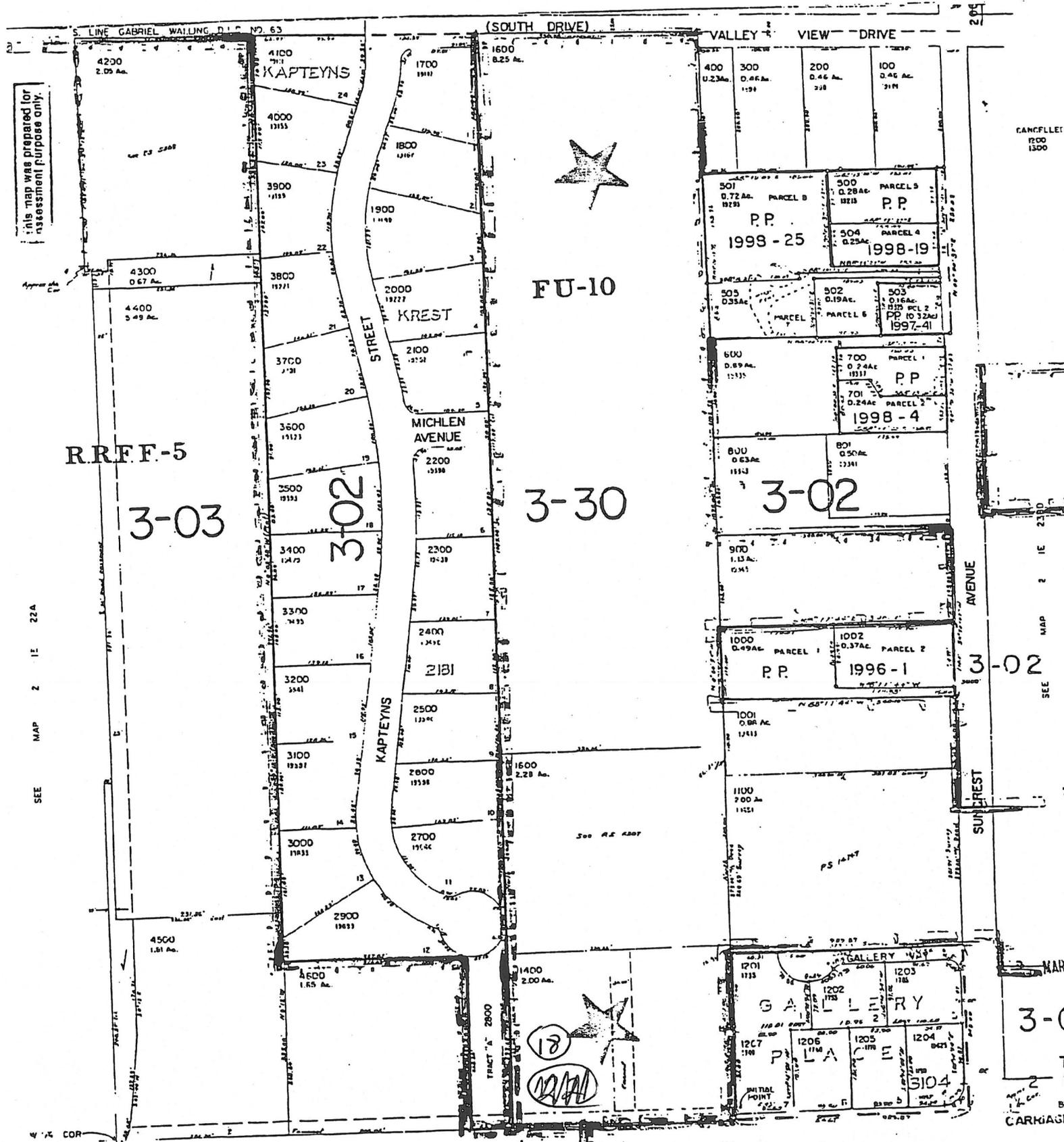
An assumed business name of TITLE INSURANCE COMPANY OF OREGON

1700 S.W. FOURTH AVENUE, PORTLAND, OR 97201-5512
(503) 222-3651



21E23BC

This map was prepared for assessment purpose only.



**CITY OF WEST LINN
CITY COUNCIL MEETING NOTICE**

**STEP 1 ANNEXATION
TWO PARCELS TOTALING 10.2 ACRES
ON VALLEY VIEW DRIVE AND CARRIAGE WAY
FILE NO. ANX-04-02**

The West Linn City Council, at its regularly scheduled meeting on **Monday, March 14, 2005**, starting at **7 p.m.** in the Council Chambers of City Hall (located at 22500 Salamo Road, West Linn, OR), will hold a meeting on a Step 1 annexation of two parcels totaling 10.2 acres. An 8 acre parcel is located south of Valley View Drive and a 2.2 acre parcel is located north of Carriage Way. The annexation is proposed by the City of West Linn Parks Department, which owns the two parcels and plans to develop a city park on the site. The decision by City Council shall consider the provisions of Community Development Code Chapter 81 and Municipal Code Sections 2.915 through 2.960 for the Step 1 annexation.

The City of West Linn has established a two-step process for consideration of annexation requests. Step 1 involves consideration of the land use aspects of the annexation request, and requires a public hearing. Step 2 involves consideration of other policy issues and referral of the annexation to the voters, which also requires a public hearing. An annexation to the City is not effective unless it is approved by a majority vote among the City's electorate.

The City Parks and Recreation Department submitted a petition requesting that the City Council consider the annexation of the property. During the March 14 City Council hearing, the Council will be asked to make a motion to approve or deny the Step 1 portion of the annexation. If the Council approves the Step 1 annexation, staff will request that the Step 2 hearing be scheduled, at which time the City Council will hear testimony regarding whether the annexation should be referred to the voters. If the Council approves the Step 2 portion of the annexation, they will set a date for the election.

At least 15 days prior to the City Council meeting, a copy of the staff report will be available for inspection at no cost. For further information, please contact Gordon Howard, at City Hall, 22500 Salamo Road, #1000, West Linn, OR 97068 (phone: 503-656-4211).

Failure to raise an issue in person or by letter at some point prior to the close of the meeting, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the appellant body with jurisdiction based on that issue.

NANCY L. SCHMIDT
Planning Department Secretary

(Publish: West Linn Tidings, March 3, 2005 and March 10, 2005)

p:\devrvw\notices\ccnotic.anx0401(Step 1)



AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. ANX-04-02 Applicant's Name City Parks Department
Development Name Annexation of 2 parcels
Scheduled Meeting/Decision Date 3-14-05

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check one below)

Type A [checked]

- A. The applicant (date) [checked] 1/28/05 (signed)
B. Affected property owners (date) [checked] 1/28/05 (signed)
C. School District/Board (date) [checked] 1/28/05 (signed)
D. Other affected gov't agencies (date) [checked] 1/28/05 (signed)
E. Affected neighborhood assns. (date) [checked] ALL (signed)
F. All parties to an appeal or review (date) NA (signed)

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted: twice in weeks before hearing
Tidings (published date) Mar. 3 and 10, 2005 (signed)
City's website (posted date) (signed)

Type B

- A. The applicant (date) (signed)
B. Affected property owners (date) (signed)
C. School District/Board (date) (signed)
D. Other affected gov't agencies (date) (signed)
E. Affected neighborhood assns. (date) (signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: (signed)

Type C

- A. The applicant (date) (signed)
B. Affected property owners (date) (signed)
C. Affected neighborhood associations (date) (signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: (signed)

SIGN

At least 45 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code. 4 signs in public places
(date) 1/27/05 (signed) Hayden Edwards

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.
(date) (signed)

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.
(date) (signed)

SUPPLEMENTAL MAILING LIST
ANX 04-02

City Departments:

Parks Dept. ✓
City Engineer ✓
Police Dept. ✓
City Librarian ✓

Other Agencies:

Tualatin Valley Fire & Rescue, 7401 SW Washo # 100, Tualatin OR 97062 ATTN: ✓
Cleve Joiner

South Fork Water Board, 15962 S. Hunter Ave., Oregon City, OR 97045 ATTN: John
Collins ✓

Oregon Department of Transportation, 123 NW Flanders, Portland OR 97209 ATTN:
Sonya Kazen ✓

Metro, 600 NE Grand, Portland OR 97232 ATTN: Robert Knight ✓

Clackamas County Transportation and Development, 9101 SE Sunnybrook, Clackamas,
OR 97015 ATTN: Cam Gilmour ✓

A04OWNER	A05MAILADD	A06MAILCIT	A0 A08MAILZIP
FERRIS DORIS	12312 RIVIERA PL NE	SEATTLE	W/ 98125
WAKEFIELD NANCY	19000 SUNCREST DR	WEST LINN	OF 97068
PITCHFORD TREVOR IAN & TAUNDRA LEE	1105 MARYLHURST DR	WEST LINN	OF 97068
BURKHEAD KENDALL L & GERALDINE M	1055 MARYLHURST DR	WEST LINN	OF 97068
MCCARTHY KATHLEEN CLAIRE	1033 MARYLHURST DR	WEST LINN	OF 97068
NOTDURFT NANCY DUNBAR & ANTHONY S	1003 MARYLHURST DR	WEST LINN	OF 97068
SCHENDEL JACK S & RUBY F	989 MARYLHURST DR	WEST LINN	OF 97068
GUSTASON SALLY TRUSTEE	16464 SE OATFIELD RD	MILWAUKIE	OF 97267
HAMPTON TIM L & JULIE M	892 MARYLHURST DR	WEST LINN	OF 97068
CONKEY JEFF	PO BOX 85	MONMOUTH	OF 97361
JENKINS ARTHUR & LESLIE	1666 VALLEY VIEW DR	WEST LINN	OF 97068
KOEPKE BRUCE DOUGLAS & HEIDI JUNETTE	1655 VALLEY VIEW DR	WEST LINN	OF 97068
KIOUS AUDREY H	1685 VALLEY VIEW DR	WEST LINN	OF 97068
KUTHER BERNARD L & DENA M	1755 VALLEY VIEW DR	WEST LINN	OF 97068
MACBETH WILLIAM G	1790 HILLCREST DR	WEST LINN	OF 97068
SCOGGINS JERRY L & REBECCA W	1010 MARYLHURST DR	WEST LINN	OF 97068
LAMB JAMES F & KIMBERLY A	1710 HILLCREST DR	WEST LINN	OF 97068
ADAMS RICHARD P & MAXINE L	1144 MARYLHURST DR	WEST LINN	OF 97068
CHUBBUCK CHERYL L	PO BOX 281	MARYLHURST	OF 97036
BEAUCHEMIN ROBERT C & ELIZABETH C	1212 MARYLHURST DR	WEST LINN	OF 97068
MITCHELL JOHN B & JOYCE JACKSON	1940 SYLVAN WY	WEST LINN	OF 97068
WEIKUM JAMES L & RACHEL B	1900 SYLVAN WY	WEST LINN	OF 97068
DEETER DEAN L	1985 HILLCREST DR	WEST LINN	OF 97068
GREISER MELVIN R II	1975 HILLCREST DR	WEST LINN	OF 97068
FORCE RAYMOND	13243 GAFFNEY LN	OREGON CITY	OF 97045
FESSLER DARLENE J	1872 HILLCREST DR	WEST LINN	OF 97068
TREECE JEFF C	1880 HILLCREST DR	WEST LINN	OF 97068
ARNOLD GREGORY ALLEN	1779 HILLCREST DR	WEST LINN	OF 97068
HOSTAGER MELROY G & MILLICENT K	1782 HILLCREST DR	WEST LINN	OF 97068
HANLEY MICHAEL K & CARYN J	1825 VALLEY VIEW DR	WEST LINN	OF 97068
HALLQUIST ROY E & BETSY E	1875 VALLEY VIEW DR	WEST LINN	OF 97068
DORSEY WALTON A & DENISE ANNE	1893 VALLEY VIEW DR	WEST LINN	OF 97068
GEORGIADIS GEORGE	1921 VALLEY VIEW DR	WEST LINN	OF 97068
SHERWOOD RICHARD B	19001 SUNCREST DR	WEST LINN	OF 97068
CAMPEAN STEFAN F & LIGIA	19101 SUNCREST DR	WEST LINN	OF 97068
HOWARD CHARLES J & G TANNA-HOWARD	1900 VALLEY VIEW DR	WEST LINN	OF 97068

2

2

ADAMS PAUL A TRUSTEE
1790 CARRIAGE WY
WEST LINN 97068

ADAMS RICHARD P & MAXINE L
1144 MARYLHURST DR
WEST LINN 97068

ALLMON THOMAS C
19110 SUNCREST DR
WEST LINN 97068

ANDERSON MICHAEL R
19637 SUNCREST AVE
WEST LINN 97068

ARNOLD GREGORY ALLEN
1779 HILLCREST DR
WEST LINN 97068

ATIYEH ROBERT V & DEBRA C
19341 SUNCREST DR
WEST LINN 97068

AUSTIN LARRY L & NANCY D
1845 DEANA DR
WEST LINN 97068

BACHOFNER HERBERT R &
KAREN K
1685 CARRIAGE WY
WEST LINN 97068

BEAUCHEMIN ROBERT C &
ELIZABETH C
1212 MARYLHURST DR
WEST LINN 97068

BECKMAN MICHAEL E & ALICE G
19292 KAPTEYNS ST
WEST LINN 97068

BENNETT JAMES T & VIOLET N
1665 CARRIAGE WY
WEST LINN 97068

BERGSTROM STEVEN W &
DENISE E
19339 SUNCREST DR
WEST LINN 97068

BISCHEL BRETT & ANNALISE
19435 SUNCREST DR
WEST LINN 97068

BOCK PETER A & LAURA A
19410 SUNCREST DR
WEST LINN 97068

BOUMA DONALD J & JUDY
19495 KAPTEYNS ST
WEST LINN 97068

BRUGGERE PATRICIA L
19189 KAPTEYNS ST
WEST LINN 97068

~~BUCHMAN EDWARD H TRSTEE~~
~~19589 SIMPSON AVE~~ 19801 S.
BEND 97702 *Hazelhurst*
W h 97065-

BURKHEAD KENDALL L &
GERALDINE M
1055 MARYLHURST DR
WEST LINN 97068

BUTLER THOMAS J & PATRICIA L
19510 SUNCREST DR
WEST LINN 97068

CAMPEAN STEFAN F & LIGIA
19101 SUNCREST DR
WEST LINN 97068

CARDOSO TOM
5141 NW 171ST PL
PORTLAND 97229

CHEBUK GEORGE A & KIMBERLY
J RODMAN
1635 CARRIAGE WY
WEST LINN 97068

CHUBBUCK CHERYL L
PO BOX 281
MARYLHURST 97036

CLUBB STUART M
1776 GALLERY WY
WEST LINN 97068

CONKEY JEFF
PO BOX 85
MONMOUTH 97361

DAILEY KATHLEEN M
19310 SUNCREST DR
WEST LINN 97068

DAWSON MICHAEL C
19315 SUNCREST DR
WEST LINN 97068

DEETER DEAN L
1985 HILLCREST DR
WEST LINN 97068

DESKIN SYLVIA & JONATHAN
19215 SUNCREST DR
WEST LINN 97068

DOEL JOHN & MICHELLE M
2070 RIDGEBROOK DR
WEST LINN 97068

DOERR ROBERT E & CHERYL R
19337 SUNCREST DR
WEST LINN 97068

DORSEY WALTON A &
DENISE ANNE
1893 VALLEY VIEW DR
WEST LINN 97068

DUCHENE JOSEPH A & ARLYNN R
1760 CARRIAGE WY
WEST LINN 97068

EDWARDS GORDON T &
THERESA C
1835 DEANA DR
WEST LINN 97068

ESSER MORGAN
19625 SUNCREST AVE
WEST LINN 97068

FENIMORE JILL ANNE
1755 GALLERY WY
WEST LINN 97068

FERRIS DORIS
12312 RIVIERA PL NE
SEATTLE 98125

FESSLER DARLENE J
1872 HILLCREST DR
WEST LINN 97068

FORCE RAYMOND
13243 GAFFNEY LN
OREGON CITY 97045

FOSSATI DALE A & JENNIFER
19541 KAPTEYNS ST
WEST LINN 97068

FRAZER WILLIAM D & VICKIE R
19429 KAPTEYNS ST
WEST LINN 97068

GALLOWAY SCOTT & PATTIE A
1875 DEANA DR
WEST LINN 97068

GAYLOR LAVONNE D
19142 SUNCREST DR
WEST LINN 97068

GEORGIADIS GEORGE
1921 VALLEY VIEW DR
WEST LINN 97068

GILROY KAREN
1865 DEANA DR
WEST LINN 97068

GREISER MELVIN R II
1975 HILLCREST DR
WEST LINN 97068

GUSTASON SALLY TRUSTEE
16464 SE OATFIELD RD
MILWAUKIE 97267

HALLQUIST ROY E & BETSY E
1875 VALLEY VIEW DR
WEST LINN 97068

HAMPTON TIM L & JULIE M
892 MARYLHURST DR
WEST LINN 97068

HANLEY MICHAEL K & CARYN J
1825 VALLEY VIEW DR
WEST LINN 97068

HARRIS MARK A & M A WILKINS-
HARRIS
1625 CARRIAGE WY
WEST LINN 97068

HELISING BRIAN D & SHERI L
19393 KAPTEYNS ST
WEST LINN 97068

HIATT L REX & KAREN R
19323 KAPTEYNS ST
WEST LINN 97068

HOEM CHRIS & JULIE
19305 SUNCREST AVE
WEST LINN 97068

HOPPER THOMAS B
1780 GALLERY WY
WEST LINN 97068

HORNER WAYNE G & DIANNE
LEFRANCOIS
2079 RIDGEBROOK DR
WEST LINN 97068

HOSTAGER MELROY G &
MILLICENT K
1782 HILLCREST DR
WEST LINN 97068

HOWARD CHARLES J &
G TANNA-HOWARD
1900 VALLEY VIEW DR
WEST LINN 97068

HUNTSMAN JOHN EDWARD &
JENNIFER N
19390 KAPTEYNS ST
WEST LINN 97068

JENKINS ARTHUR & LESLIE
1666 VALLEY VIEW DR
WEST LINN 97068

2018 24

JONES CLIFFORD T & JANICE C
1785 GALLERY WY
WEST LINN 97068

KELTY JAMES F & JAN N
19597 KAPTEYNS ST
WEST LINN 97068

KIM SIK KIYOSHI & KATHLEEN
1645 CARRIAGE WY
WEST LINN 97068

KIOUS AUDREY H
1685 VALLEY VIEW DR
WEST LINN 97068

KLUGMAN ADAM S & NANCY
19798 S HAZELHURST LN
WEST LINN 97068

KOEPKE BRUCE DOUGLAS &
HEIDI JUNETTE
1655 VALLEY VIEW DR
WEST LINN 97068

KOLL JAMES A & CHRISTA BURK
1880 VALLEY VIEW DR
WEST LINN 97068

KUTHER BERNARD L & DENA M
1755 VALLEY VIEW DR
WEST LINN 97068

LAIRD LINDSAY A
19696 SUNCREST DR
WEST LINN 97068

LAMB JAMES F & KIMBERLY A
1710 HILLCREST DR
WEST LINN 97068

LAMM HENRY SILAS III
19155 KAPTEYNS ST
WEST LINN 97068

LARSEN KENNETH E
1792 GALLERY WY
WEST LINN 97068

LEE JONATHON A & GRETCHEN E
1640 S CARRIAGE WY
WEST LINN 97068

LIE GWAN ENG TRUSTEE
2073 RIDGEBROOK DR
WEST LINN 97068

LINDEN TERRY G & JOAN R
19240 SUNCREST DR
WEST LINN 97068

LONEY DOUGLAS L & JENNIFER
1660 S CARRIAGE WY
WEST LINN 97068

MACBETH WILLIAM G
1790 HILLCREST DR
WEST LINN 97068

MADDEN WILLIAM D &
KATHLEEN A
1750 GALLERY WY
WEST LINN 97068

MARSHALL CHARLES A &
NANCY J
19345 S SUNCREST DR
WEST LINN 97068

MCBRIDE SHANNON W
19350 S SUNCREST DR
WEST LINN 97068

MCCARTHY KATHLEEN CLAIRE
1033 MARYLHURST DR
WEST LINN 97068

MCCMAHON DONALD JAMES III &
KELLY
19699 KAPTEYNS ST
WEST LINN 97068

MEADOWS LYNETTE
19598 KAPTEYNS ST
WEST LINN 97068

MITCHELL JOHN B & JOYCE
JACKSON
1940 SYLVAN WY
WEST LINN 97068

MOMENI RUTH G
695 S ROSEMONT RD
WEST LINN 97068

MORRIS BONNIE L
19190 KAPTEYNS ST
WEST LINN 97068

MORRISON REVOCABLE TRUST
1890 VALLEY VIEW DR
WEST LINN 97068

MORTON PATRICK E
19295 SUNCREST DR
WEST LINN 97068

NOTDURFT NANCY DUNBAR &
ANTHONY S
1003 MARYLHURST DR
WEST LINN 97068

OREGON DEPT OF
TRANSPORTATION
885 AIRPORT RD BLDG 35
SALEM 97310

Handwritten signature and the number 25 circled.

PAPROCKI STEPHEN J & PAMELA
19725 SPRING RIDGE DR
WEST LINN 97068

PARIS ELIZABETH A & RICHARD
19222 KAPTEYNS ST
WEST LINN 97068

PARK DANIEL CLARK
19546 KAPTEYNS ST
WEST LINN 97068

PERALTA MARIO R & PATRICIA K
19496 KAPTEYNS ST
WEST LINN 97068

PETZOLD KATHLEEN A
1825 DEANA DR
WEST LINN 97068

PITCHFORD TREVOR IAN &
TAUNDRAL LEE
1105 MARYLHURST DR
WEST LINN 97068

POSTLEWAITE DOUGLAS & JULIE
19221 KAPTEYNS ST
WEST LINN 97068

PRUZEK JOSHUA WILLIAM &
LIISA AARNIO
1764 GALLERY WY
WEST LINN 97068

QUINN DAVID G & LAURA A
1810 CARRIAGE WY
WEST LINN 97068

RANDALL RICHARD A & CAROL
W
19325 SUNCREST DR
WEST LINN 97068

REUTER-HARRAH JOHN M &
SUSAN
1770 CARRIAGE WY
WEST LINN 97068

RICHARDS PEGGY R
19450 SUNCREST DR
WEST LINN 97068

RIVERA BENJAMIN & MARY J
19613 S SUNCREST DR
WEST LINN 97068

RIVERA BENJAMIN C
19485 SUNCREST DR
WEST LINN 97068

ROOD-SMITH STEPHANIE M & B
M SMITH
19291 KAPTEYNS ST
WEST LINN 97068

ROWAN KEITH P JR & BARBARA
19335 SUNCREST DR
WEST LINN 97068

SCHACHTEL ANTHONY &
KIMBERLY
1675 CARRIAGE WY
WEST LINN 97068

SCHENDEL JACK S & RUBY F
989 MARYLHURST DR
WEST LINN 97068

SCHMIDTKE RONALD W &
BARBARA S BURNS
19112 KAPTEYNS ST
WEST LINN 97068

SCHWARZENBERGER PETER A &
MARY E
19343 SUNCREST DR
WEST LINN 97068

SCOGGINS JERRY L & REBECCA
W
1010 MARYLHURST DR
WEST LINN 97068

SHELL MICHAEL E & DEBORAH J
19111 KAPTEYNS ST
WEST LINN 97068

SHERWOOD RICHARD B
19001 SUNCREST DR
WEST LINN 97068

SHINSHIRO DOROTHY A
1655 CARRIAGE WY
WEST LINN 97068

SKIDMORE ROGER A & GLORIA J
19666 KAPTEYNS ST
WEST LINN 97068

SPEARING DANIEL N & MOLLY A
19225 SUNCREST DR
WEST LINN 97068

STATHAS MARK G & NADINE
1885 DEANA DR
WEST LINN 97068

THOMPSON AGNES MARIE 1/2
PO BOX 793
ST HELENS 97051

TRAPP BARBARA ANNE
19650 S SUNCREST DR
WEST LINN 97068

TREECE JEFF C
1880 HILLCREST DR
WEST LINN 97068



VEDDER RICHARD B & COLLEEN
19639 KAPTEYNS ST
WEST LINN 97068

WAKEFIELD NANCY
1900 SUNCREST DR
WEST LINN 97068

WALSH VICTOR M & YUMIKO
OTSUKI
1855 DEANA DR
WEST LINN 97068

WEIKUM JAMES L & RACHEL B
1900 SYLVAN WY
WEST LINN 97068

WENDLING SUE E
1740 CARRIAGE WY
WEST LINN 97068

WILEY FRED R JR & MARGARET R
19160 KAPTEYNS ST
WEST LINN 97068

WILSON DEAN R & MADONNA M
19705 SPRING RIDGE DR
WEST LINN 97068

WILSON JEFFREY D & BRENDA
RASHELLE
1735 GALLERY WY
WEST LINN 97068

WILTJER GREGORY H & CAROL A
19214 SUNCREST DR
WEST LINN 97068

WOOD STEVE N & KRISTEN K
1742 GALLERY WY
WEST LINN 97068

YOUNG CLINTON C
1738 GALLERY WY
WEST LINN 97068

ZAAYER MICHAEL J & KATHY E
19715 SPRING RIDGE DR
WEST LINN 97068

ZOORMAJIAN MICHAEL ARAM &
ANNE MARIE
19430 KAPTEYNS ST
WEST LINN 97068

ALL NHBD ASSNS

ODOT

SCHL. DISTR.

METRO

TRI-MET

CLACKAMAS CTY.

PARKS

RON HUDSON

POLICE DEPT

LIBRARY

TVFR

SOUTH FORK WTR. BRD.

Handwritten signature and the number 27 circled.

**BEFORE THE WEST LINN CITY COUNCIL
FINAL ORDER**

Regarding the property owner request for a Step 1 Annexation of two parcels totaling 10.2 acres between Carriage Way and Valley View Drive)) ANX-04-02)

At their regular hearing date of March 14, 2005, the West Linn City Council held a meeting pursuant to the provisions of Community Development Code Chapter 81 to consider the City Parks and Recreation Department's request for a Step 1 annexation for a 10.2-s in two parcels between Carriage Way and Valley View Drive. They contended that:

FINDINGS OF FACT

1. The City Council conducted a meeting on March 14, 2005 and heard and accepted the staff report and findings included therein.
2. The City Council found that the Step 1 annexation request met the approval criteria of Community Development Code Section 81.050, which included meeting Municipal Code Section 2.920(1). The Council found that the conditions necessary to process an annexation were met.
3. The City Council found that the proposal complies with the criteria of Metro Code Section 3.09.050(d) and that Section 3.09.050(e) was not applicable. The City has not adopted an annexation plan under ORS 195.065, and there are no urban service agreements in place for the area.
4. The City Council found that the proposal complies with the Comprehensive Plan, the Sanitary Sewer Master Plan Update (1999), Water System Master Plan (1999), and Storm Drainage Master Plan (1996).
5. The City Council found that the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services. This site is adjacent and contiguous to recent development and is timely and will not interfere with economic provision of the public facilities or services. The County Enhanced Law Enforcement District is the only unit of government that would lose territory as a result of annexation to the city. The Tri-City Sewer Service District is the only service district that would add territory as a result of annexation to the city.
6. A motion was made and seconded to approve the Step 1 annexation and set a Step 2 public hearing date of April 11, 2005. The Step 1 annexation was unanimously approved.

This decision is final on the date it is signed. Necessary parties can appeal to the Metro Boundary Appeals Commission within 10 days of the final decision, and citizens can appeal to LUBA within 21 days of the final decision.

Norman B. King
NORMAN KING, MAYOR

3-15-05
DATE

MAILED THIS _____ DAY OF _____, 2005.

Fin dec.anx0402(Step 1)

AGENDA BILL
05-03-04

For Council: March 14, 2005

Department: Pub Works (Eng)
Contract Review Board: No

Subject: Adoption of Updated Water System
Development Charge

Dept. Head Initials: RRH R

City Manager's Initials: S

Attachments:
Resolution,
Memo dated 2/22/2005
Methodology
Project List

Budget Impact:

Expenditures	Amount	Appropriation
Required: \$0	Budgeted: \$0	Needed: -0-

Summary:

City staff has updated the Water System Development Charge (SDC) to reflect current conditions. Previously adopted mythology defining the allocation of project costs remains unchanged.

Project costs have been adjusted for inflation using the Construction Cost Index as calculated by the Engineering News Record (ENR).

This update increases the Water SDC rate for a single family home with a 5/8" meter from \$4,606 to \$4,628.

Recommended Action:

Adopt the attached Resolution updating the SDC for the West Linn Water system.

Council Action Taken:

Approved:
Denied:
Continued:

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN, OREGON,
UPDATING WATER SYSTEM DEVELOPMENT CHARGES AND REPEALING
PORTIONS OF RESOLUTION 04-12.**

WHEREAS, Section 4.400 to 4.485 of the West Linn Code authorize the City to charge system development charges pursuant to ORS 223.297 to 223.314; and

WHEREAS, the City water system development charges were last updated in July of 2004 through adoption of Resolution No. 04-12; and

WHEREAS, staff has updated the project sheet and applied the Engineering News Record (ENR) Construction Cost Index (CCI) factor to bring the estimated project costs and resultant System Development Charges (SDCs) current to February 2005 as contained in the attached memorandum dated 2/22/2005 (MEMO); and

WHEREAS, Section 4.415 of the West Linn Code provides that system development charges may be revised by resolution of the City Council; and

WHEREAS, Section 4.435 of the West Linn Code provides that the project plan which lists the capital improvements that may be funded with improvement fees may be modified by resolution of the City Council;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
WEST LINN, CLACKAMAS COUNTY, OREGON, THAT**

Section 1: Sections 3, and 5 of Resolution 04-12 are hereby repealed at 12:01 a.m on _____, 2005.

Section 2: Charges Established.

WATER system development charges are hereby established. Charges shall be in the amounts outlined in Tables W-4 and W-5 of the MEMO.

Section 3: Project Plan.

The project plan for the City's WATER system development charges is the "Water SDC Capital Improvement Projects" contained in the MEMO.

Section 4: The City Council determines that the fees imposed by this resolution are not a tax subject to the property tax limitation of Article XI, Section 11(b) of the Oregon Constitution.

Section 5: Effective Date.

This resolution shall take effect at 12:01 a.m. on _____, 2005.

THIS RESOLUTION ADOPTED BY THE WEST LINN CITY COUNCIL THIS ____ DAY OF _____, 2005.

Norm King, Mayor

ATTEST:

February 22, 2005

Public Works Engineering

Memorandum:

To: Ron Hudson

From: Gary Parkin

Subj: Updated Water SDC Project List and SDC Calculations

Attached is the updated Water SDC Methodology report and the Water CMP-CIP SDC Project List. The update reflects fund, population and asset changes, as well as completed construction since last year's update. Additionally, all project cost estimates have been updated by application of the ENR CCI current through 02/05.

The Methodology remains unchanged as adopted by Resolution 04-12, but the tabulated costs have been calculated to determine the new SDCs resulting from the Project List changes.

Gary Parkin

Water Utility Engineer

Water System Development Charges Methodology

Background

Current water SDCs are based on meter size. The resulting charge for a connection customer escalates significantly as meter size, and the maximum potential flow of water through the meter, increases. Meter size is a common and acceptable measure of potential demand on the system and provides a reasonable basis for water SDCs in most cases. Minimum meter size is determined by application of the Uniform Plumbing Code as adopted by the State of Oregon (currently the 1997 version).

Former methodology segregated an area known as the Future Urban Area and established separate cost bases for development in that area in addition to the existing City. This methodology removes that distinction within the water SDC. Remaining Water FUA SDC credits will be acceptable in analogous manner as City-wide Water SDC credits. Similarly, Water FUA SDC fund balance will be freely used with other City-wide water SDC funds on only Water SDC projects.

Fee Basis

The methodology of determining the system development charge is as follows:

Using the City's water meters report, the number of water meters for each meter size for each customer class is converted to Meter Equivalent (ME) using the following flow factors:

Meter Equivalent / Flow Factors ¹	
Meter Size	Flow Factor
5/8"x3/4"	1
3/4"	1.5
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80
10"	125

¹ Derived from American Water Works Association standards, Publication C-7090-90, flow factors express the relationship of the maximum continuous flow for each meter size to the maximum continuous flow for a 5/8" X 3/4" meter.

As shown in Table W-1, the basis for the water system development charge is determined as follows:

- Estimated number of existing MEs is 10,260
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital planning horizon. Using this guideline, the existing City is forecasted to add 2,459 MEs for a total of 12,719 MEs.

Meter size	Meter Equiv Factor	Citywide SDC
5/8"x 3/4"	1.0	\$4,628
3/4"	1.5	\$6,942
1"	2.5	\$11,570
1.5"	5.0	\$23,140
2"	8.0	\$37,024
3"	16.0	\$74,048
4"	25.0	\$115,700
6"	50.0	\$231,400
8"	80.0	\$370,240
10"	125.0	\$578,500

Project Formulation

The existing water system and criteria are evaluated using forecast buildout population. Projects are developed to satisfy the accepted water system criteria at buildout. Project percentages and costs are allocated based upon the attached flowchart and replacement schedule.

Reimbursement Fee

Once the capacity basis has been established, calculation of the water reimbursement fee involves the following steps.

As shown in Table W-1, the basis for the water system development charge is determined as follows:

- Estimated number of existing MEs is 10,283
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital planning horizon. Using this guideline, the existing City is forecasted to add 2,459 MEs for a total of 12,719 MEs.

	Existing	City-Wide Buildout (2020)	Net Growth
Population	23,918	29,611	5,693
ME	10,283	12,719	2,436

* Data based on Feb 2005 tracking report, ME include outside the city users

Project Formulation

The existing water system and criteria are evaluated using forecast buildout population. Projects are developed to satisfy the accepted water system criteria at buildout. Project percentages and costs are allocated based upon the attached flowchart and replacement schedule.

Reimbursement Fee

Once the capacity basis has been established, calculation of the water reimbursement fee involves the following steps.

Determination of Allocable Cost

As shown in Table W-2, the allocable cost of existing facilities is determined as follows:

- The original cost of water property, plant, and equipment is estimated to be \$15,654,528².
- If there were any water utility debt outstanding to be paid from water rates, then water utility debt principal outstanding would be subtracted from the city-wide cost basis. Connecting customers would pay an equitable share of that debt through monthly rates.
- Next, the total cost of contributed fixed assets of \$13,098,374 is deducted from the cost basis. Connecting customers do not pay a share of donated facilities.
- Using this methodology, the applicable cost of the existing citywide facilities is \$966,154. The following steps are followed to determine the respective cost shares allocable to unused capacity and, ultimately, the reimbursement fee cost basis.
- The estimated share of citywide unused capacity, 19.15%, is determined by dividing projected citywide growth in MEs (12,719 – 10,283 = 2,436) by the total of current and projected future city-wide MEs (12,719).
- Finally, the estimated share of city-wide unused capacity is multiplied by the applicable cost of the city-wide facilities to determine the allocable cost of city-wide unused capacity.

The resulting city-wide reimbursement fee cost basis is \$185,018.

² Updated from City of West Linn 2001 Comprehensive Annual Financial Report (CAFR) to 6/30/2003 by the finance director and adding development projects from 2000 through 2004.

**Table W-2
City of West Linn
Water System Development Charge
Water Existing Assets**

	City Wide
A. Utility Plant in Service (2004)	
Plant in Service, Net	\$11,383,446
Plus: Depreciation	\$4,271,082
Subtotal	\$15,654,528
Less: Net Utility Debt Principal	(\$1,590,000)
Less: Contributed Fixed Assets	(\$13,098,374)
Total	\$966,154
B. Allocation of Plant in Service to Unused Capacity	
Current System Users (MEs)	10,283
Projected Current and Future Users (MEs)	12,719
Estimated Share of Unused Capacity	19.15%
Estimated Cost of Unused Capacity	\$185,018

Reimbursement Fee Calculation

As shown in Table W-4, the water reimbursement fee is calculated in the following manner:

- The allocable cost of the citywide existing system (\$185,018) is divided by total projected customer base growth in both the existing City and future growth (2,436 MEs). The resulting reimbursement fee of \$76 per ME applies to all connecting customers.

Improvement Fee

Only the costs of those planned projects, or portions of planned projects, which increase capacity, may be included in the calculation of the improvement fee. In general, City staff allocated individual project costs to the improvement fee cost basis proportionally by capacity. If a project corrects an existing system deficiency, the amount of increased capacity needed to correct the deficiency is allocated to City-funded, remaining cost of the upsizing is allocated to growth.

Determination of Allocable Cost

The allocable cost of planned facilities for the improvement fee is determined as follows:

- The total cost of planned capacity-increasing projects attributed solely to growth and the proportional share of projects jointly shared between growth and existing system demand is estimated by summing all individual project costs allocated to capacity expansion. Where individual project costs were outdated, Engineering News Record (ENR) Construction Cost Indices (CCI) were applied in order to approximate current costs.

This step yields cost estimates of \$11,320,823 for improvements to the water system.

- The amount of water system SDC improvement credits is added to the total cost of planned capacity-increasing projects. The City has granted credits against the improvement fee for capacity-increasing facilities constructed. The City will bear the cost of those improvements as the credits are redeemed. To reflect this cost and to maintain a balance between credits outstanding and improvement fees remaining to be paid, the total of outstanding credits (\$415,260) must be included in the improvement fee cost basis.
- The current fund balance (\$1,043,385) in the improvement fee portion of the water SDC fund is subtracted from the cost of planned capacity-increasing projects. This amount represents improvement fees already paid and available for planned capacity-increasing projects. As such, to leave them in the improvement fee cost basis would result in a disproportionate improvement fee.

The allocation of water projects is shown in detail in Appendix A. As summarized in table W-3, this methodology results in estimated improvement fee cost bases of \$10,692,698.

**Table W-3
City of West Linn
Water System Development Charge**

<u>Total Capital Projects</u>	<u>City Wide</u>
Total Capacity Expanding Capital Projects	\$11,320,823
Plus: SDC Credits Outstanding	\$415,260
Less: Current Fund Balance for Improvement	\$1,043,385
 NET CIP to be Used in SDC Calculation	 <u>\$10,692,698</u>

Improvement Fee Calculation

As shown in Table W-4, the improvement fee is calculated in the following manner:

- The allocable cost of citywide planned capacity-increasing facilities (\$10,692,698) is divided by customer base growth (2,436 MEs). This division reflects the philosophy that citywide planned capacity-increasing improvements will proportionally serve growth.
- The resulting base improvement fee of \$4,389 per ME applies to all connecting customers.

The System Development Charge

The integrated SDC is simply the sum of the applicable reimbursement fee and the applicable improvement fee. For commercial customers in the existing City, an SDC of \$76 (base reimbursement fee) + \$4,389 (base improvement fee) = \$4,465 per ME would apply. The estimated administrative cost of processing the SDC (3.66% of the charge) is added to determine the ultimate charge. This equates to \$4,628 per Meter Equivalent.

Representative charges for the above structure are shown in Table W-5

**Table W-4
City of West Linn
Water System Development Charge
City-wide**

A. Reimbursement Fee		Citywide
Net Existing Assets Allocated to Unused Capacity		\$185,018
<i>Divided by</i>	Total Growth in MEs	2436
Base Water Reimbursement Fee		\$76
B. Improvement Fee		
Citywide Growth CIP		\$10,692,698
<i>Divided by</i>	Total Growth in Households	2436
Base Water Improvement Fee		\$4,389
C. Integrated System Development Charge		
Citywide Reimbursement Fee		\$76
<i>Plus</i>	Citywide Improvement Fee	\$4389
<i>Plus</i>	Citywide Administrative Fee 3.66%	\$163
		\$4,628
Integrated SDC – Citywide		

**Table W-5
City of West Linn
Representative Charges**

Meter size	Meter Equiv		Citywide SDC
		Factor	
5/8"x 3/4"		1.0	\$4,628
3/4"		1.5	\$6,942
1"		2.5	\$11,570
1.5"		5.0	\$23,140
2"		8.0	\$37,024
3"		16.0	\$74,048
4"		25.0	\$115,700
6"		50.0	\$231,400
8"		80.0	\$370,240
10"		125.0	\$578,500

Periodic Update of SDC Rates

The City of West Linn purposes to update the Water SDC rates annually during the first three months of each calendar.

WATER CMP-CIP SDC PROJECTS 2/05

Project No.	Project/Location	Length (FT)	Existing Material	Existing Size	Proposed Size	Estimated Cost	Local or System?	Extra Capacity and Infill?	Asset life remaining	SDC allocation	SDC PORTION	CITY PORTION	Notes
CAPITAL MAINTENANCE PROJECTS													
PW0501	Ridge Lane - 4020 to end.	900	GALV	1.5 & 2	2	\$71,000	Local	No	<25%	0%	\$0	\$71,000	Advanced finance or other cost share ??
PW0503	Grove - Holly to end	650	GALV & CI	4, 2, & 1.5	8, 6, & 2	\$51,500	Local	Yes	<25%	19%	\$9,955	\$41,545	Leaks, Low flow
PW0504	Holly - 43 to River	1100	GALV & WI	4 & 3.5	8 & 6	\$87,100	Local	Yes	<25%	19%	\$16,836	\$70,264	Leaks, Low flow
CMP-18	Nixon - 18920 Nixon to 18320 Nixon	1700	GALV	2.5 & 2	8, 6, & 4	\$134,600	Local	Yes	<25%	19%	\$26,018	\$108,582	Leaks, Low flow
PW0505	Bolton Pump in new station				1500 gpm	\$85,700	System	Yes	<25%	0%	\$0	\$85,700	phasing out old station (one pump down)
CMP-19	Trillium at Old River Dr	250	GALV	2 & 3/4	4	\$19,800	Local	No	<25%	0%	\$0	\$19,800	Leaks, Loop
CMP-20	Calaroga Circle	2300	GALV & AC	2 & 6	6	\$182,100	Local	Yes	<25%	19%	\$35,200	\$146,900	replaces 1470' AC also
CMP-21	Marylhurst Ct	380	GALV	2.5	4	\$30,100	Local	Yes	<25%	19%	\$5,818	\$24,282	Leaks
CMP-22	16th St. - WFD to 8th to Dollar	650	GALV	4	6	\$51,500	Local	Yes	<25%	19%	\$9,955	\$41,545	Leaks, Low flow
CMP-23	Shady Hollow Way	910	GALV	3	6	\$72,000	Local	Yes	<25%	19%	\$13,918	\$58,082	Leaks
CMP-24	Cherokee Ct	360	GALV	2	4	\$28,500	Local	No	<25%	0%	\$0	\$28,500	Leaks
CMP-25	Chippewa Ct (near end)	90	GALV	2	2	\$7,100	Local	No	<25%	0%	\$0	\$7,100	
CMP-26	Robinview Ct	250	GALV	2	2	\$19,800	Local	No	<25%	0%	\$0	\$19,800	
CMP-27	Parkwood Way	450	GALV	2	6	\$35,600	Local	No	<25%	0%	\$0	\$35,600	MP project
CMP-28	Parkwood Place	220	GALV	1.5	2	\$17,400	Local	No	<25%	0%	\$0	\$17,400	Leaks
CMP-29	Steamboat Way	100	GALV	1	1	\$7,900	Local	No	<25%	0%	\$0	\$7,900	long "service" City crew will do
CMP-30	Robert Moore St.	450	GALV	3.5	6	\$35,600	Local	No	<25%	0%	\$0	\$35,600	Leaks , dirty water
CMP-31	4622 Mapleton Dr	260	GALV	2	2	\$20,600	Local	No	<25%	0%	\$0	\$20,600	Move services to public roadway
CMP-32	Maple Ct	210	GALV	2	2	\$16,600	Local	No	<25%	0%	\$0	\$16,600	
CMP-33	14th St - 8th Ave to WFD	150	WI	3.5	6	\$11,900	Local	No	<25%	0%	\$0	\$11,900	Leaks and Loop
CMP-34	Failing St (end)	140	GALV	2	2	\$11,100	Local	Yes	<25%	19%	\$2,146	\$8,954	
CMP-35	Buck St (Holmes to Johnson)	570	GALV & STL	4&1.5	6 & 2	\$45,100	Local	Yes	<25%	19%	\$8,718	\$36,382	Leaks
CMP-36	Hood St (north of Burns)	250	GALV	2	2	\$19,800	Local	Yes	<25%	19%	\$3,827	\$15,973	
CMP-37	Broadway (off WFD)	280	GALV	2	2	\$22,200	Local	No	<25%	0%	\$0	\$22,200	
CMP-38	Sunset Ave - Norfolk to Exeter	420	STL	4	6	\$33,200	Local	Yes	<25%	19%	\$6,418	\$26,782	Steel line
CMP-39	Sunset Ave (1775-1875)	260	GALV	1	4 or 6	\$20,600	Local	Yes	<25%	19%	\$3,982	\$16,618	Zone boundary, need to look at closer
CMP-40	Sunset Ave (Sunset Ct to Alder St)	530	STL	4	4 or 6	\$42,000	Local	Yes	<25%	19%	\$8,119	\$33,881	Zone boundary, need to look at closer
CMP-41	Reed St	370	GALV	1	2	\$29,300	Local	Yes	<25%	19%	\$5,664	\$23,636	Cost share ? County
CMP-42	Chestnut St	170	GALV	2.5	2	\$13,500	Local	Yes	<25%	19%	\$2,610	\$10,890	
CMP-43	Sinclair (North end)	140	GALV	1	2	\$11,100	Local	Yes	<25%	19%	\$2,146	\$8,954	south end?
CMP-44	Kantara Ct	270	GALV	1.5 & 3/4	2	\$21,400	Local	Yes	<25%	19%	\$4,137	\$17,263	Low flow/psi
CMP-45	Kantara Ct. - Wildwood Dr. to End	1000	PVC	2	2	\$79,200	Local	Yes	<25%	19%	\$15,309	\$63,891	Several breaks
CMP-46	Bland reservoir painting inside and out		STL	.5 MG		\$104,000	Local	No	<25%	0%	\$0	\$104,000	Need to do when we can take off line, addition of Bland II
CMP-47	Asbestos cement pipe replacement	59310	AC	4,6,8,& 10	4,6,8,& 10	\$5,700,000	Mix	Yes	<25%	19%	\$1,101,810	\$4,598,190	A.C. pipe in the city is deteriorating
					CMP Total:	\$7,138,900					Subtotal	\$1,282,584	\$5,856,316
CAPITAL IMPROVEMENT PROJECTS													
Reservoirs													
CIP-7	Horton/Rosemont on existing site				.6 MG	\$730,000	System	Yes	New	100%	\$730,000	\$0	By build out, above grade steel
CIP-8	Bland No. 2/Willamette on existing site				.1 MG	\$190,000	System	Yes	New	100%	\$190,000	\$0	By build out, above grade steel
CIP-9	Bolton Reservoir replacement, existing site				2.4 MG	\$3,010,000	System	Yes	New	16.7%	\$500,000	\$2,510,000	Expanded by 0.4 MG (SDC portion)
Pump Stations													
CIP-10	Bolton Pump in new station				1500 gpm	\$85,700	System	Yes	New	100%	\$85,700	\$0	By build out
CIP-11	View Dr. (new pump station)				1170 firm	\$560,000	System	Yes	New	100%	\$560,000	\$0	Peak hour deficiency, pump into Rosemont
Willamette Main Improvements													
PW0502	Volpp St. - From 9th to end	800	GALV	1	8 & 4	\$105,000	Local	Yes	<25%	0%	\$0	\$105,000	Local - Leaks, Low flow, Buildable lots left
CIP-13	1-2: Blankenship Ostrman to DeBok	2400	CI	6	10	\$380,000	System	Yes	<50%	100%	\$380,000	\$0	By build out
CIP-14	2-1a: Dollar St (19th to Ostrman)	1200	CI	6	8	\$158,000	System	Yes	<50%	100%	\$158,000	\$0	By build out
CIP-15	3-1a: New 8" Distribution Main	4000			8	\$527,000	System	Yes	New	100%	\$527,000	\$0	As development happens in this area
CIP-16	WFD 19th to Britton	630	WI	3.5	12	\$121,000	System	Yes	>25%	75%	\$90,750	\$30,250	Will need if any more development happens in this area
CIP-17	Debok - Blankenship to Troy Ct.	3300	CI	6	8	\$435,000	System	Yes	>50%	44%	\$190,313	\$244,688	Fire Flow, Buildable lots left in this area
CIP-18	Village Park Pl.	500	CI	6	8	\$66,000	Local	No	>50%	0%	\$0	\$66,000	Fire Flow, No buildable lots in this area
CIP-19	12th, Volpp St., and 9th	5400	CI	6	8	\$712,000	System	Yes	>50%	44%	\$311,500	\$400,500	Unlined cast, poor water quality, Buildable lots
CIP-20	8th Ave. - Dollar St. to 13th St.	800	CI	4	6	\$91,000	Local	Yes	<50%	56%	\$50,556	\$40,444	Fire Flow
CIP-21	WFD - Ostrman to 19th	1100	CI	4	8	\$145,000	System	Yes	<50%	75%	\$108,750	\$36,250	Fire Flow, Buildable lots left in this area
CIP-22	Johnson Rd. - Blankenship to Meadowview Ct.	1600	CI	6	8	\$211,000	Local	Yes	<50%	44%	\$92,312	\$118,688	Fire Flow, Buildable lots left in this area

WATER CMP-CIP SDC PROJECTS 2/05

Project No.	Project/Location	Length (FT)	Existing Material	Existing Size	Proposed Size	Estimated Cost	Local or System?	Extra Capacity and Infill?	Asset life remaining	SDC allocation	SDC PORTION	CITY PORTION	Notes
CIP-23	10th St. - 5th Ave. to 4th Ave. Willamette Falls Dr transmission main	450	PVC	2	6	\$51,000	Local	Yes	<50%	19%	\$9,858	\$41,142	Fire Flow
PW0506	Will Falls Dr. 1-3c (phase 2) Sunset to I-205, crossing	2500	CI	8	20	\$717,000	System	Yes	<50%	100%	\$717,000	\$0	Remaining portion
CIP-24	Will Falls Dr Trans Improve (3-3) (phase 3) Subzone 16 Main Improvements	4100	CI	10	16	\$1,048,000	System	Yes	<50%	61%	\$638,625	\$409,375	By build out
CIP-25	1-4a: Mark Ln, Lowell	1300	CI	6	8	\$171,000	System	Yes	<50%	44%	\$74,813	\$96,187	Buildable lots left
CIP-26	1-4b: Jolie Pt, Larson Ave	2600	CI	6	8	\$343,000	System	Yes	<50%	44%	\$150,062	\$192,938	Buildable lots left
CIP-27	1-4c: Dillow Dr and Failing St	2500	CI	6	8	\$330,000	System	Yes	<50%	44%	\$144,375	\$185,625	Buildable lots left
CIP-28	Maple Terr.	500	CI	4	8	\$66,000	Local	No	<50%	0%	\$0	\$66,000	Low flow (25 houses and 2 fire hydrants)
CIP-29	Magone Ln. Rosemont Main Improvements	350	DI	4	6	\$32,000	Local	Yes	>50%	19%	\$6,186	\$25,814	Fire flow
CIP-30	Rosemont Rd - Shannon Lane to Summit St	1920	CI	6	8	\$253,000	System	Yes	>50%	44%	\$110,688	\$142,312	Alternative would be loop to Ridge Lane
CIP-31	Marylhurst Dr. - Sky Pk Wy to Marylhurst Ct	1263	AC	6	10	\$200,000	System	Yes	>50%	50%	\$100,000	\$100,000	Peak hour/fire flow, Abandon cross country AC line
CIP-32	View Dr. pump station to Suncrest	2600			10	\$412,000	System	Yes	New	100%	\$412,000	\$0	By build out
CIP-33	Horton P.S. to Santa Anita	310	DI	12	14	\$67,000	System	Yes	>50%	100%	\$67,000	\$0	By build out
CIP-34	3-9: Suncrest	2000	AC	8	10	\$317,000	System	Yes	<50%	50%	\$158,500	\$158,500	By build out
CIP-35	View Dr. - PRV Station to Kantara	1500	AC	6	8	\$198,000	Local	Yes	<50%	44%	\$86,625	\$111,375	Fire Flow, Buildable lots left in this area
CIP-36	Sky Pk Wy w/ PRV station	900			8	\$139,000	System	Yes	New	44%	\$60,813	\$78,187	As development happens in this area, Fire Flow
CIP-37	Stonehaven to Marylhurst Dr.	250			8	\$33,000	Local	Yes	New	19%	\$6,379	\$26,621	Fire flow, loop
CIP-38	Marylhurst Cir.	1200	AC	4	6	\$137,000	Local	No	<50%	0%	\$0	\$137,000	Fire flow
CIP-39	Shannon Lane - Rose Park Dr. to End	250	STL	6	4	\$23,000	Local	No	<50%	0%	\$0	\$23,000	May be able to shed off Rosemont zone
CIP-40	3-13b: Weatherhill Rd (8") Robinwood Main Improvements	800			8	\$105,000	System	Yes	New	100%	\$105,000	\$0	Remaining portion
CIP-41	LO Intertie to View Dr Reservoir	4000	AC	10	12	\$766,000	System	Yes	<50%	100%	\$766,000	\$0	By build out
CIP-42	Elmran - Trillium to Calaroga	950	GALV	4	8	\$125,000	System	Yes	<25%	75%	\$93,750	\$31,250	Many leaks, Loop, Buildable lots
CIP-43	1-9: View Dr	1200	AC, CI	4 & 6	8 & 6	\$158,000	System	Yes	<50%	25%	\$39,500	\$118,500	Fire Flow, Buildable lots left in this area
CIP-44	3-12: Mapleton	900	AC	4	6	\$102,000	System	Yes	<50%	56%	\$56,667	\$45,333	Fire flow
CIP-45	Old River Dr. - Riverside Ct. to River Edge Bolton Main Improvements	650	DI	6	8	\$86,000	Local	Yes	>50%	100%	\$86,000	\$0	Fire flow, As development happens in this area
CIP-46	Web West A to Bolton Reservoir	2000	STL	18	18	\$597,000	System	Yes	<50%	19%	\$115,400	\$481,600	By build out
CIP-47	2-2a: Broadway (Buse to Webb)	1900	STL	18	18	\$567,000	System	Yes	<50%	19%	\$109,601	\$457,399	By build out
CIP-48	2-2b: Webb (Broadway to West "A")	350	STL	18	18	\$105,000	System	Yes	<50%	19%	\$20,297	\$84,704	By build out
CIP-49	River St. - 5350 to 5687	2100	CI	4	6	\$239,000	Local	Yes	>50%	19%	\$46,199	\$192,801	Fire flow
CIP-50	Bella St.	300	CI	4	6	\$34,000	Local	Yes	>50%	19%	\$6,572	\$27,428	Fire flow
CIP-51	Skyline Circle	500	CI	4	6	\$57,000	Local	Yes	>50%	19%	\$11,018	\$45,982	Fire flow
CIP-52	Buse St. Broadway to 43 Bolton PS Discharge Improvements	800	STL & CI	20	20	\$281,000	System	Yes	<50%	19%	\$53,390	\$227,610	By build out
CIP-53	3-6a: Summit Bland Main Improvements	1600	CI	12	16	\$409,000	System	Yes	>50%	100%	\$409,000	\$0	By build out
CIP-54	3-2: Salamo/Haskins Horton Main Improvements				8 & 10	\$231,000	System	Yes		100%	\$231,000	\$0	As development happens in this area(master plan)
CIP-55	Bolton Pump Station to Summit	1600			12	\$306,000	System	Yes	New	100%	\$306,000	\$0	As development happens in this area
CIP-56	Cornwall (below Sunset)	630	GALV	1&1.5	8	\$83,000	Local	Yes	<25%	19%	\$16,044	\$66,956	Future loop to Landis St. By build out
CIP-57	Pimlico Way Loop	200			6	\$16,000	Local	Yes	New	100%	\$16,000	\$0	Fire flow
CIP-58	3-7: Lower Bland Cir	1100			8	\$437,000	System	Yes	New	100%	\$437,000	\$0	Remaining portion, As development happens in this area
CIP-59	Parker 18" to Horton P.S.	3000			8	\$396,000	System	Yes	New	100%	\$396,000	\$0	As development happens in this area
CIP TOTAL:						\$17,163,700			CIP SUBTOTAL:		\$10,038,239	\$7,125,457	
									SDC TOTAL (CMP + CIP):		\$11,320,823		
CIP +CMP TOTAL:						\$24,302,600			CITY TOTAL (CMP+CIP):			\$12,981,773	

MEMORANDUM

TO: City Council

FROM: Nancy Davis, Assistant to the City Manager

DATE: March 4, 2005

RE: New Page 6 re Agenda Bill 05-03-04

Please substitute the attached Page 6 in your Agenda Bill 05-03-04 - Resolution Updating System Development Charges for the Water System.

I apologize for the inconvenience.

As shown in Table W-1, the basis for the water system development charge is determined as follows:

- Estimated number of existing MEs is 10,283
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital planning horizon. Using this guideline, the existing City is forecasted to add 2,459 MEs for a total of 12,719 MEs.

	Existing	City-Wide Buildout (2020)	Net Growth
Population	23,918	29,611	5,693
ME	10,283	12,719	2,436

* Data based on Feb 2005 tracking report, ME include outside the city users

Project Formulation

The existing water system and criteria are evaluated using forecast buildout population. Projects are developed to satisfy the accepted water system criteria at buildout. Project percentages and costs are allocated based upon the attached flowchart and replacement schedule.

Reimbursement Fee

Once the capacity basis has been established, calculation of the water reimbursement fee involves the following steps.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN, OREGON, UPDATING WATER SYSTEM DEVELOPMENT CHARGES AND REPEALING PORTIONS OF RESOLUTION 04-12.

WHEREAS, Section 4.400 to 4.485 of the West Linn Code authorize the City to charge system development charges pursuant to ORS 223.297 to 223.314; and

WHEREAS, the City water system development charges were last updated in July of 2004 through adoption of Resolution No. 04-12; and

WHEREAS, staff has updated the project sheet and applied the Engineering News Record (ENR) Construction Cost Index (CCI) factor to bring the estimated project costs and resultant System Development Charges (SDCs) current to February 2005 as contained in the attached memorandum dated 2/22/2005 (MEMO); and

WHEREAS, Section 4.415 of the West Linn Code provides that system development charges may be revised by resolution of the City Council; and

WHEREAS, Section 4.435 of the West Linn Code provides that the project plan which lists the capital improvements that may be funded with improvement fees may be modified by resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, THAT

Section 1: Sections 3, and 5 of Resolution 04-12 are hereby repealed at 12:01 a.m on _____, 2005.

Section 2: Charges Established.

WATER system development charges are hereby established. Charges shall be in the amounts outlined in Tables W-4 and W-5 of the MEMO.

Section 3: Project Plan.

The project plan for the City's WATER system development charges is the "Water SDC Capital Improvement Projects" contained in the MEMO.

05-06
need
Appendix A
(pg 1 of 2)

AGENDA BILL
05-03-04

For Council: March 14, 2005

Department: Pub Works (Eng)
Contract Review Board: No

Subject: Adoption of Updated Water System Development Charge

Dept. Head Initials: RRH R

City Manager's Initials: S

Attachments:
Resolution,
Memo dated 2/22/2005
Methodology
Project List

Budget Impact:

Expenditures	Amount	Appropriation
Required: \$0	Budgeted: \$0	Needed: -0-

Summary:

City staff has updated the Water System Development Charge (SDC) to reflect current conditions. Previously adopted mythology defining the allocation of project costs remains unchanged.

Project costs have been adjusted for inflation using the Construction Cost Index as calculated by the Engineering News Record (ENR).

This update increases the Water SDC rate for a single family home with a 5/8" meter from \$4,606 to \$4,628.

Recommended Action:

Adopt the attached Resolution updating the SDC for the West Linn Water system.

Council Action Taken:

Approved:
Denied:
Continued:

Section 4: The City Council determines that the fees imposed by this resolution are not a tax subject to the property tax limitation of Article XI, Section 11(b) of the Oregon Constitution.

Section 5: Effective Date.

This resolution shall take effect at 12:01 a.m. on _____, 2005.

THIS RESOLUTION ADOPTED BY THE WEST LINN CITY COUNCIL THIS ____ DAY OF _____, 2005.

Norm King, Mayor

ATTEST:

February 22, 2005

Public Works Engineering

Memorandum:

To: Ron Hudson

From: Gary Parkin

Subj: Updated Water SDC Project List and SDC Calculations

Attached is the updated Water SDC Methodology report and the Water CMP-CIP SDC Project List. The update reflects fund, population and asset changes, as well as completed construction since last year's update. Additionally, all project cost estimates have been updated by application of the ENR CCI current through 02/05.

The Methodology remains unchanged as adopted by Resolution 04-12, but the tabulated costs have been calculated to determine the new SDCs resulting from the Project List changes.

Gary Parkin
Water Utility Engineer

Water System Development Charges Methodology

Background

Current water SDCs are based on meter size. The resulting charge for a connection customer escalates significantly as meter size, and the maximum potential flow of water through the meter, increases. Meter size is a common and acceptable measure of potential demand on the system and provides a reasonable basis for water SDCs in most cases. Minimum meter size is determined by application of the Uniform Plumbing Code as adopted by the State of Oregon (currently the 1997 version).

Former methodology segregated an area known as the Future Urban Area and established separate cost bases for development in that area in addition to the existing City. This methodology removes that distinction within the water SDC. Remaining Water FUA SDC credits will be acceptable in analogous manner as City-wide Water SDC credits. Similarly, Water FUA SDC fund balance will be freely used with other City-wide water SDC funds on only Water SDC projects.

Fee Basis

The methodology of determining the system development charge is as follows:

Using the City's water meters report, the number of water meters for each meter size for each customer class is converted to Meter Equivalent (ME) using the following flow factors:

Meter Equivalent / Flow Factors ¹	
Meter Size	Flow Factor
5/8"x3/4"	1
3/4"	1.5
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80
10"	125

¹ Derived from American Water Works Association standards, Publication C-7090-90, flow factors express the relationship of the maximum continuous flow for each meter size to the maximum continuous flow for a 5/8" X 3/4" meter.

As shown in Table W-1, the basis for the water system development charge is determined as follows:

- Estimated number of existing MEs is 10,260
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital planning horizon. Using this guideline, the existing City is forecasted to add 2,459 MEs for a total of 12,719 MEs.

Meter size	Meter Equiv Factor	Citywide SDC
5/8"x 3/4"	1.0	\$4,628
3/4"	1.5	\$6,942
1"	2.5	\$11,570
1.5"	5.0	\$23,140
2"	8.0	\$37,024
3"	16.0	\$74,048
4"	25.0	\$115,700
6"	50.0	\$231,400
8"	80.0	\$370,240
10"	125.0	\$578,500

Project Formulation

The existing water system and criteria are evaluated using forecast buildout population. Projects are developed to satisfy the accepted water system criteria at buildout. Project percentages and costs are allocated based upon the attached flowchart and replacement schedule.

Reimbursement Fee

Once the capacity basis has been established, calculation of the water reimbursement fee involves the following steps.

As shown in Table W-1, the basis for the water system development charge is determined as follows:

- Estimated number of existing MEs is 10,283
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital planning horizon. Using this guideline, the existing City is forecasted to add 2,459 MEs for a total of 12,719 MEs.

	Existing	City-Wide Buildout (2020)	Net Growth
Population	23,918	29,611	5,693
ME	10,283	12,719	2,436

* Data based on Feb 2005 tracking report, ME include outside the city users

Project Formulation

The existing water system and criteria are evaluated using forecast buildout population. Projects are developed to satisfy the accepted water system criteria at buildout. Project percentages and costs are allocated based upon the attached flowchart and replacement schedule.

Reimbursement Fee

Once the capacity basis has been established, calculation of the water reimbursement fee involves the following steps.

Determination of Allocable Cost

As shown in Table W-2, the allocable cost of existing facilities is determined as follows:

- The original cost of water property, plant, and equipment is estimated to be \$15,654,528².
- If there were any water utility debt outstanding to be paid from water rates, then water utility debt principal outstanding would be subtracted from the city-wide cost basis. Connecting customers would pay an equitable share of that debt through monthly rates.
- Next, the total cost of contributed fixed assets of \$13,098,374 is deducted from the cost basis. Connecting customers do not pay a share of donated facilities.
- Using this methodology, the applicable cost of the existing citywide facilities is \$966,154. The following steps are followed to determine the respective cost shares allocable to unused capacity and, ultimately, the reimbursement fee cost basis.
- The estimated share of citywide unused capacity, 19.15%, is determined by dividing projected citywide growth in MEs (12,719 – 10,283 = 2,436) by the total of current and projected future city-wide MEs (12,719).
- Finally, the estimated share of city-wide unused capacity is multiplied by the applicable cost of the city-wide facilities to determine the allocable cost of city-wide unused capacity.

The resulting city-wide reimbursement fee cost basis is \$185,018.

² Updated from City of West Linn 2001 Comprehensive Annual Financial Report (CAFR) to 6/30/2003 by the finance director and adding development projects from 2000 through 2004.

**Table W-2
City of West Linn
Water System Development Charge
Water Existing Assets**

A. Utility Plant in Service (2004)	City Wide
Plant in Service, Net	\$11,383,446
Plus: Depreciation	\$4,271,082
Subtotal	\$15,654,528
Less: Net Utility Debt Principal	(\$1,590,000)
Less: Contributed Fixed Assets	(\$13,098,374)
Total	\$966,154
B. Allocation of Plant in Service to Unused Capacity	
Current System Users (MEs)	10,283
Projected Current and Future Users (MEs)	12,719
Estimated Share of Unused Capacity	19.15%
Estimated Cost of Unused Capacity	\$185,018

Reimbursement Fee Calculation

As shown in Table W-4, the water reimbursement fee is calculated in the following manner:

- The allocable cost of the citywide existing system (\$185,018) is divided by total projected customer base growth in both the existing City and future growth (2,436 MEs). The resulting reimbursement fee of \$76 per ME applies to all connecting customers.

Improvement Fee

Only the costs of those planned projects, or portions of planned projects, which increase capacity, may be included in the calculation of the improvement fee. In general, City staff allocated individual project costs to the improvement fee cost basis proportionally by capacity. If a project corrects an existing system deficiency, the amount of increased capacity needed to correct the deficiency is allocated to City-funded, remaining cost of the upsizing is allocated to growth.

Determination of Allocable Cost

The allocable cost of planned facilities for the improvement fee is determined as follows:

- The total cost of planned capacity-increasing projects attributed solely to growth and the proportional share of projects jointly shared between growth and existing system demand is estimated by summing all individual project costs allocated to capacity expansion. Where individual project costs were outdated, Engineering News Record (ENR) Construction Cost Indices (CCI) were applied in order to approximate current costs.

This step yields cost estimates of \$11,320,823 for improvements to the water system.

- The amount of water system SDC improvement credits is added to the total cost of planned capacity-increasing projects. The City has granted credits against the improvement fee for capacity-increasing facilities constructed. The City will bear the cost of those improvements as the credits are redeemed. To reflect this cost and to maintain a balance between credits outstanding and improvement fees remaining to be paid, the total of outstanding credits (\$415,260) must be included in the improvement fee cost basis.
- The current fund balance (\$1,043,385) in the improvement fee portion of the water SDC fund is subtracted from the cost of planned capacity-increasing projects. This amount represents improvement fees already paid and available for planned capacity-increasing projects. As such, to leave them in the improvement fee cost basis would result in a disproportionate improvement fee.

The allocation of water projects is shown in detail in Appendix A. As summarized in table W-3, this methodology results in estimated improvement fee cost bases of \$10,692,698.

**Table W-3
City of West Linn
Water System Development Charge**

Total Capital Projects	City Wide
Total Capacity Expanding Capital Projects	\$11,320,823
Plus: SDC Credits Outstanding	\$415,260
Less: Current Fund Balance for Improvement	\$1,043,385
NET CIP to be Used in SDC Calculation	\$10,692,698

Improvement Fee Calculation

As shown in Table W-4, the improvement fee is calculated in the following manner:

- The allocable cost of citywide planned capacity-increasing facilities (\$10,692,698) is divided by customer base growth (2,436 MEs). This division reflects the philosophy that citywide planned capacity-increasing improvements will proportionally serve growth.
- The resulting base improvement fee of \$4,389 per ME applies to all connecting customers.

The System Development Charge

The integrated SDC is simply the sum of the applicable reimbursement fee and the applicable improvement fee. For commercial customers in the existing City, an SDC of \$76 (base reimbursement fee) + \$4,389 (base improvement fee) = \$4,465 per ME would apply. The estimated administrative cost of processing the SDC (3.66% of the charge) is added to determine the ultimate charge. This equates to \$4,628 per Meter Equivalent.

Representative charges for the above structure are shown in Table W-5

**Table W-4
City of West Linn
Water System Development Charge
City-wide**

A. Reimbursement Fee		Citywide
Net Existing Assets Allocated to Unused Capacity		\$185,018
<i>Divided by</i>	Total Growth in MEs	2436
Base Water Reimbursement Fee		\$76
B. Improvement Fee		
Citywide Growth CIP		\$10,692,698
<i>Divided by</i>	Total Growth in Households	2436
Base Water Improvement Fee		\$4,389
C. Integrated System Development Charge		
	Citywide Reimbursement Fee	\$76
<i>Plus</i>	Citywide Improvement Fee	\$4389
<i>Plus</i>	Citywide Administrative Fee 3.66%	\$163
		\$4,628
Integrated SDC – Citywide		

**Table W-5
City of West Linn
Representative Charges**

Meter size	Meter Equiv		Citywide SDC
		Factor	
5/8"x 3/4"		1.0	\$4,628
3/4"		1.5	\$6,942
1"		2.5	\$11,570
1.5"		5.0	\$23,140
2"		8.0	\$37,024
3"		16.0	\$74,048
4"		25.0	\$115,700
6"		50.0	\$231,400
8"		80.0	\$370,240
10"		125.0	\$578,500

Periodic Update of SDC Rates

The City of West Linn purposes to update the Water SDC rates annually during the first three months of each calendar.

WATER CMP-CIP SDC P

Project No.	Project/Location	Length (FT)	Existing Material	Existing Size	Proposed Size	Estimated Cost	Local or System?
CIP-23	10th St. - 5th Ave. to 4th Ave.	450	PVC	2	6	\$51,000	Local
	Williamette Falls Dr transmission main						
PW0506	Will Falls Dr. 1-3c (phase 2) Sunset to I-205 crossing	2500	CI	8	20	\$717,000	System
CIP-24	Will Falls Dr Trans Improve (3-3) (phase 3)	4100	CI	10	16	\$1,048,000	System
	Subzone 16 Main Improvements						
CIP-25	1-4a: Mark Ln, Lowell	1300	CI	6	8	\$171,000	System
CIP-26	1-4b: Jolie Pk, Larson Ave	2600	CI	6	8	\$343,000	System
CIP-27	1-4c: Dillow Dr and Falling St	2500	CI	6	8	\$330,000	System
CIP-28	Maple Terr.	500	CI	4	8	\$66,000	Local
CIP-29	Magone Ln.	350	DI	4	6	\$32,000	Local
	Rosemont Main Improvements						
CIP-30	Rosemont Rd - Shannon Lane to Summit St	1920	CI	6	8	\$253,000	System
CIP-31	Marylhurst Dr. - Sky Pk Wy to Marylhurst Ct	1263	AC	6	10	\$200,000	System
CIP-32	View Dr. pump station to Suncrest	2600		10	10	\$412,000	System
CIP-33	Horton P.S. to Santa Anita	310	DI	12	14	\$67,000	System
CIP-34	3-9: Suncrest	2000	AC	8	10	\$317,000	System
CIP-35	View Dr. - PRV Station to Kantara	1500	AC	6	8	\$198,000	Local
CIP-36	Sky Pk Wy w/ PRV station	900	AC	8	8	\$139,000	System
CIP-37	Stonehaven to Marylhurst Dr.	250	AC	4	8	\$33,000	Local
CIP-38	Marylhurst Cir.	1200	AC	4	6	\$137,000	Local
CIP-39	Shannon Lane - Rose Park Dr. to End	250	STL	6	4	\$23,000	Local
CIP-40	3-13b: Weatherhill Rd (8")	800		6	8	\$105,000	System
	Robinwood Main Improvements						
CIP-41	LO Inertite to View Dr Reservoir	4000	AC	10	12	\$766,000	System
CIP-42	Elmran - Trillium to Cataloga	950	GALV	4	8	\$125,000	System
CIP-43	1-9: View Dr	1200	AC, CI	4 & 6	8 & 6	\$158,000	System
CIP-44	3-12: Mapleton	900	AC	4	6	\$102,000	System
CIP-45	Old River Dr. - Riverside Ct. to River Edge	650	DI	6	8	\$86,000	Local
	Bolton Main Improvements						
CIP-46	Web West A to Bolton Reservoir	2000	STL	18	18	\$597,000	System
CIP-47	2-2a: Broadway (Busse to Webb)	1900	STL	18	18	\$567,000	System
CIP-48	2-2b: Webb (Broadway to West "A")	350	STL	18	18	\$105,000	System
CIP-49	River St. - 5350 to 5687	2100	CI	4	6	\$239,000	Local
CIP-50	Bella St.	300	CI	4	6	\$34,000	Local
CIP-51	Skyline Circle	500	CI	4	6	\$57,000	Local
CIP-52	Busse St. Broadway to 43	800	STL & CI	20	20	\$281,000	System
	Bolton PS Discharge Improvements						
CIP-53	3-6a: Summit	1600	CI	12	16	\$409,000	System
	Bland Main Improvements						
CIP-54	3-2: Salarno/Haskins			8 & 10		\$231,000	System
	Horton Main Improvements						
CIP-55	Bolton Pump Station to Summit	1600		12		\$306,000	System
CIP-56	Cornwall (below Sunset)	630	GALV	8	8	\$83,000	Local
CIP-57	Pimlico Way Loop	200		1 & 1.5	6	\$16,000	Local
CIP-58	3-7: Lower Bland Cir	1100		8	8	\$437,000	System
CIP-59	Parker 18" to Horton P.S.	3000		8	8	\$396,000	System

CIP TOTAL: \$17,163,700

CIP +CMP TOTAL: \$24,302,600

AGENDA BILL
05-03-05

For Council: March 14, 2005

Public Hearing: Yes X No

Subject: Adoption of Updates Rates
for Sanitary Sewer System
Development Charges

Contract Review Board: Yes No X

Department: Public Works

Department Head Initials: RRH/ R

City Manager Initials: [Signature]

Attachments: Resolution
Memo dated 2/18/2005
Methodology
Project List

Budget Impact:

Expenditures	Amount	Appropriation
Required: \$0	Budgeted: \$0	Needed: \$0

Summary:

City staff has revised the Sanitary Sewer System Development Charge project list by updating the scope/estimate for one project and applying the Engineering New Record (ENR) Construction Cost Index (CCI) to the remaining estimates. The sanitary sewer system improvement project listing and the calculations resulting from application of the previously adopted methodology are attached as Exhibit "A". Section 4.415 of the West Linn Municipal Code provides that system development charges may be revised by resolution of the City Council.

Background:

The list of projects is as contained in the current Sanitary Sewer Master Plan. In 2004 the City adopted a new methodology that remains unaltered in this update.

This update changes the cost estimate for CIP-03 to reflect the current scope and anticipated method of accomplishment. All the projects have had the ENR CCI applied to bring estimated costs current with existing market conditions as of February 2005. These updated project costs and updated Sanitary Sewer SDC balances have been inserted into the adopted methodology to determine revised SDC rates.

This update decreases the Sanitary Sewer System SDC for a single-family residence from \$3,393 to \$2,632.

Recommended Action:

Adopt the attached Resolution updating System Development Charges for the West Linn sanitary sewer system.

Council Action Taken:

Approved _____
Denied _____
Continued _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN, OREGON, UPDATING SANITARY SEWER SYSTEM DEVELOPMENT CHARGES AND REPEALING PORTIONS OF RESOLUTION 04-16.

WHEREAS, Section 4.400 to 4.485 of the West Linn Code authorize the City to charge system development charges pursuant to ORS 223.297 to 223.314; and

WHEREAS, the City sanitary sewer system development charges were last updated in July of 2004 through adoption of Resolution No. 04-16; and

WHEREAS, staff has updated the project sheet and applied the Engineering News Record (ENR) Construction Cost Index (CCI) factor to bring the estimated project costs and resultant System Development Charges (SDCs) current to February 2005 as contained in the attached memorandum dated 2/18/2005 (MEMO); and

WHEREAS, Section 4.415 of the West Linn Code provides that system development charges may be revised by resolution of the City Council; and

WHEREAS, Section 4.435 of the West Linn Code provides that the project plan which lists the capital improvements that may be funded with improvement fees may be modified by resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, THAT

Section 1: Sections 3, and 5 of Resolution 04-16 are hereby repealed at 12:01 a.m on _____, 2005.

Section 2: Charges Established.

SANITARY SEWER system development charges are hereby established. Charges shall be in the amounts outlined in Tables S-4 and S-5 of the MEMO.

Section 3: Project Plan.

The project plan for the City's SANITARY SEWER system development charges is the "Sanitary Sewer SDC Capital Improvement Projects" contained in the MEMO.

RESOLUTION NO. _____

Section 4: The City Council determines that the fees imposed by this resolution are not a tax subject to the property tax limitation of Article XI, Section 11(b) of the Oregon Constitution.

Section 5: Effective Date.

This resolution shall take effect at 12:01 a.m. on _____, 2005.

THIS RESOLUTION ADOPTED BY THE WEST LINN CITY COUNCIL THIS
____ DAY OF _____, 2005.

Norm King, Mayor

ATTEST:

RESOLUTION NO. _____

Page 2

(4)

February 18, 2005

Public Works Engineering
Memorandum:

To: Ron Hudson

From: Dennis Wright

Subj: Updated Sanitary Sewer SDC Project Cost List and SDC Calculations

Attached is the updated Sanitary Sewer SDC Project Cost List reflecting updated scope and anticipated method of accomplishment for CIP-03. Additionally, all project cost estimates have been updated by application of the ENR CCI current through 02/05.

The Methodology remains unchanged as adopted by Resolution 04-16, but the tabulated costs have been calculated to determine the new SDCs resulting from the Project List changes.

Very Respectfully,

Dennis Wright
Assistant City Engineer

⑤

Sanitary Sewer System Development Charges Methodology

Background

The City must make use of its existing collection system in order to provide service to growth occurring within the City limits. There is a sound and well-accepted relationship between sewage flow and several statistics including water usage, household size, and fixture units. ¹Using the City's water meters report, the number of water meters for each meter size for each customer class is converted to meter equivalents using the following flow factors:

Meter Equivalent / Flow Factors ¹	
Meter Size	Flow Factor
5/8"x3/4"	1
3/4"	1.5
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80
10"	125

Previously there was a perceived inequity regarding multi-family residential customers imbedded in the strict meter equivalent basis. The City now uses living units in addition to meter size as an SDC basis for multi-family developments.

Fee Basis

Residential sewage flow is correlated with the number of occupants in a given dwelling unit. By using the average household size, an SDC basis has been developed using equivalent residential units. From household population density statistics provided by the Portland State University Center for Population Research & Census (2003), it was determined that single family residential (SFR) dwellings average 2.760 persons per household while multi-family dwellings average 1.537 persons per household. By dividing the current population statistics by the SFR population density, the customer base can be described in terms of equivalent SFR units. By defining meter flow

¹ Derived from American Water Works Association standard, Publication C-700-990, flow factors express the relationship of the maximum continuous flow for each meter size to the maximum continuous flow for a 5/8" x 3/4 " meter.

equivalents, as developed for water SDC's, as residential equivalents, an SDC basis can be developed that incorporates both meter equivalents and dwelling units.

As shown in Table S-1, the basis for the sanitary residential equivalents is determined from the water SDC as follows:

- Estimated number of existing MEs is 10,283
- In order to estimate future demand in the service area, projected population growth is applied to the current ME estimates. Population is forecasted to grow to planned build out in the twenty-year capital-planning horizon. Using this guideline, the existing City is forecasted to add 2,436 MEs for a total of 12,719 MEs.
- The Residential Equivalent subtracts meter equivalents dedicated to irrigation to develop a value of 2418.

Table S-1
City of West Linn
Sanitary System Development Charge
Customer Data*

	Existing	City Wide Buildout -2020	Net Growth
Population	23,918	29,611	5,693
ME	10,283	12,719	2,436
Subtract:			
Irrigation ME	167	206	
Not on City Sewer	28	7	
Residential Equivalents	10,088	12,506	2,418

* Data based on Feb 2005 tracking report.

Reimbursement Fee

Once the capacity basis has been established, calculation of the sewer reimbursement fee involves the following steps:

Determination of Allocable Cost

As show in Table S-2, the allocable cost of existing facilities is determined as follows:

- The original cost of utility plant in service as data provided by the City of West Linn Finance Director for the year ending June 30, 2003 excluding vehicles and equipment, is estimated for the existing City sewer system. This yields cost estimates of \$12,621,593².
- If there were any debt outstanding to be paid from sewer rate revenues, sewer utility debt principal outstanding would be subtracted from the City-wide cost basis.
- Finally, the total cost of contributed fixed assets of \$9,555,451(2001 Comprehensive Annual Financial Report (CAFR)) plus \$805,980² is deducted from the City-wide original cost basis. Connecting customers do not pay a share of donated facilities.
- Using this methodology, the applicable cost of existing City-wide facilities is \$6,484,362. The following steps are followed to determine the respective cost shares allocable to unused capacity and, ultimately, the reimbursement fee cost basis.
- The estimated share of citywide unused capacity, 19%³, is determined by dividing projected citywide growth in meter equivalents (12,506-10,088=2418) by the projected buildout number of meter equivalents.
- Finally, the estimated share of citywide unused capacity (19%) is multiplied by the applicable cost of Citywide facilities (\$6,484,362) to determine the allocable cost of Citywide unused capacity.

The resulting Citywide reimbursement fee cost basis is \$1,254,068.

² Includes developer contributed assets, per West Linn Engineering Dept. records for FY '00/01, '01/02, '02/03, see attached page.

³ Number shown is approximation. Actual percentage of 19.3347193347... used for calculation purposes.

Table S-2
City of West Linn
Sewer Development Charge
Sewer Utility Existing Assets

A. Utility Plant in Service (2003)	City Wide
Plant in Service, Net	\$12,621,593
Plus: Depreciation	\$4,224,200
Subtotal	\$16,845,793
Less: Net Utility Debt Principal	
Less: Contributed Fixed Assets	(\$10,361,431)
Total (applicable cost of City facilities)	\$6,484,362
B. Allocation of Plant in Service to Unused Capacity	
Current System Users (Households)	10,088
Projected Current and Future Users (Households)	12,506
Estimated Share of Unused Capacity	19%
Estimated Cost of Unused Capacity	\$1,253,733

Reimbursement Fee Calculation

As shown in Table S-4, the sewer reimbursement fee is calculated in the following manner:

- The allocable cost of City-wide existing facilities is divided by total projected customer base growth. This division reflects the philosophy that unused capacity in the existing City-wide system proportionally serves existing development as well as future development. The resulting reimbursement fee applies to all connecting customers.

Improvement Fee

Only the costs of those planned projects, or portions of planned projects, which increase capacity, may be included in the calculation of the improvement fee. In general, City staff allocated individual project costs to the improvement fee cost basis proportionally

by capacity. If a project corrects an existing system deficiency, the amount of increased capacity needed to correct the deficiency is allocated to City-funded; remaining cost of the upsizing is allocated to growth.

Determination of Allocable Cost

The allocable cost of planned facilities for the improvement fee is determined as follows:

- The total cost of planned capacity-increasing projects is estimated by summing all individual project costs allocated to capacity expansion for the sewer system. Where individual project costs are outdated, Engineering News Record (ENR) Construction Cost Indices (CCI) will be applied in order to approximate current costs. Where existing lines have sufficient theoretical capacity but infiltration and inflow (I&I) has minimized the capacity, projects to restore capacity to serve growth, when developed, will have project costs allocated to growth.

This step yields cost estimates of \$5,350,000 for improvements to the Sewer system.

- The amount of sewer SDC credits outstanding is added to the total cost of planned capacity-increasing projects. The City has granted credits against the improvement fee for capacity-increasing facilities constructed. The City will bear the cost of those improvements as the credits are redeemed. To reflect this cost and to maintain a balance between credits outstanding and improvement fees remaining to be paid, the total of outstanding credits (\$28,478) must be included in the improvement fee cost basis.
- The current fund balance (\$493,607) in the sewer improvement fee fund is subtracted from the cost of planned capacity-increasing projects. These amounts represent improvement fees already paid and available for planned capacity-increasing projects. As such, to leave them in the improvement fee cost basis would result in a disproportionate improvement fee.

The allocation of sewer projects is shown in detail in Appendix A. As summarized in table S-3, this methodology results in estimated improvement fee cost bases of \$4,880,871.

Table S-3
City of West Linn
Sewer Development Charge

Total Capital Projects

City Wide

Total Capacity Expanding Capital Projects	\$5,350,000
Plus: SDC Credits Outstanding	\$28,478
Less: Current Fund Balance for Improvement	\$493,607
NET CIP to be Used in SDC Calculation	\$4,884,871

Improvement Fee Calculation

As shown in Table S-4, the improvement fee is calculated in the following manner:

- The allocable cost of Citywide planned capacity-increasing facilities (\$4,884,871) is divided by customer base growth in both the existing City and the FUA (2418 SFR equivalents). This division reflects the philosophy that Citywide planned capacity-increasing improvements will proportionally serve growth.
- The resulting base improvement fee of \$2020 per ME or SFR equivalent applies to all connecting customers.

The System Development Charge

The integrated SDC is simply the sum of the applicable reimbursement fee(s) and the applicable improvement fee(s). For commercial customers in the existing City, an SDC of \$518 (base reimbursement fee) + \$2019 (base improvement fee) = \$2537 per Single Family Equivalent/ME would apply. The estimated administrative cost of processing the SDC (3.66%⁴ of the charge) is added to determine the ultimate charge. This equates to \$2630 per Single Family Equivalent/Meter Equivalent.

For SFR residential development, the charge is calculated in a fashion similar to that described above for commercial development.

Finally, multi-family sewer SDCs will be calculated as the greater of the following two measures-

- 1) The commercial Charge rate based on meter equivalents described Above.
- 2) A charge calculated at 55.7% of the SFR rate per dwelling unit. This Equates to \$1465 per unit.

Representative charges for the above structure are shown in Table S-5

⁴ Value taken from most recent adopted SDC fee – Parks SDC 2000

Table S-4
City of West Linn
Sewer Development Charge
Citywide

A. Reimbursement Fee	City Wide
Net Existing Assets Allocated to Unused Capacity	\$1,253,733
<i>Divided by</i> Total Growth in Households	2418
Base Sewer Reimbursement Fee	\$519
B. Improvement Fee	
Citywide Growth CIP	\$4,884,871
<i>Divided by</i> Total Growth in Households	2418
Base Sewer Improvement Fee	\$2020
C. Integrated System Development Charge	
Citywide Reimbursement Fee	\$519
<i>Plus</i> Citywide Improvement Fee	\$2020
<i>Plus</i> Citywide Administrative Fee 3.66%	\$93
Integrated SDC – Citywide	\$2632⁵

⁵ For the basic 5/8 " x 3/4" meter, meter equivalency of 1.0

Table S-5

**City of West Linn
Sewer System Development Charges
Fee Structure**

Average Household Densities (persons per households):
 Average # MFR Occupants = 1.537 persons⁶
 Divided by avg. SFR Occupants = 2.760 persons
 MFR Connection Charge as % of SFR 55.7%

Integrated SDC – Citywide (\$519 + \$2020) \$2,539
 Plus administrative cost (3.66%) \$ 93
 Total Integrated Sanitary SDC – Citywide \$2,632

Summary of Sewer Connection Charges		
Single Family Residential (per DU)		\$2,632
Multi-Family Residential (per DU)		\$1,466
Commercial (per ME)		\$2,632
Integrated Sanitary SDC by Meter Size Charge by Meter Size		
Meter Size	Meter Equiv. Factors	Citywide SDC
5/8 " x 3/4"	1	\$2,632
3/4"	1.5	\$3,948
1"	2.5	\$6,580
1.5"	5.0	\$13,160
2"	8.0	\$21,056
3"	16.0	\$42,112
4"	25.0	\$65,800
6"	50.0	\$131,600
8"	80.0	\$210,560
10"	125.0	\$329,000

⁶ Taken from Portland State University certified population estimate July 1, 2003.

Sanitary Sewer SDC Project Cost List

CIP Project No.	Project Area	Project Location	Project Description	Total Cost ('99 Master Plan)	Total Cost July 2004	Total Cost (updated)**	% SDC allocation*	SDC funded	Division Budget funding	
CIP-3	Robinwood	Old River Rd. - Cherokee Ct. - Robinview Dr.	Replace 12" with 18"	\$515,250	\$1,660,000	\$620,000	100%	\$620,000	\$0	
CIP-4	Bolton	Cornwall Street, South of Sunset	New 8"	\$100,500	\$120,000	\$120,000	100%	\$120,000	\$0	Master Plan
CIP-5	Willamette	North side of I-205 from Far Vista to 13th St.	Replace 8" with 10" and 10" with 12"	\$560,200	\$650,000	\$670,000	100%	\$670,000	\$0	
CIP-6	Bolton	Hwy 43 - Pimlico Dr. - Dillow	Replace 12" with 15"	\$70,440	\$80,000	\$80,000	100%	\$80,000	\$0	
CIP-7	Robinwood	View Dr., south of Marylhurst	Replace 8" with 10"	\$187,300	\$220,000	\$230,000	100%	\$230,000	\$0	
CIP-8	Robinwood	Hwy 43, Marylhurst to Fairview - Fairview, Hwy 43 to Chippewa Ct.	Replace 10" with 12"	\$306,710	\$350,000	\$370,000	100%	\$370,000	\$0	
CIP-9	Robinwood	Hwy 43, Marylhurst Dr. to Arbor	Replace 8" with 10"	\$304,565	\$350,000	\$370,000	100%	\$370,000	\$0	
CIP-10	Citywide		Update Sanitary Sewer Master Plan	\$75,000	\$90,000	\$90,000	100%	\$90,000	\$0	
CIP-11	Willamette	Johnson Road at Tualatin River	Johnson Pump Station	\$448,400	\$520,000	\$540,000	100%	\$540,000	\$0	
CIP-12	Willamette	Gravity sewer between River Heights and Borland Pump Stations.	Eliminate River Heights Pumping Station	\$99,000	\$110,000	\$120,000	100%	\$120,000	\$0	
CIP-13	Willamette	Willamette Falls Dr. east of 4th St.	Replace 12" with 15"	\$552,375	\$640,000	\$670,000	100%	\$670,000	\$0	
CIP-14	Willamette	10th St. east to 5th Ave.	Replace 15" with 18"	\$578,350	\$670,000	\$700,000	100%	\$700,000	\$0	
CIP-15	Willamette	13th St I-205 crossing	Parallel 10"; Replace 10" with 15"	\$289,350	\$330,000	\$350,000	100%	\$350,000	\$0	
CIP-16	Willamette	Volpp St. west of 4th St.	Replace 15" with 18"	\$352,350	\$410,000	\$420,000	100%	\$420,000	\$0	
Project Total				\$4,439,790	\$6,200,000	\$5,350,000		\$5,350,000	\$0	
									ENR	
									6059 Initial: 1999	
									7298 2005 avg th	
									120.45% Update inde	

* % SDC is based on the interpretation that the system as exists in 2004 is adequate and all improvements listed here forward are solely for the benefit of growth.

** Estimates rounded to nearest \$10,000

**AGENDA BILL
05-03-06**

For Council: March 14, 2005

Required Public Hearing: No
Contract Review Board: No
(Check above if applicable)

Subject: Resolution Authorizing the City Manager to sign an Agreement with the West Linn Chamber of Commerce to Co-Sponsor the West Linn Farmers Market

Department: Administration
Dept. Head Initials: JHA *JHA*

City Manager's Initials: *J*

Attachments: 1) Resolution
2) Proposal Agreement
Draft Rules
Sponsor Policy

Budget Impact:

**Expenditures
Required:** \$0

**Amount
Budgeted:** \$0

**Appropriation
Needed:** \$0

Summary:

City staff has been working with the West Linn Chamber of Commerce on organizing a farmers market in the Willamette Historic District one day a week. The proposal was presented to the Council at its Feb. 14, 2005, meeting and received favorably. The attached resolution would recognize the Farmers Market as an official City event, bringing it under the City's insurance coverage (at no additional cost).

Recommended Action:

Act on resolution authorizing City Manager to sign an agreement with the West Linn Chamber of Commerce to cosponsor the West Linn Farmers Market.

Council Action Taken:

Approved:

Denied:

Continued:

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE WEST LINN CHAMBER OF COMMERCE TO CO-SPONSOR THE WEST LINN FARMERS MARKET AND DECLARING THE FARMERS MARKET AN OFFICIAL CITY SANCTIONED EVENT

WHEREAS, the City Council has adopted a resolution adopting a sponsorship policy for community and cultural events; and

WHEREAS, it has been a longstanding practice of the City to support community events that celebrate and strengthen West Linn's identity; and

WHEREAS, City staff has been working with the West Linn Chamber of Commerce and its committee, the Willamette Merchants Association, to organize a Farmers Market weekly in the Willamette Historic Area; now, therefore

BE IT RESOLVED by the City Council of the City of West Linn, Clackamas County, Oregon, that:

1. The City Manager is authorized to sign the attached agreement with the West Linn Chamber of Commerce to co-sponsor the West Linn Farmers Market.
2. The West Linn Farmers Market is hereby declared to be an official, City sanctioned event.
3. This resolution shall take effect immediately upon passage.

Adopted this 14th day of March 2005.

Norm King, Mayor

Attest

Witness

West Linn Farmers Market Proposal

I. General Overview: The West Linn Farmers Market in Historic Willamette will be an extension of and expansion on the successful First Wednesday in Historic Willamette events, consisting of open-air community market located in the Historic Willamette District. It is proposed that the City of West Linn, in cooperation with the Willamette Merchants Group and the Willamette Neighborhood Association sponsor this project. The market concept is built around three principal elements: (1) regional (preferably local where available) farmers who will sell fresh fruit and vegetables, nuts, horticultural items meat, dairy, and other products from their farms. (2) vendors providing prepared foods (not ready to eat or hot) such as canned and bottled sauces, beverages, mixes; and baked goods; and (3) artists selling garden related art

II. Purpose: The purpose of the West Linn Farmers Market is:

- A. To promote and program the Historic Willamette District as a focal point of community activity and thus encourage community interaction and socialization.
- B. To attract residents, and shoppers to this area of West Linn and to stimulate and nurture small businesses especially in the downtown business district.
- C. To support the contribution that farmers and growers make to our quality of life while benefiting the community with easy access to fresh quality produce, among other small vendors of quality foods and art.
- D. To promote and increase visitation/tourism of West Linn and increase awareness of West Linn's unique historical, social, cultural and natural attributes.

III. Focus of Products Offered / Vendors: The economic core of the West Linn Farmers Market will be an assortment of vendors who will provide goods and services to the community, with an emphasis or theme of organic and natural products, including:

- A. Growers of fruits, vegetables, nuts, flowers and nursery plants;
- B. Fresh poultry, meat and seafood
- C. Artisan cheeses and breads, baked goods and sweets/chocolates;
- D. Bottled wines and specialty juices, teas, coffee beans; and
- E. Garden related art.

IV. Finances: Vendors will be charged a per event participation fee of \$25.00, which be collected and deposited into a Farmers Market Account, to be opened soon. Fees collected from the vendors will be used to ensure the financial self-sufficiency of the market over time. The West Linn Farmers Market will accept WIC coupons, ensuring both sales for the farmers and availability of such products for coupon recipients. Start up funds will be required for signage, printed materials, postage, advertising, and any other equipment. It is proposed that funds for the Farmers Market be allocated from the City of West Linn, Chamber of Commerce, and an

application made to the Clackamas County Tourism Development Commission for a grant. Corporate sponsors are another possible area for funds and will be explored.

V. Advisory Board. The City of West Linn, Willamette Merchants, Willamette Neighborhood Association and West Linn Chamber of Commerce will work together to create an Advisory Board, comprised of representatives from the City of West Linn, the Willamette Merchants, the Willamette Neighborhood Association and the West Linn Chamber of Commerce. A host of volunteers from the above mentioned groups and the West Linn community at large will work together to ensure that there is sufficient people power for set-up, take-down, on-site management, and clean-up of each event. It is proposed that the City of West Linn serve as the volunteer coordinator in this effort. The Advisory Board will:

- A. Manage all financial issues;
- B. Handle all marketing and publicity;
- C. Ensure communication with appropriate city members and compliance with laws and ordinances;
- D. Coordinate all vendors;
- E. Manage volunteers;
- F. On site management including set-up, operation, take down and clean-up

VI. Liability / Insurance: It is proposed that the West Linn Farmers Market, in combination with First Wednesday in Historic Willamette, be recognized as an official City of West Linn event(s), allowing the event to fall under liability insurance covering the City of West Linn. All vendors will be required to submit the required license and insurance certificates before their applications for booth space at the market will be approved.

VII. Specific Location of the Market: It is proposed that the market be located on 14th Street North of Willamette Falls Drive next to the Willamette Hardware and General Store, and extend down the North side of Willamette Falls Drive toward 10th Street, with 10x10 vendor booths located on the North side of 14th street and in the parallel parking areas on the North side of Willamette Falls Drive.

III. Dates and Times: For the 2005 season, it is proposed that the market operate every Wednesday afternoon from 12:00pm until 8:00pm, beginning at the earliest mid-April, and at the latest, the First Wednesday in May, 2005, and running at least through the last Wednesday in October 2005, with the possibility of the event continuing through the holiday season. The Farmers Market will coincide with First Wednesdays in Historic Willamette on the first Wednesday of each month, when the event will run until 9pm, with special events, music, and more offered by the local merchants from 5:00pm until 9:00pm. The dates and times will be re-evaluated at the end of the 2005 season and revisions made where appropriate. The first year the goal is to attract a minimum of 20 farmers/vendors. It is expected that the stalls rentals will increase over time.

IX. Customers / Participants: It is expected that most of the customers/participants, at least initially, will be residents of West Linn. Over time, it is likely that the event will draw residents from surrounding towns. West Linn's Farmers market will be unique, offering the only mid-

week market in the immediate area (there are several other mid-week markets in the Portland-Metro area), and the only offering primarily organic and natural items in a charming historic village setting. Wednesday, as opposed to Saturday, is the first choice for day of the week for the following reasons:

A. To eliminate competition from the 15+ other farmer's markets, including Lake Oswego and Oregon City (opening this year); and

B. It allows us to capitalize on the recognition and structure that First Wednesday has already created as "the" regular social/entertainment event in West Linn.

X. Marketing: Several strategies will be used to attract customers. It is proposed that the principal publicity for the market will consist of:

- A. Ads in the West Linn Tidings, and other appropriate local newspapers;
- B. Publication in Update;
- C. Public service announcements in local newspapers and newsletters including:
OR Tithe, Clackamas Co. Tourism & OR Tourism calendar, local organization newsletters such as the Moms Club, etc...
- D. Radio stations will alert the public.
- E. Oregon Farmers Market Association (OFMA) also provides advertising in the form of listing all farmers markets in Oregon.
- F. Flyers will be distributed and available in West Linn businesses, the library, City Hall, Natures, New Season Markets and other co-operatives.
- G. Posters will be available and distributed to businesses for display in windows. Table tents will be on restaurant tables in Historic Willamette providing info. re: area events;
- H. Street banners raised for two-week periods every month, or every other month prior to and during the season, across Willamette Falls Drive and Willamette Drive/Hwy 43;
- I. Farmers Market traffic-control signs will be positioned where appropriate;
- J. The community and surrounding areas will also learn about the market by word of mouth, so information about the market will be on site which will reinforce the idea that the market is not one-time event and will continue throughout the summer and early fall;
- K. The City of West Linn and West Linn Chamber of Commerce will have a link to area events, including First Wednesday and the West Linn Farmer's Market;
- L. A brochure of annual events in West Linn will be considered; and
- M. Vertical banners in the Historic Willamette District are being researched

XI. Prohibited Activities: None of the following activities shall be provided or endorsed:

- A. Automobile or vehicle racing of any sort;
- B. Alcohol centered events;
- C. Walking the streets with open containers of alcohol provided by the vendors;

D. High risk activities or entertainment.

SPONSORSHIP AGREEMENT

This Sponsorship Agreement is between the City of West Linn, an Oregon municipal corporation (the City) and the West Linn Chamber of Commerce (the Organizer).

RECITALS

1. Organizer is the producer of the West Linn Farmers Market (the Event) and has asked the City to be a cosponsor of the Event. The Event will be open to the public and no admission will be charged.
2. City has adopted a resolution that provides procedures and policies for City sponsorship of events.
3. City has adopted a resolution that authorizes City sponsorship of the Event, subject to execution of this Sponsorship Agreement.
4. City and Organizer have agreed to the scope of the City sponsorship and the relationship between the City and Organizer as set forth below.

AGREEMENT

1. This agreement shall remain in effect until terminated by the City or Organizer, or modified by mutual agreement of the parties with approval of the West Linn City Council.
2. City shall reimburse/pay Organizer up to NONE for calendar year 2005 for costs incurred to put on the Event.
3. City shall incur no obligation for any financial obligations taken on by Organizer.
4. Organizer shall provide to the City its request records of all financial transactions, agreements, correspondence and related information involving the Farmers Market.
5. City shall make the following City facilities available for use by Organizer:
 - a. 14th Street
 - b. Willamette Falls Drive frontage streets.
6. The dates and times of use of the City facilities shall be specified in a permit that must be applied for at least 30 days before the Event. All fees for the permit may be waived.
7. City shall provide the following in-kind services to the Organizer:

- a. Insurance coverage as provided in the City's general liability policy.
 - b. Traffic cones and barricades as needed, to be transported to and from the Farmers Market site by the Event Organizer.
8. If the Event is cancelled for any reason, the City shall not provide any in-kind services after the date of cancellation.
 9. Organizer shall identify City as a sponsor of the Event in outreach and publicity materials. Organizer shall provide the following rights to City (include as appropriate):
 - The right to have a booth at the Event.
 - The right to use photographs and film of this Event.
 - The right to distribute information during the Event.
 11. Nothing in the identification of the City as a sponsor shall state or imply that the Organizer is an agent of the City or that the City is responsible in any way for the event.
 12. Organizer shall be responsible for producing and publicizing the Event. The City will endeavor to assist in publicizing the event through notices and articles in the *Update* newsletter, City web site, and other venues.
 13. Food and Beverage Service. Any food and/or beverage service shall comply with all applicable laws and regulations and be subject to the Agreement, including Section 15.
 14. Warranty. Organizer represents and warrants that it will cause all food and beverage vendors to represent and warrant, as a condition of their participation in the Event, that they will comply with all food service, sanitation and other regulations applicable to their services at the Event.
 15. No alcohol will be served or sold at the Event, except for sales of bottled wine for consumption off-premises.

Date _____

 Mark Jorgenson, President
 West Linn Chamber of Commerce
 Organizer

 Sandra Farley, City Manager
 City of West Linn
 City

D R A F T

WEST LINN
FARMERS & ARTISTS MARKET
Historic Willamette District
Willamette Falls Drive between 10th & 14th Streets
WEST LINN, OR 97068
503-408-5209
MAY 4, 2005 - OCTOBER 26, 2005

Mission of the Market

WLF&AM will provide a viable open-air market place for local farmers and artists, crafters and food merchants enhancing local businesses and bringing a wide variety of local produce, art and entertainment to the local communities, with special emphasis on sustainable and/or organic agriculture, healthy/gourmet foods and garden related art.

1. Market Location, Hours and Dates

The West Linn Farmers and Artists Market will be open to the public on Wednesday's from 12:00pm - 8:00pm. Vendors set up time will be at 11:00pm starting May 4, 2005 through October 26, 2005.

The West Linn Farmers and Artists Market will be located in the West Linn's historic district on Willamette Falls Drive between 10th and 14th streets in West Linn, OR. (See map for market and booth locations)

2. Product Guidelines

- a. All products must be grown, produced or made by the vendor in Oregon or Washington.
- b. The following fresh products may be sold: vegetables, fruit, berries, herbs, nuts, flowers, plants and other agricultural or horticultural products including cheese, milk, eggs, fish, shellfish, poultry and meats.
- c. All art and crafts produced by the artist / vendor. Note: all art and crafts will need to submit samples of work to selection committee.
- d. Some select food items made or sold by the vendor may be sold including sauces, ciders, bottled wines (for consumption off premises), juices, coffees, teas, and baked goods.
- e. Prepared foods or value added food products must be produced by the vendor from raw ingredients.
- f. The sale of Genetically Modified Organisms (GMO) is prohibited.
- g. Our goal is to provide a variety of products with little duplication.
- h. Organic, sustainable and pesticide free and natural/healthy products will be given preference over others.

3. 100% Rule

The West Linn Farmers and Artists Market is a venue for farmers, certain gourmet food vendors and artists to directly market their fresh locally grown or crafted products. It is not an outlet for re-sale or wholesale products.

VENDORS MUST PRODUCE 100% OF WHAT THEY SELL.

This rule applies to all produce, bedding plants, flowers, dairy, meat, fish, eggs and artwork. West Linn Farmers and Artists Market will permit exceptions to this rule on individual product and farmer basis. All exceptions must be discussed and approved by the WLF & AM Advisory Council and Market Manager prior to the opening of the market season. This rule is set to provide unique and unusual items to the public not found in retail establishments and will enhance the WLF&AM.

4. Plant Vendors

Plant vendors must propagate plants and / or flowers (live or cut) seed, cuttings, bulbs, plugs or plant divisions. Vendors must sell all plants in standard, non-decorative nursery containers unless they have requested and received permission to sell otherwise. Wild /collected plants may not be sold. Sales exceeding \$250.00 per season will need to provide a nursery person's card.

5. Specialty Food Items and Prepared Foods

All specialty and prepared food items must be produced by the vendor or under the vendor's direction. All product must be made from raw ingredients. The Advisory Council and Market Manager may, at their discretion, limit the number of food vendors and food products in the market.

- a. Value added products: processed food products made from the farmers' produce. Must be approved.
- b. Bakery products: made locally from quality raw ingredients.
- c. Specialty Food Products: must be produced locally by the owner using raw ingredients raised in Oregon or Washington.
- d. Ready-to-eat foods: made locally from fresh and raw ingredients. (purchased from WLF&AM vendors when possible)
- e. Arts / Crafts: made by vendor.

6. Market Operations

- a. Vendors must be prepared for operation by 12:00pm: Booth set up is not permitted before 11:00am on each Wednesday market. Booths must be staffed from 12:00pm to 8:00pm. Vendors may not disassemble booths before 8:05pm without permission from the Market Manager.
- b. Vendor loading and unloading: Vendors are not permitted to drive into the market area after 12:45am. Vendors arriving after 12:45am should park their vehicle outside of the market area and carry their supplies to their booth space. Vehicles are not permitted to exit the market until 8:20pm for safety reasons.
- c. Space Assignments: will be assigned to vendors as they arrive, by the Market Manager. Every effort will be made to accommodate vendors needs. Booth space can be reserved by payment of space prior to the market opening and seniority points. No booth location is guaranteed on an on-going basis. Vendors may be asked to change booth space locations for demographic reasons. Reserved stalls not occupied by 12:45pm may be reassigned to another vendor. The Market Manager has the ultimate authority for a vendor's booth location within the market.
- d. Seniority: will be tracked by vendor's history, attendance, conduct and adherence to

- market rules.
- e. Responsibility Against Hazards: Vendors are responsible for their own booths, tables and weather covers. Vendors are responsible for securing canopies against hazards such as wind and with concern for the safety of the public and other market vendors.
 - f. Selling before the opening hours of the market is strictly forbidden: unless permission is obtained from market manager. Exceptions: CSA pick up points and prior sales. Ringing the market bell will signify opening. Same process for closing.
 - g. Signage: Vendors are required to post a sign identifying business name, location/address of farm or business and telephone number. Signage must be no smaller than 1'x3', legible, visible, and securely attached to a vendors booth or stall to assure that it does not impede pedestrian traffic. Organic: vendors must comply with all federal, State, USDA regulations. Certified organic vendors must display certificate. (The \$5000.00 organic rule will apply at the WLF&AM) Vendors are encouraged to provide information regarding products, educational information about farming practices, and other farmers markets, and other farmers markets.
 - h. Stall space: Vendors are responsible for keeping their space attractive during market hours. Vendors are responsible for cleaning their stalls and adjacent areas after the market closes. Vendors are responsible for removal of all debris, refuse and unsold product from the market premises. Market trashcans and dumpsters are for the public.
 - i. Vendor Conduct: neither Vendors' nor their staff may smoke in the market area. Vendors will conduct themselves courteously. Vendors may not verbally call attention to their space by calling out beyond the borders of their space. Because of the residential character of Historic Willamette, vendors are requested to work and drive as quietly as possible while in the market area. Only tap water may be poured into street drains.
 - j. Booth for non-profit organizations: Booths are available for organization whose goals align with the West Linn Farmers and Artists Market. The market is not a forum for political or religious activities. Booth space will not be granted to those persons/organizations wishing to campaign or proselytize.
 - k. Sampling: Sampling may only occur within the confines of vendors booth or directly in front of the booth. The sampling vendor must ensure that customers have clear access to the vendor opposite him or her and in no way intrude on that vendor's space. Vendors will provide a trashcan for any refuse from the distribution of samples. All growers, farmers and food vendors serving or offering samples of food must abide by the Oregon Department of Agriculture's rules including the following :
 - i. The Oregon Department of Agriculture requires a hand-washing unit with a faucet to rinse knives, platters and both hands simultaneously.
 - ii. All sample produce must be washed with mild soap then rinsed with clean water.
 - iii. Designate one knife (non-folding) for cutting. Clean knife thoroughly prior to cutting into each new fruit or vegetable.
 - iv. Always keep a supply of paper towels on hand.
 - v. All samples must be served with toothpicks, reducing opportunity for multiple contacts.

- vi. Refill produce platters only after all previous produce is gone and the platter is rinsed clean.
- vii. Clean hands after each step.

Please see supplemental information regarding health regulation.

7. COMPLIANCE WITH ALL GOVERNMENT REGULATIONS

- a. All vendors must comply with the Oregon Department of Agriculture rules and regulations regarding sampling procedures.
- b. Copies of permits and certifications must be included with application for the market. Examples include: certification for Certified Organic, license/certification for kitchens processing foods, off-site restaurant license, alcohol license, etc. Vendors are responsible for complying with state and local health licensing requirements governing the sale and production of their products. Failure to conform to such regulations and requirements can be grounds for removal from the market and forfeiture of space fees.
- c. Scales used for weighing customer goods must be certified by the Oregon Department of Agriculture, Measurement Standards. Vendors selling produce without a scale must sell per piece, pint, quart etc.
- e. All products for sale at the market must comply with state and federal standards governing labeling, packaging, display and weight.
- f. Liability: The West Linn Farmers and Artists market does not assume responsibility for product liability. Vendors are encouraged to purchase product liability insurance and are required to do if potentially hazardous food {OAR 603-25-010(20)} see supplemental information} are sold. All processed and restaurant vendors are required to carry such insurance.
- f. Sampling. Vendors must comply with the "Farmers' Market Guidelines" determined through the ODA: food safety division.
- g. Farmers Market Nutrition Program: FMNP WIC and Senior programs will play a role in the WLF & AM. Vendors must abide by program rules. The West Linn Farmers and Artists Market strongly encourages vendors to participate in the FMNP program, and our goal is to have 100% of eligible vendors participate. Our goal is to increase FMNP redemption at the West Linn Farmers Market in 2005. Information is available from the Market Manager and through state and county agencies. Contact Maria Menor, Oregon Department of Health and Human Services Health Division 800 NE Oregon st. #21, Portland, OR 97232-2162 (503)731-4022.

8. Reservations and Fees.

\$25.00 Week

\$80.00 Monthly (4 weeks paid in advance)

\$560.00 per season per booth.

Note: this season has two, 5-week months. Vendors who reserve their booth space for the entire season will receive the additional days at no cost

Stalls are approximately 10'x10'.

Vendors may request a particular space or note particular needs. Vendors may not occupy more than 2 spaces however options will be available.

NOTE:

Booth space must be paid for one week prior to participation.

Cancellations: must be made no later than Monday at 4:30pm prior to Wednesday's market. Vendors who fail to comply with this rule will forfeit market fees. .

(First offense) vendor forfeits market fees.

(Second offense) vendor will receive a written warning and forfeits market fees.

(Third offense) Vendors will be excluded from the market for the season and forfeits market fees.

9. Enforcement. The Market Manager has the ultimate on-site authority to enforce market rules and decisions. If a vendor violates a market rule, the Market Manager has the discretionary authority to impose an appropriate disciplinary action, which may include written warning or barring vendor from participating in the Market for an indefinite period. If barred from the Market, the vendor will forfeit all fees that have been paid.
 - ❖ The West Linn Farmers and Artist Market reserves the right to prohibit anyone from selling as well as the right to prohibit the selling of any produce or product.
 - ❖ A vendor may appeal any decision of the Market Manager concerning violation of these rules by writing to the West Linn Farmers and Artists Market.

*The West Linn Farmers and Artists Market is an official City of West Linn event, cosponsored by the West Linn Chamber of Commerce and the Willamette Merchants Group.

West Linn Farmers and Artists Market
c/o West Linn Chamber of Commerce
2020 SW 8th Ave., PMB # 350
West Linn, OR 97068
503-408-5209 – Market Manager
503-655-6744 – West Linn Chamber of Commerce

RESOLUTION NO. 03-01
CITY OF WEST LINN, OREGON

A RESOLUTION ADOPTING A SPONSORSHIP POLICY AND A FORM SPONSORSHIP AGREEMENT FOR CITY SPONSORSHIP OF SPECIAL EVENTS AS AUTHORIZED BY SECTION 7.920 OF THE WEST LINN MUNICIPAL CODE.

WHEREAS, the City Council is authorized by West Linn Municipal Code Section 7.920 to establish a policy for sponsorship of events by the City of West Linn and to adopt a form sponsorship agreement; and

WHEREAS, the City Council has reviewed the Sponsorship Policy of the City of West Linn in the form of Exhibit A attached hereto and determined that it provides appropriate policy for the sponsorship of events by the City; and

WHEREAS, the City Council has reviewed the Form Sponsorship Agreement in the form of Exhibit B attached hereto and finds it an appropriate form for sponsorship agreements; and

WHEREAS, the City Council recognizes that events put on by nonprofit organizations for the benefit of the citizens of West Linn may require special assistance from the City of West Linn;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN THAT:

Section 1: The Sponsorship Policy of the City of West Linn as shown on Exhibit A is adopted as the sponsorship policy of the City of West Linn.

Section 2: The Form Sponsorship Agreement as shown in Exhibit B is adopted as the City's standard form for sponsorship agreements. Nothing in the adoption of the form shall prevent modifications to the form on a case-by-case basis if approved by resolution of the City Council.

Section 3: This resolution is effective as of the effective date of the ordinance amending Section 7.920 of the West Linn Municipal Code to authorize the policy to be established and the form to be adopted by resolution.

THIS RESOLUTION ADOPTED BY THE WEST LINN CITY COUNCIL THIS 5th DAY OF FEBRUARY 2003.

Mayor

ATTEST: _____
Witness

EXHIBIT A

SPONSORSHIP POLICY OF THE CITY OF WEST LINN

The City of West Linn will formally recognize by Council resolution those community and cultural events that it wishes to sponsor. Sponsorship will continue until terminated under the terms of the Sponsorship Agreement. All sponsored events shall remain the responsibility of the event organizer and are not official City events.

City recognized neighborhood associations (not including homeowners associations) and all City standing committees whose membership is appointed by the City Council need not apply for sponsorship in order to continue to receive City support, such as in-kind services, fee waivers, insurance and access to City facilities. These entities are not exempt from permit requirements under West Linn Code Section 7.800 to 7.870.

The City of West Linn will only provide sponsorship of activities/events put on by non-profit organizations. In order to apply for, and receive consideration for an event sponsorship, the non-profit organization must:

1. Provide proof of non-profit status.
2. Provide copies of the most recent tax returns and income statement prepared by a CPA.
3. Meetings related to the event shall be public and minutes of these meetings shall be maintained and available for review upon request.

City sponsorship may include City support (cash payments, in-kind services, fee waivers and/or access to City facilities or insurance) as identified in the sponsoring resolution. If City sponsorship includes cash payments, the sponsoring resolution will identify a targeted funding amount. A maximum annual amount available for event sponsorship may be established during the City's annual budget process. City sponsorship may include coverage by the City's insurance policies only with the written approval of the City Manager and the Risk Manager.

In identifying events for City sponsorship, the City will consider the following factors:

- The number of City residents participating in the event.
- The number of City residents volunteering for the event.
- The role of the event in creating a greater sense of community and West Linn identity.
- Economic, artistic and cultural benefits of the event to West Linn residents and businesses.
- The level of support for the event raised by other sources.
- The event is held within the corporate limits of the City of West Linn.

Events sponsored by the City will be required to list the City as a sponsor in all publicity and promotional materials.

The organizer of a sponsored event shall be required to enter into a Sponsorship Agreement with the City.

The sponsored event and the organizer of the sponsored event are independent of City control and have no authority to act for the City. The sponsored event and organization are not agents, employees or officers of the City for any purpose.

AGENDA BILL
05-03-07

For Council: March 14, 2005

Public Hearing: Yes X No

Subject: Adoption of Update to City of
West Linn Public Works
Standards

Contract Review Board: Yes No X

Department: Public Works

Department Head Initials: RRH/ R

City Manager Initials: S

Attachments: Resolution
Text Changes
Drawings

Budget Impact:

Expenditures
Required: \$0

Amount
Budgeted: \$0

Appropriation
Needed: \$0

Summary:

City Public Works staff has coordinated and consolidated a comprehensive update to the City's Public Works Standards to make the standards more current, better protect the City's infrastructure, and provide efficient and cost effective utilities to the citizens of West Linn.

Background:

The City of West Linn Public Works Standards were adopted May 22, 2000.

In the subsequent five years, environmental practices have evolved and several other areas for improvement were noted while enforcing the standards. These changes have been consolidated into the attached proposed updates/changes.

Recommended Action:

Adopt the attached Resolution updating the City's Public Works Standards.

Council Action Taken:

Approved
Denied
Continued

RESOLUTION NO. 05-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN, OREGON, UPDATING THE CITY OF WEST LINN PUBLIC WORKS STANDARDS.

WHEREAS, Section 3.300 established the Public Works Standards; and

WHEREAS, those standards were adopted May 22, 2000; and; and

WHEREAS, there have been no changes to those standards since adoption; and

WHEREAS, there have been various practices, procedures, and construction changes that have been identified to make the standards more current, better protect the City's infrastructure, and provide efficient and cost effective utilities to the citizens of West Linn; and

WHEREAS, Section 3.300 provides for amending of the standards by resolution of the City Council upon recommendation by the City Engineer; and

WHEREAS, the City Engineer has recommended changes to the standards as presented in the attached documentation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, THAT

Section 1: Changes Adopted.

The changes to the West Linn Public Works Standards are adopted in total as contained in the attached documentation and become effective 12:01 a.m on March 28, 2005.

Section 2: Issuance of Revised Standards.

Changes to the standards are of such an extent that the changes will be incorporated into the existing standards and new standards will be available for issue effective March, 28, 2005.

Section 3: Expiration of May 22, 2000 Standards.

The May 22, 2000 standards expire midnight March 27, 2005 and are replaced in total by the newly issued standards.

RESOLUTION NO. _____

Section 4: For a period of six (6) months and until October 28, 2005, those holding current hard-copy or CD-ROM versions of the May 22, 2000 public works standards, may exchange them for the newly adopted standards at no cost.

Section 5: Effective Date.

This resolution shall take effect at 12:01 a.m. on March 16, 2005.

THIS RESOLUTION ADOPTED BY THE WEST LINN CITY COUNCIL THIS
____ DAY OF _____, 2005.

Norm King, Mayor

ATTEST:

DESIGN STANDARDS

2.0000 STORM DRAINS

2.0045 Detention Facilities

Add

All detention facilities shall be subject to testing prior to final acceptance per 604.01, unless the City Engineer determines, in writing, testing is not required.

2.0052 Plan Requirements

4. "A landscape plan shall be prepared for the proposed facility"

Add: *and shall be covered by a performance bond for the subdivision during construction and by a maintenance bond for a period specified in the maintenance bond after acceptance of the subdivision. "*

2.0053 Facility Design

Change: All Water Quality Facilities shall meet the design requirements of the current City of Portland, Stormwater Management Manual, as amended and adopted by the City of West Linn. *Storm Filter or facilities utilizing similar technologies or process with replacement filter cartridges will generally not be approved for use in public or private stormwater treatment systems within the City, but may be approved by the City Engineer only if an above ground facility absolutely will not be functional as determined by the City Engineer..*

4.0000 WATER MAINS

Change/New:

4.0033 Air Release Valves.

When designated by the City Engineer, air release valves, per standard drawing WL-405, shall be installed. Such valves shall be required on large diameter lines at all high points in grade. Air release valves shall be installed and completed prior to testing of the new water system.

4.0034 Pressure-Reducing Valves.

The City's water distribution system is divided into several pressure zones. Where water systems cross these zone lines, a pressure-reducing valve station will be required. The specific design and location for such valves shall be reviewed and approved by the City Engineer and shall meet the following criteria:

- a) Vaults located in the Public Right of Way or in the paved areas shall be traffic rated per AASHTO H-20
- b) Vault shall be equipped with an approved ladder.
- c) All vault wall openings shall be sealed with non-shrink grout.
- d) All vaults shall have approved gravity drain.
- e) Cla-Val brand device, or equal, shall be used.
- f) Pipe and device shall be centered in the vault and have a clearance of 12" minimum to 48" maximum off the floor and shall be supported with approved pipe support.
- g) All piping inside the vault shall be restrained.
- h) Pressure-reducing valves shall be installed and completed prior to testing of the new water system.

4.0050 Water Service Lines

Add

At the end of the third paragraph: "...shall be located 18-inches each side of a common side property line (add) *in the planter area. If, under existing circumstances, the meter placing was approved by the City in the approach or in the sidewalk area – a full metal traffic lid shall be provided.*

5.0000 STREETS

5.0011 Right-of-way and Pavement Width

Replace

Design Speeds for each street classification shall be as shown in 5.0018 of this section. The design speed can be equal to the eighty-fifth (85th) percentile vehicle speed. If the street improvement will increase the 85th percent speed, the value of the design speed will be determined by the City Engineer.

Refer to chapter 85 of the Community Development Code for right -of -way width for each street classification.

5.0030 Pavement Design

Add

The minimum approved street sections shall be as follows:

- Local streets – 4" of asphaltic concrete, consisting of 2" of Class Cover 2" of Class B, with 12" rock base.
- Neighborhood routes – 4" of asphaltic concrete, consisting of 2" of Class Cover 2" of Class B, with 12" rock base.
- Collectors - – 5" of asphaltic concrete, consisting of two 1 ½" lifts of Class Cover 2" of Class B, with 14" rock base.
- Arterial – 6" of asphaltic concrete, consisting of 2" of Class Cover 4" of Class B in two lifts, with 14" rock base.
- Each lift shall be tested, approved and accepted prior to the next one can be placed over.
- Rock base shall consist of required amount of 1 ½"-0 crushed rock and 2" of ¾"-0 leveling course.

Fabric may be required on any of the street types depending on soil and weather conditions.

5.0050 Sidewalks

Change Paragraph #5 First Sentence

All structures in the sidewalk area shall be located to provide a minimum unobstructed width of 48" horizontal.

5.0090 Dead-end Streets and Cul-de-sacs

Add

Turnaround requirements from the Community Development Code chapter #85 shall be applied to all dead-end-streets.

Type III barricade shall be installed at the end of all dead-end-streets, unless the City Engineer approves another type of traffic control device.

STANDARD CONSTRUCTION SPECIFICATION

DIVISION ONE – GENERAL REQUIREMENTS

102.03 A. FORM OF BID

Add

The bidders shall also enclose a copy of the contract agreement signed by a representative of the bidder's organization authorized to bind the bidder to

contract. The contract will only become consummated upon signature by the Owner. A separate signed proposal form is not needed.

103.02 EXECUTION OF CONTRACT

Replace

Once the contractual agreement is signed by the City and Notice of Award is provided to the successful bidder, the bidder shall furnish a performance bond and other required bonds and insurances satisfactory to the Owner within fifteen (15) days following Notice of Award of the Contract.

103.03 FAILURE TO SUBMIT BONDS AND INSURANCES

Replace

“Failure on the part of the Bidder to whom the Contract is awarded to execute the Contract and to deliver the Contract and required performance bond and other required bonds and insurances...”

with

“Failure on the part of the Bidder to whom the Contract is awarded to deliver the required performance bond and other required bonds and insurances...”

103. 13 NOISE

Replace

Municipal Code 5.485 with Municipal Code 5.487 in order to reference the changes implemented by the Noise Ordinance 10/04.

104.04

Add

C. At any time the contractor encounters a changed condition, situation, or direction that he believes may result in additional contract time or contract cost that he feels is attributable to the Owner, the contractor must provide immediate notification to the City's project manager and must provide written notification must be provided within one workday and a written estimate of the impacts upon project cost and project completion to the City's project manager within 2 workdays from first becoming aware or when he should have been aware of the changed condition, situation, or direction. If the contractor fails to provide the required notice and estimate of impact in a timely manner as prescribed above,

the City shall be not liable for the additional costs or time caused by the changed condition, situation, or direction.

D. If the contractor or any of his personnel accepts direction from the City's project manager that he feels is beyond the scope of the contract and will result in increased cost and/or time to complete the project, the contractor or his authorized personnel shall notify the City's project manager immediately of its belief that the direction is a change and is beyond the scope of the contract. The City's project manager is not authorized to require additional work resulting in additional cost to the contract without proper authorization from City management. If the work is directed under Force Account, the strict requirements of Section 104.05 shall be required.

105.05

Replace

AT&T should now be Comcast
US West Communications should now be Qwest

105. 16 WORK IN THE RIGHT OF WAY OR CITY-MANAGED PUBLIC EASEMENT

Add new section:

Anytime development requires access to work in the public right-of-way (ROW) or a City-managed public utility easement, the contractor is required to develop and submit a plan and schedule to the Public Works Engineering Public Improvements Program (PIP) Manager for review and approval. This plan must be submitted prior to the commencement of any work and in sufficient time for a complete review by the Public Works staff. The plan will be in sufficient detail for staff to determine if the plan is complete and functional. The City's Public Works Director/City Engineer will be the final approval authority for the plan. Depending on the complexity and impact, time may be required for discussions with the City Council and/or appropriate neighborhood association. Once the plan is approved, any deviation must be reviewed and recommended for approval by the PIP Manager and approved by the Public Works Director/City Engineer. If the contractor fails to adhere to the approved plan, the City of West Linn has the right to require immediate restoration of the ROW for the citizens of West Linn. If the contractor fails to comply with immediate restoration of the ROW, the City of West Linn has the right to restore the ROW at the contractor's expense.

DIVISION THREE – SANITARY SEWER TECHNICAL REQUIREMENTS

302.03.06 Adjustment of Manholes and Cleanouts to Grade

Replace

Frame and cover shall be brought up to finish grade for asphaltic concrete. If only one lift of AC will be applied for a period of time exceeding 24 hours prior to second lift, the frame and cover shall be brought to the grade of the first lift, and standard cast iron riser rings shall be used to adjust grade at a later date for final lift.

All storm manholes located outside of paved areas shall be raised 12" above final grade and tamper proofed frames and lids shall be used.

DIVISION FOUR – WATER TECHNICAL REQUIREMENTS

402.08 Gate Valves

Change Paragraph #1, Sentence #1

“Two inch gate valves shall be resilient seat (RS) double disc, non-rising stem with “O” ring packing,” shall be changed to “Two inch gate valves shall be resilient seat (RS), non-rising stem with “O” ring packing.”

402.09 Butterfly Valves

Change Third Sentence

“Valves shall conform to AWWA Specification C-504” shall be changed to “Valves shall conform to AWWA Specification C-504, Class 150B.”

403.15 Cut-in and Connection to Existing Mains

Add

All new lines under construction shall be physically disconnected from the existing City system. Under no circumstances shall a new line be connected to the existing water system prior to complete testing and acceptance by the City of West Linn.

DIVISION FIVE – STREET TECHNICAL REQUIREMENTS

505.03.14 Density Requirements

Replace (6th paragraph)

The City will not accept mixture compacted to less than 89.0 percent of the theoretical maximum density (Rice density) or 96.7% of target density. The City Engineer may decide to allow the deficient pavement to remain in place. In that case, the City Engineer and the Contractor will agree in writing on all related matters to the terms and conditions.

Replace (8th paragraph and Table)

Where in place mixture fails to meet the compaction standard of 92 percent of theoretical maximum density, the City Engineer may accept the pavement and the Contractor shall be subject to a penalty paid to the City in accordance with the following schedule:

Penalty Schedule

% Maximum Density (Rice Density)	% Pay	% Penalty Amount
92.0 and above	100	0
91.5 to 91.9	95	5
91.0 to 91.4	90	10
90.5 to 90.9	80	20
90.0 to 90.4	70	30
89.5 to 89.9	60	40
89.0 to 89.4	50	50

TABLE OF CONTENTS

DIVISION SIX – STORM DRAIN TECHNICAL REQUIREMENTS

Add to Table of Contents

604 – Detention/ Retention Pond Requirements

604.01 **Construction requirements**

604.02 **Pond testing requirements**

602.03.05 Adjustment of Manholes to Grade

Replace

Frame and cover shall be brought up to finish grade for asphaltic concrete. If only one lift of AC will be applied for a period of time exceeding 24 hours prior to second lift, the frame and cover shall be brought to the grade of the first lift, and a standard cast iron riser rings shall be used to adjust grade at a later date for final lift.

All storm manholes located outside of paved areas shall be raised 12" above final grade and tamper proofed frames and lids shall be used.

Add new paragraphs

604.01 Construction requirements

1-All pond outlet structures shall be designed with anti-seepage collars per WL-205B detail.

2-Soil groups A or B require installation of a liner. In soil groups C and D, liner may be required at the discretion of the City Engineer in specific cases and conditions.

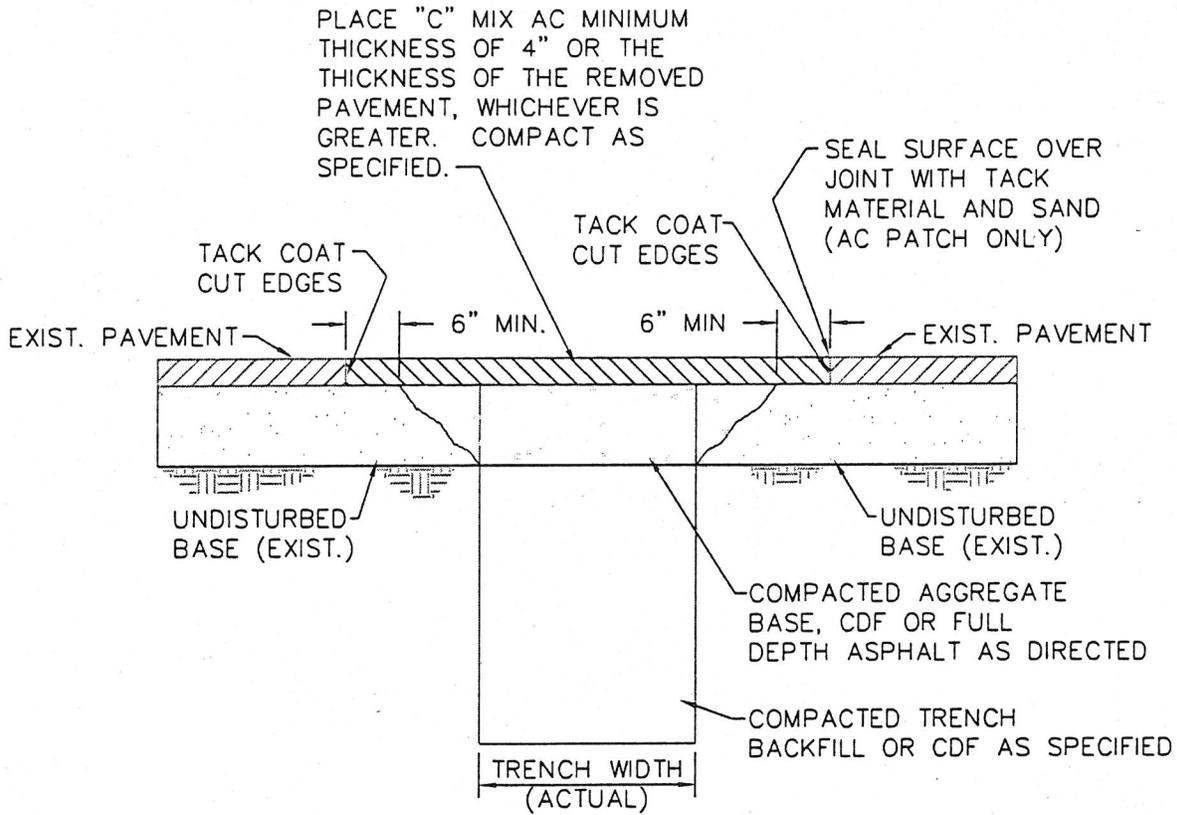
3-A pollution control manhole is required preceding the inlet to the pond structure.

4- Ponds active in wet weather season without established side slope and/or bottom vegetation shall have river rock lining the bottom and up the sides to the water quality level or 24 inches from bottom, whichever is greater.

604.02 Pond Testing Requirements

1. All ponds shall pass a hydrostatic test prior to City acceptance/ approval. During the pond testing process the perimeter of the pond area shall have temporary fencing. The test shall be conducted according to the following guidelines:
 - a) Plug outlet structure(s) and fill the pond to the 25-year detention depth.
 - b) Record the volume of water required to meet the 25-year detention depth.
 - c) The test shall last for a period of not less than 24 hrs once the City has authorized the testing time to begin. (i.e. there may be an initial saturation period required)
 - d) At the end of the testing period the loss of water is recorded.
 - e) The loss shall not exceed forty percent in a 24-hour period except in below grade facilities
 - f) There shall be no visible signs of failure such as seepage, cracks, blow-outs, or erosion.

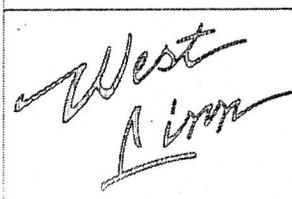
2. In the instance, if a storm event occurs during a hydrostatic test, the City reserves the right to terminate the test and re-test under conditions necessary to insure an accurate assessment.
3. All costs associated with the testing of the detention/retention facility shall be incurred by the developer.

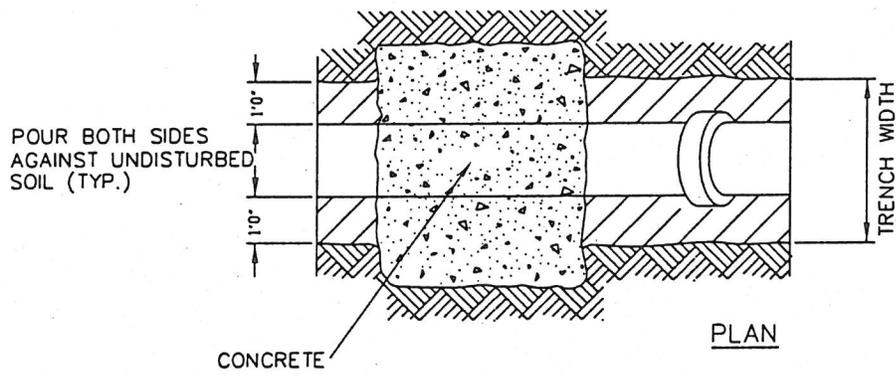
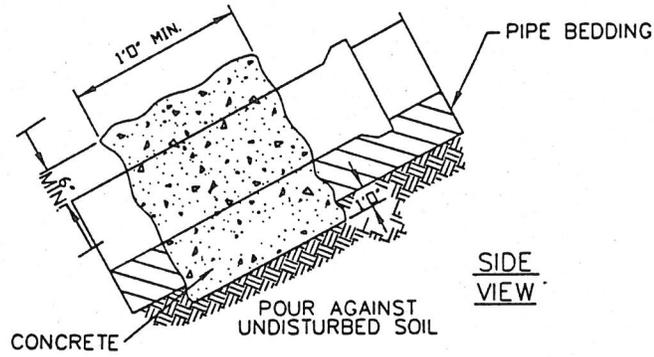


NOTES:

1. ALL EXISTING AC OR PCC PAVEMENT SHALL BE SAWCUT TO NEAT, STRAIGHT LINES PRIOR TO REPAVING.
2. CONCRETE PAVEMENT SHALL BE REPLACED WITH CONCRETE TO A MINIMUM THICKNESS OF REMOVED PAVEMENT, WHICHEVER IS GREATER.
3. IF EXISTING BASE MATERIAL IS CTB OR ATB, THEN REPLACEMENT BASE MATERIAL SHALL MATCH EXISTING.
4. ALL UTILITIES SHALL HAVE A MINIMUM COVER OF 36".
5. ALL TRENCH BACKFILL SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY PER AASHTO T-180 OR AS SPECIFIED IN THE CONTRACT DOCUMENTS.
6. ALL TRENCH BACKFILL AND PATCHING SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF WEST LINN.
7. APPROVED CDF SHALL BE USED OR 3/4 - 0" GRAVEL BACKFILL SHALL BE PLACED AND COMPACTED IN A MAXIMUM OF 6" LIFTS.

Street T-Cut

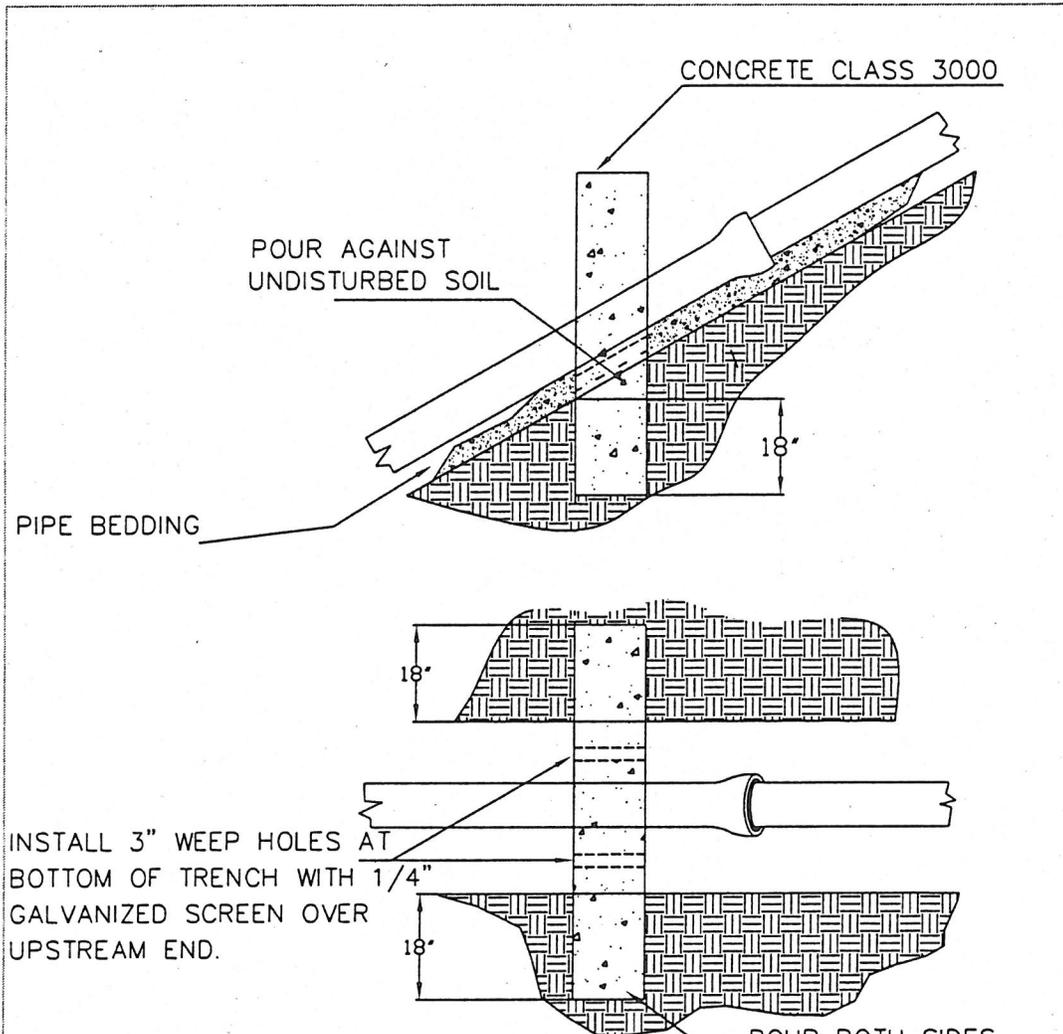
	DATE: JAN 2000
	DRAWING NO. WL-203
	FILE NO. 00-203



SLOPE	MIN. ANCHOR SPACING CENTER TO CENTER
0.20 - 0.34	35'
0.35 - 0.50	25'
0.51+	15' OR ENCASEMENT CONC.

Anchor Wall

<i>West Linn</i>	DATE: JAN 2000
	DRAWING NO. WL-205
	FILE NO. 00-205



INSTALL 3" WEEP HOLES AT
 BOTTOM OF TRENCH WITH 1/4"
 GALVANIZED SCREEN OVER
 UPSTREAM END.

NOTES:

1. CONCRETE ANCOR WALLS (CLASS 3000)
 SHALL BE CONSTRUCTED USING FORMS
 WHEN SLOPES ARE 20% OR GREATER.
2. REMOVE FORMS PRIOR TO BACKFILLING TRENCH.

POUR BOTH SIDES
 AGAINST UNDISTURBED
 SOIL

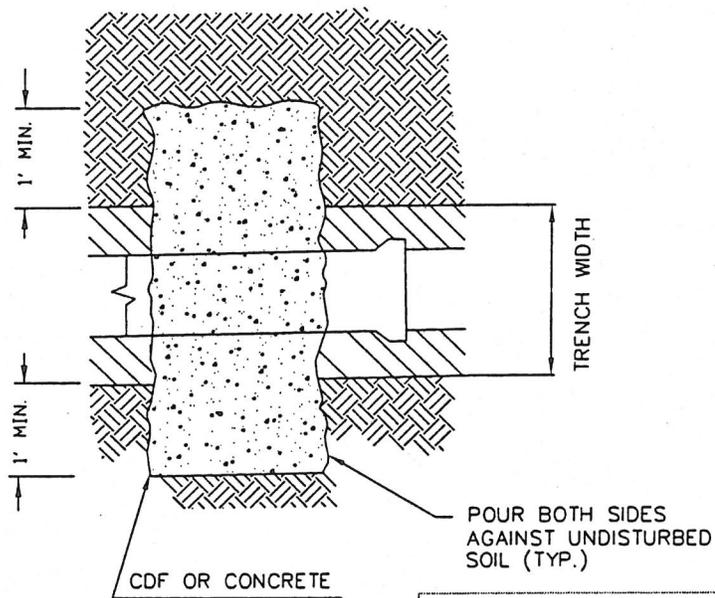
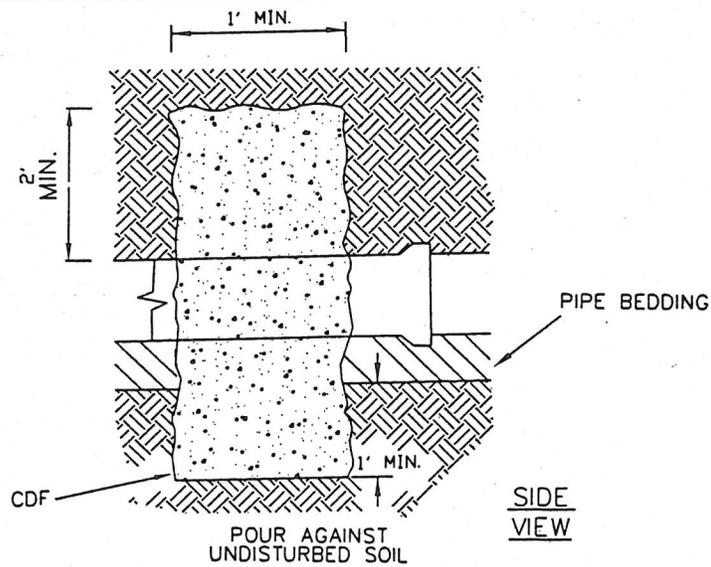
SLOPE	MIN. ANCHOR SPACING CENTER TO CENTER
0.20 - 0.34	35'
0.35 - 0.50	25'
0.51+	CONC. 15' OR ENCASEMENT

Anchor Wall

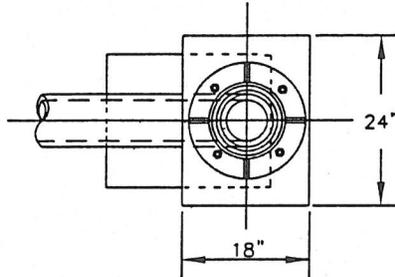
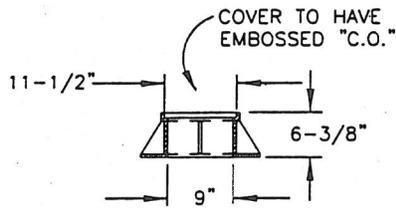
*West
Linn*

DATE:	JAN 2003
DRAWING NO.	WL-205
FILE NO.	00-205

NEW



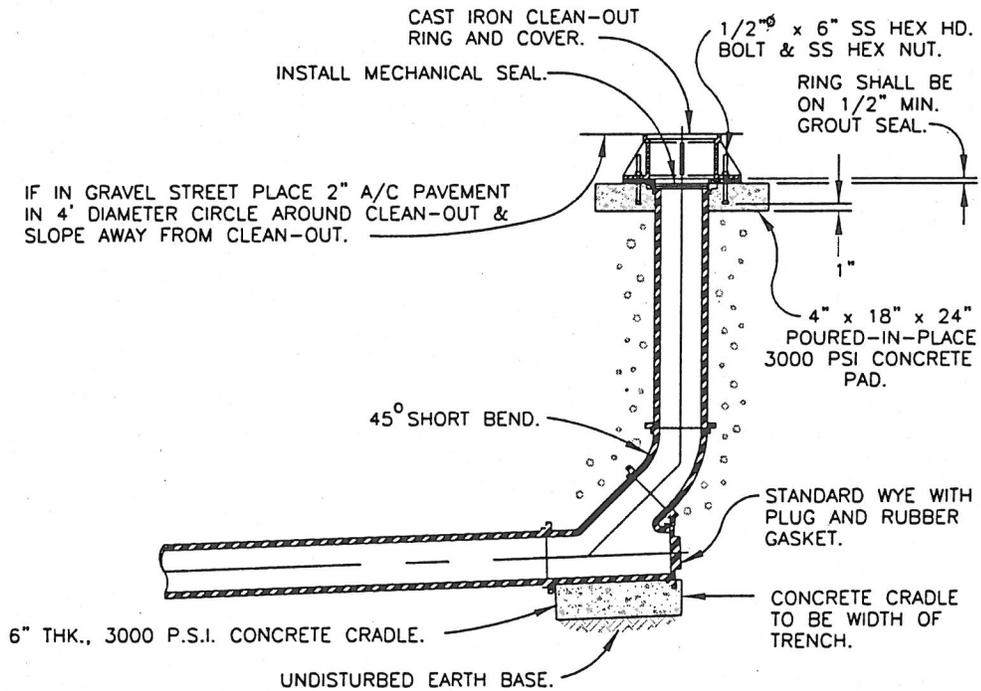
Anti-Seepage Collar	
<i>West Linn</i>	DATE: NOV 2003
	DRAWING NO. WL-205B
	FILE NO. 00-205B



FRAME & COVER

SALEM IRON WKS.
#4233 & 4234 OR EQUAL.

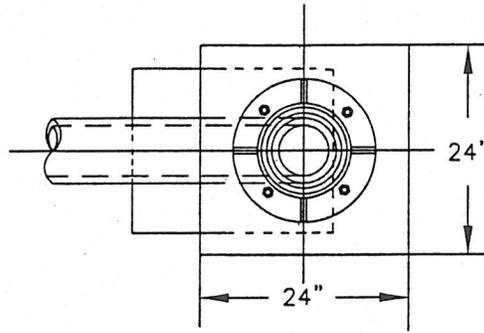
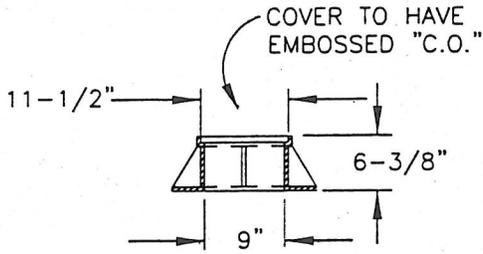
PLAN



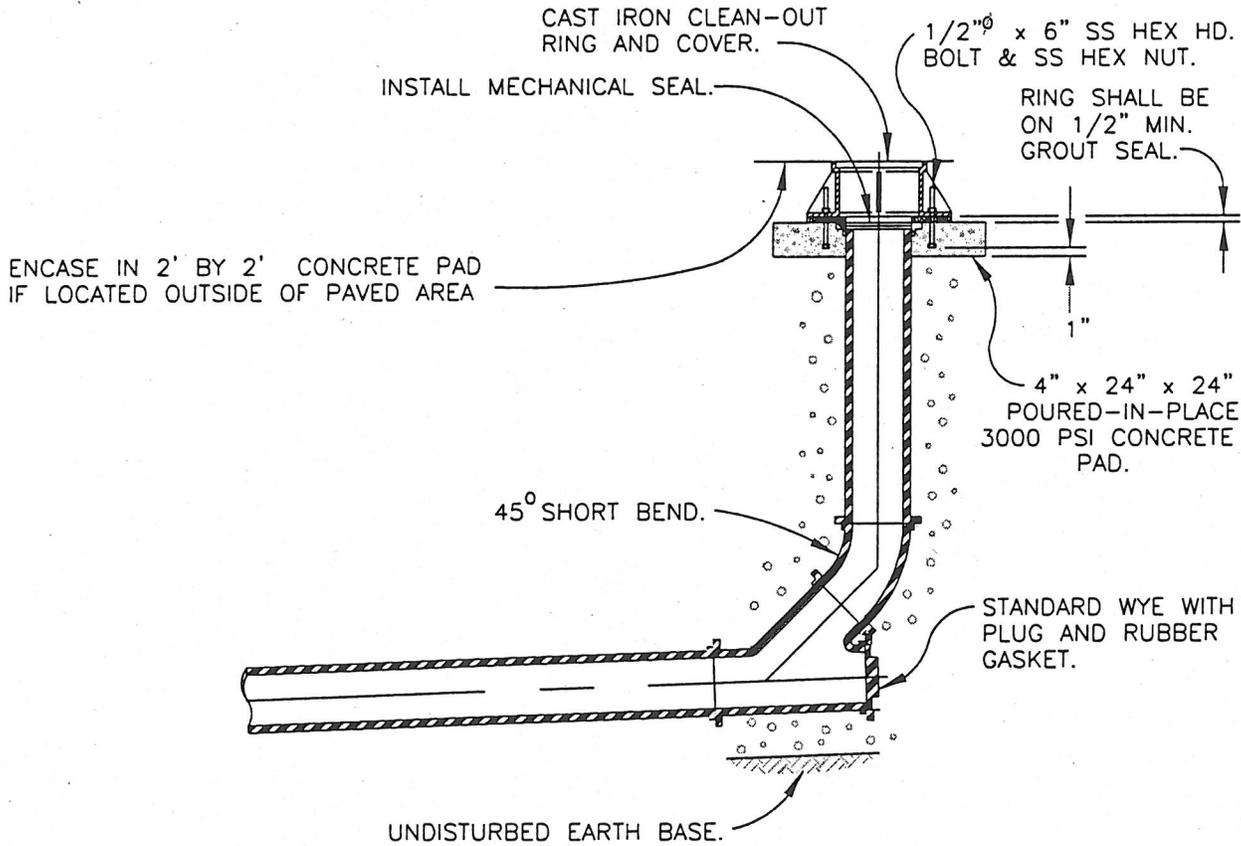
ELEVATION

Standard Clean Out.

<i>West Linn</i>	DATE:	JAN 2000
	DRAWING NO.	WL-206
	FILE NO.	00-206



PLAN

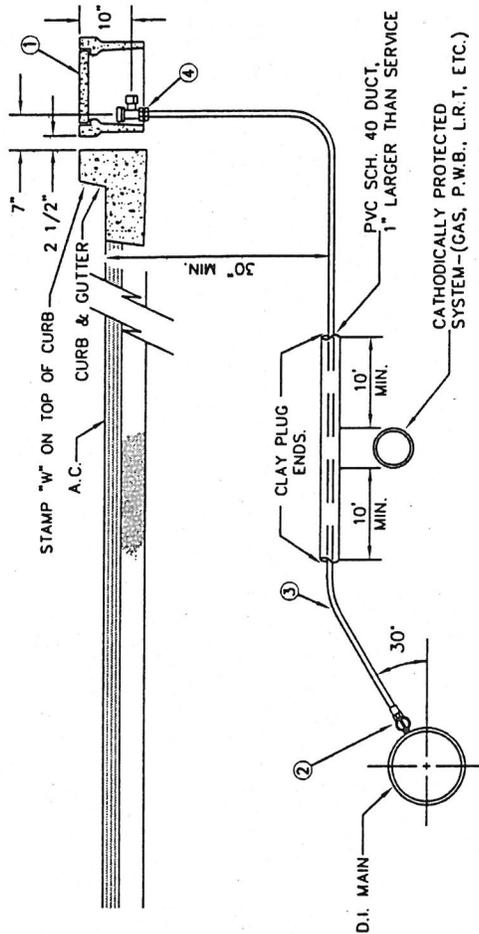


ELEVATION

Standard Clean Out

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-206
FILE NO.	00-206



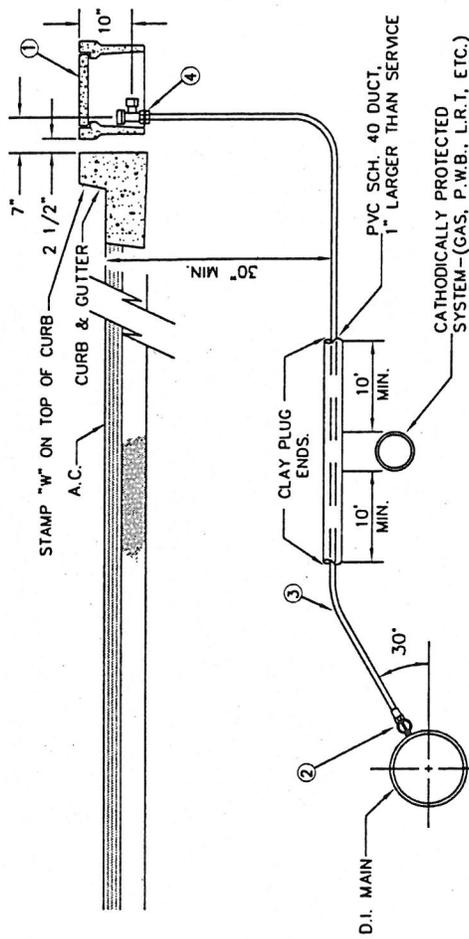
MATERIALS:

1. BROOKS METER BOX, BODY NO. 37, LID AND COVER NO. 37-S.
2. MUELLER CORP. STOP NO. H-15008 OR FORD F1000-4Q SET CORP. STOP WITH OPERATING NUT AT 3 OR 9 O'CLOCK.
3. 1" SOFT TEMPER, TYPE 'K' COPPER TUBING COMPLYING WITH ASTM B-88.
4. MUELLER ANGLE METER STOP NO. H-14258 (FORD NO. KV43-444W-Q).

NOTES:

1. SUBSTITUTES FOR ANY MATERIALS SHOWN SHALL BE APPROVED BY THE CITY ENGINEER.
2. ALL PIPE AND STRUCTURE ZONES SHALL BE BACKFILLED USING 3/4" MINUS CRUSHED AGG. AND COMPACTED TO 95% MAX DENSITY AS DETERMINED BY AASHTO T-180.
3. WHEN AN ACTIVE CATHODIC PROTECTED SYSTEM IS ENCOUNTERED, SCH. 40 PVC SHALL BE INSTALLED AS SHOWN ABOVE WITH CLAY PLUG.
4. METER BOX SHALL BE CENTERED OVER THE COMPLETED METER ASSEMBLY.
5. FOR VACANT RESIDENTIAL LOTS, LOCATE SINGLE SERVICE 18" INSIDE SIDE LOT LINE.
6. TAPS INTO MAIN TO BE AT 18" CENTERLINE MIN.
7. ANGLE METER STOPS TO BE 18" FROM PROPERTY LINE AND NOT IN DRIVEWAY APPROACH.

Standard 1" Water Service	
	DATE: JAN 2000
	DRAWING NO. WL-402
	FILE NO. 00-402



MATERIALS:

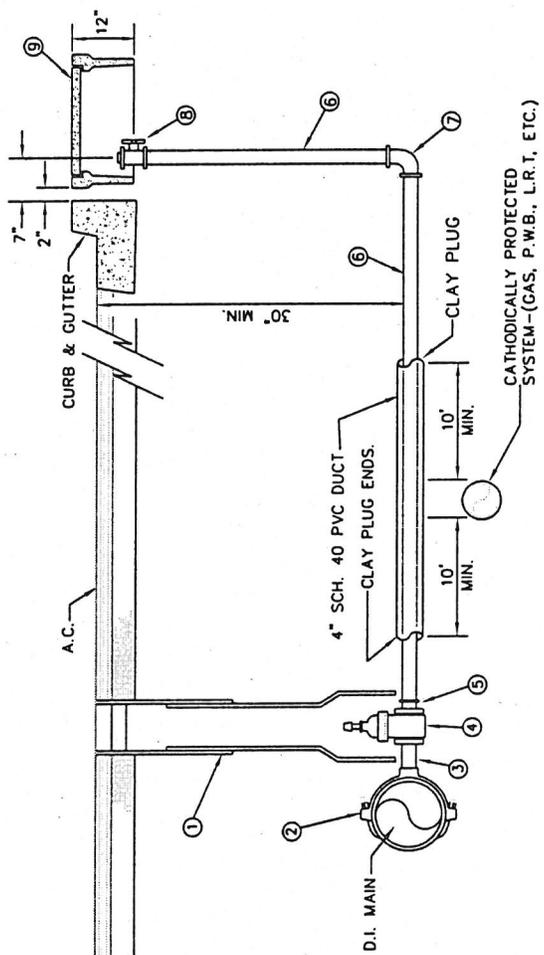
1. BROOKS METER BOX, BODY NO. 37, LID AND COVER NO. 37-S.
2. MUELLER CORP. STOP NO. H-15008 OR FORD F1000-4Q SET CORP. STOP WITH OPERATING NUT AT 3 OR 9 O'CLOCK.
3. 1" SOFT TEMPER, TYPE 'K' COPPER TUBING COMPLYING WITH ASTM B-88.
4. MUELLER ANGLE METER STOP NO. H-14258 (FORD NO. KV43-444W-0).

NOTES:

1. MACHINE DRILLED AND TAPPED ONLY. NO HAND DRILLING IS ALLOWED.
1. SUBSTITUTES FOR ANY MATERIALS SHOWN SHALL BE APPROVED BY THE CITY ENGINEER.
2. ALL PIPE AND STRUCTURE ZONES SHALL BE BACKFILLED USING 3/4" MINUS CRUSHED AGG. AND COMPACTED TO 95% MAX DENSITY AS DETERMINED BY AASHTO T-180.
3. WHEN AN ACTIVE CATHODIC PROTECTED SYSTEM IS ENCOUNTERED, SCH. 40 PVC SHALL BE INSTALLED AS SHOWN ABOVE WITH CLAY PLUG.
4. METER BOX SHALL BE CENTERED OVER THE COMPLETED METER ASSEMBLY.
5. FOR VACANT RESIDENTIAL LOTS, LOCATE SINGLE SERVICE 18" INSIDE SIDE LOT LINE.
6. TAPS INTO MAIN TO BE AT 18" CENTERLINE MIN.
7. ANGLE METER STOPS TO BE 18" FROM PROPERTY LINE AND NOT IN DRIVEWAY APPROACH.

Standard 1" Water Service

	DATE:	JAN 2000
	DRAWING NO.	WL-402
	FILE NO.	00-402



MATERIALS:

1. CAST IRON VALVE BOX AND LID (SEE STND DTL NO. 411)
2. PIPE O.D. X 2" TEE OR ROCKWELL NO. 317 SERVICE SADDLE WITH STASTRAP.
3. 2" X 6" BRASS I.P.T. NIPPLE
4. 2" I.P.T. X I.P.T. GATE VALVE WITH RESILIENT WEDGE
5. 2" X 3" I.P.T. X MUELLER 110 COMP. COUPLING
6. 2" ASTM B-88 TYPE 'K' COPPER TUBING. SOFT TEMPER WITH FLARE FITTINGS WILL NOT BE APPROVED.
7. 2" 90 DEGREE ELL, MUELLER 110 CTS COMPRESSION
8. 1 1/2"-2" ANGLE METER STOP, MUELLER NO. 14276 OR 14277, FORD NO. FV23-777W
9. BROOKS METER BOX, BODY NO. 65 (2"), LID & COVER NO. 65-5 (2)

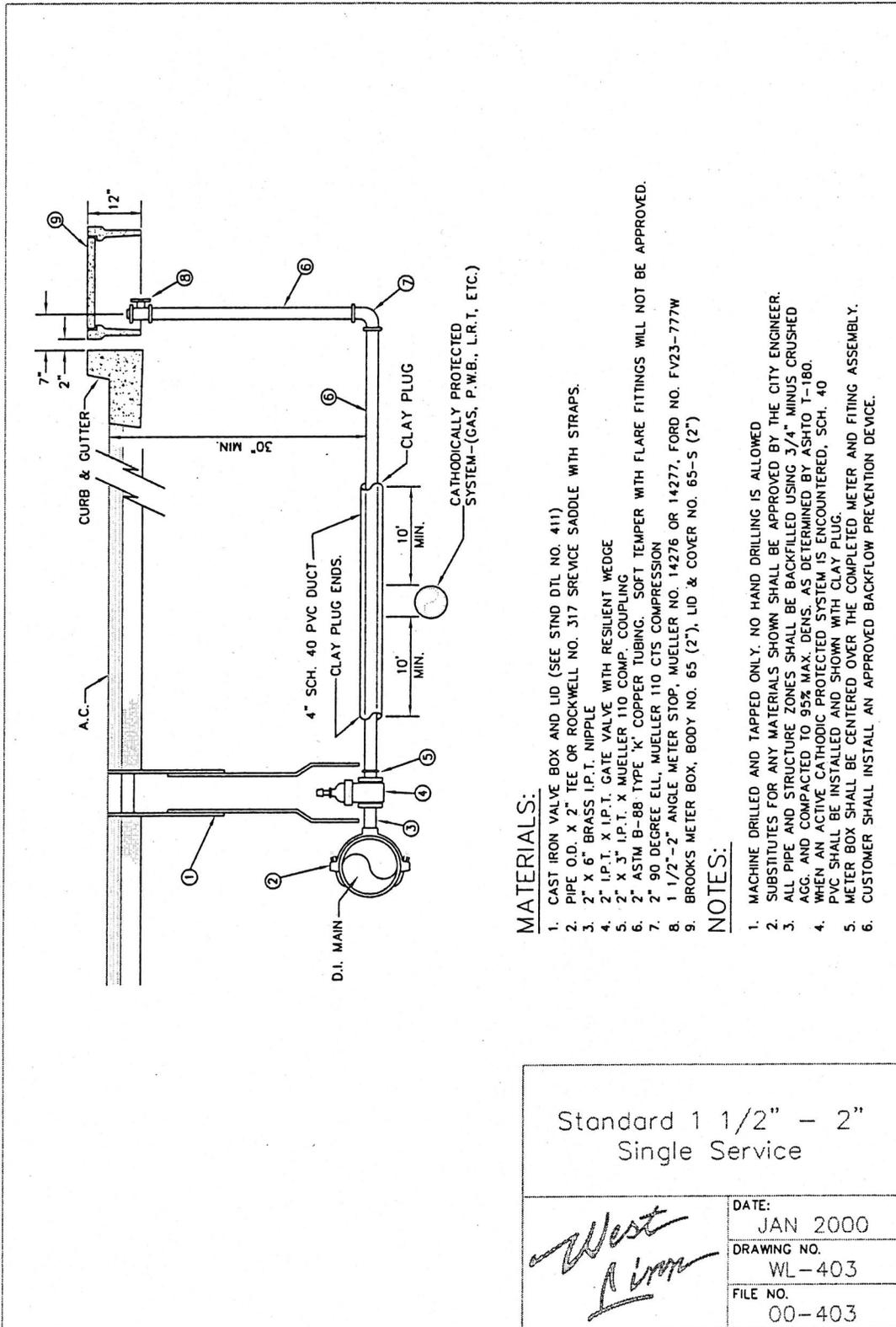
NOTES:

1. SUBSTITUTES FOR ANY MATERIALS SHOWN SHALL BE APPROVED BY THE CITY ENGINEER.
2. ALL PIPE AND STRUCTURE ZONES SHALL BE BACKFILLED USING 3/4" MINUS CRUSHED AGG. AND COMPACTED TO 95% MAX. DENS. AS DETERMINED BY ASHTO T-180.
3. WHEN AN ACTIVE CATHODIC PROTECTED SYSTEM IS ENCOUNTERED, SCH. 40 PVC SHALL BE INSTALLED AND SHOWN WITH CLAY PLUG.
4. METER BOX SHALL BE CENTERED OVER THE COMPLETED METER AND FITTING ASSEMBLY.
5. CUSTOMER SHALL INSTALL AN APPROVED BACKFLOW PREVENTION DEVICE.

Standard 1 1/2" - 2"
Single Service

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-403
FILE NO.	00-403



MATERIALS:

1. CAST IRON VALVE BOX AND LID (SEE STND DTL NO. 411)
2. PIPE O.D. X 2" TEE OR ROCKWELL NO. 317 SREVICE SADDLE WITH STRAPS.
3. 2" X 6" BRASS I.P.T. NIPPLE
4. 2" I.P.T. X I.P.T. GATE VALVE WITH RESILIENT WEDGE
5. 2" X 3" I.P.T. X MUELLER 110 COMP. COUPLING
6. 2" ASTM B-88 TYPE 'K' COPPER TUBING. SOFT TEMPER WITH FLARE FITTINGS WILL NOT BE APPROVED.
7. 2" 90 DEGREE ELL, MUELLER 110 CTS COMPRESSION
8. 1 1/2"-2" ANGLE METER STOP, MUELLER NO. 14276 OR 14277, FORD NO. FV23-777W
9. BROOKS METER BOX, BODY NO. 65 (2"), LID & COVER NO. 65-S (2')

NOTES:

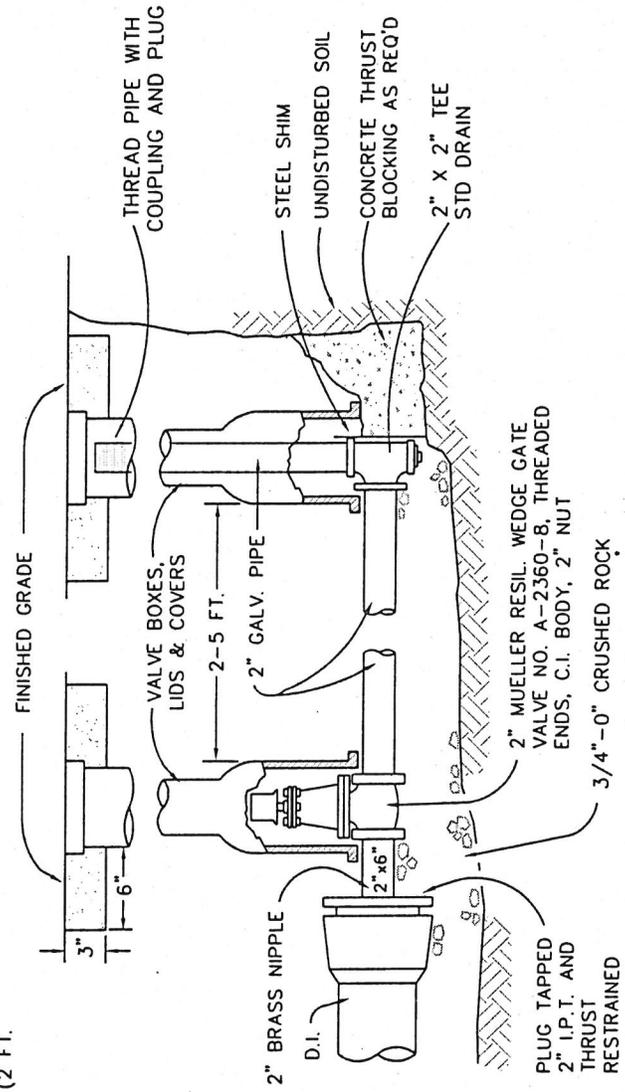
1. MACHINE DRILLED AND TAPPED ONLY. NO HAND DRILLING IS ALLOWED
2. SUBSTITUTES FOR ANY MATERIALS SHOWN SHALL BE APPROVED BY THE CITY ENGINEER.
3. ALL PIPE AND STRUCTURE ZONES SHALL BE BACKFILLED USING 3/4" MINUS CRUSHED AGG. AND COMPACTED TO 95% MAX. DENS. AS DETERMINED BY ASHTO T-180.
4. WHEN AN ACTIVE CATHODIC PROTECTED SYSTEM IS ENCOUNTERED, SCH. 40 PVC SHALL BE INSTALLED AND SHOWN WITH CLAY PLUG.
5. METER BOX SHALL BE CENTERED OVER THE COMPLETED METER AND FITTING ASSEMBLY.
6. CUSTOMER SHALL INSTALL AN APPROVED BACKFLOW PREVENTION DEVICE.

Standard 1 1/2" - 2"
Single Service

	DATE: JAN 2000
	DRAWING NO. WL-403
	FILE NO. 00-403

NOTES:

1. VALVE BOX SHALL BE PER STANDARD DETAIL WL-411.
2. VALVE BOX TO BE ASPHALT ENCASED AS SHOWN, IF NOT IN PAVED AREA.
3. BLOW-OFF UNIT SHALL BE BACKFILLED WITH 3/4"-0" CRUSHED ROCK AND COMPACTED TO 95% OF MAX. DENSITY DETERMINED BY AASHTO T-180.
4. PLACE BLOW-OFF STANDPIPE 3 FT. INSIDE R.O.W. LINE AT END OF STREET (2 FT. FROM BARRICADE).



Standard 2"
Blow-off Assembly

*West
Linn*

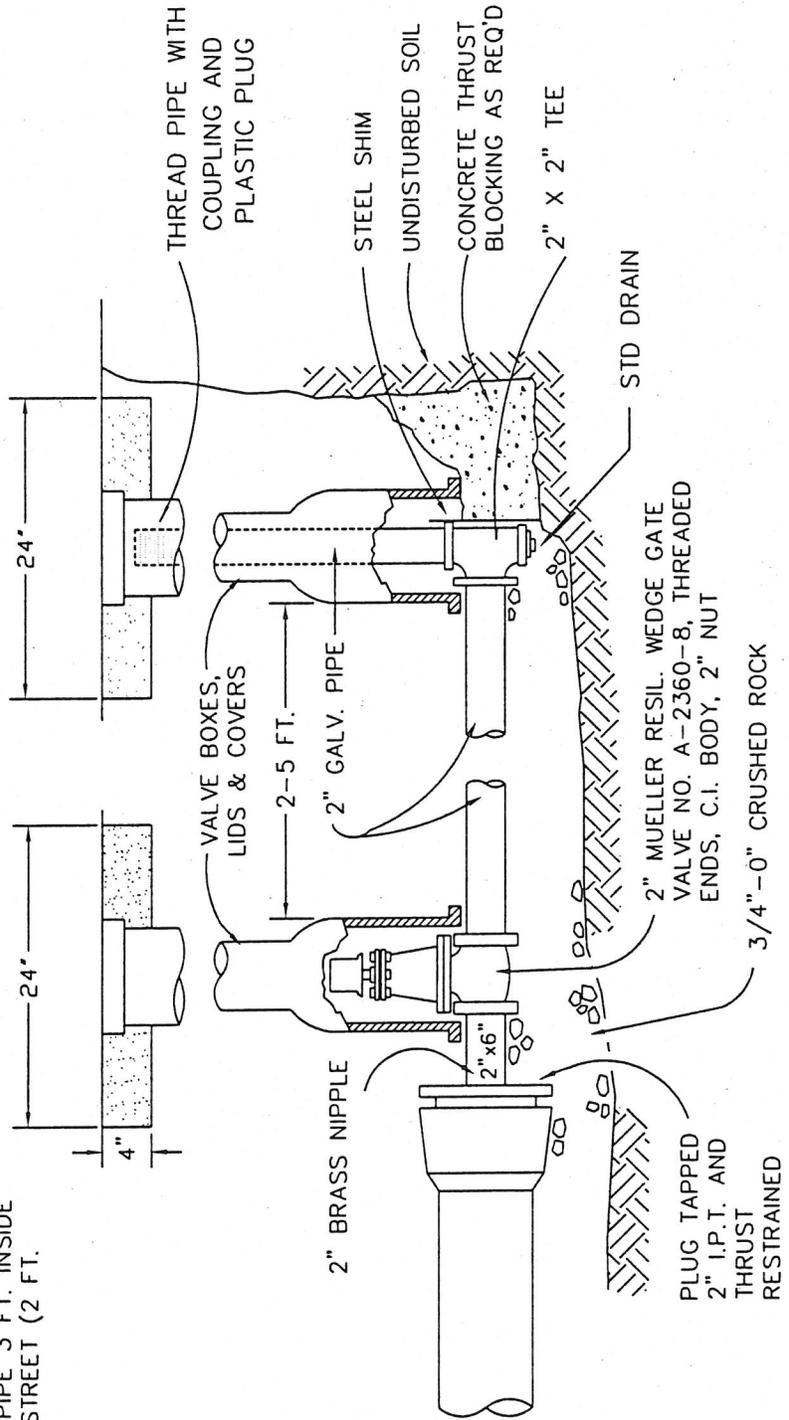
DATE:	JAN 2000
DRAWING NO.	WL-404A
FILE NO.	00-404A

BLOW-OFF SIZES REQUIRED

MAIN SIZE	BLOW-OFF SIZE
4' TO 6'	2"
8' TO 12'	4"
14' TO 18'	6"
20' & UP	PER ENGR.

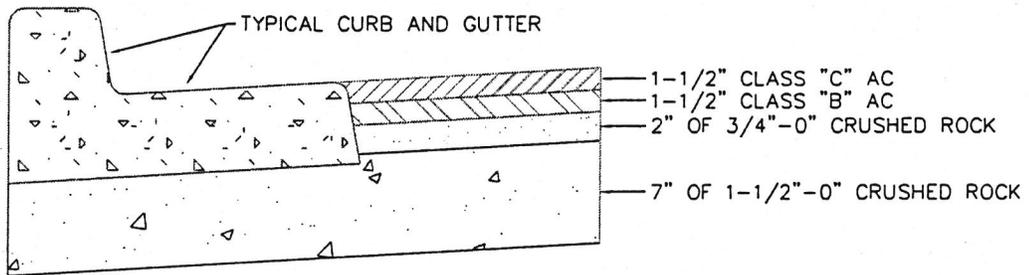
NOTES:

1. VALVE BOX SHALL BE PER STANDARD DETAIL WL-411.
2. VALVE BOX TO BE CONCRETE ENCASED AS SHOWN, IF NOT IN PAVED AREA.
3. BLOW-OFF UNIT SHALL BE BACKFILLED WITH 3/4"-0" CRUSHED ROCK AND COMPACTED TO 95% OF MAX. DENSITY DETERMINED BY AASHTO T-180.
4. PLACE BLOW-OFF STANDPIPE 3 FT. INSIDE R.O.W. LINE AT END OF STREET (2 FT. FROM BARRICADE).



Standard 2" Blow-off Assembly

	DATE:
	JAN 2000
	DRAWING NO.
	WL-404A
FILE NO.	
00-404A	



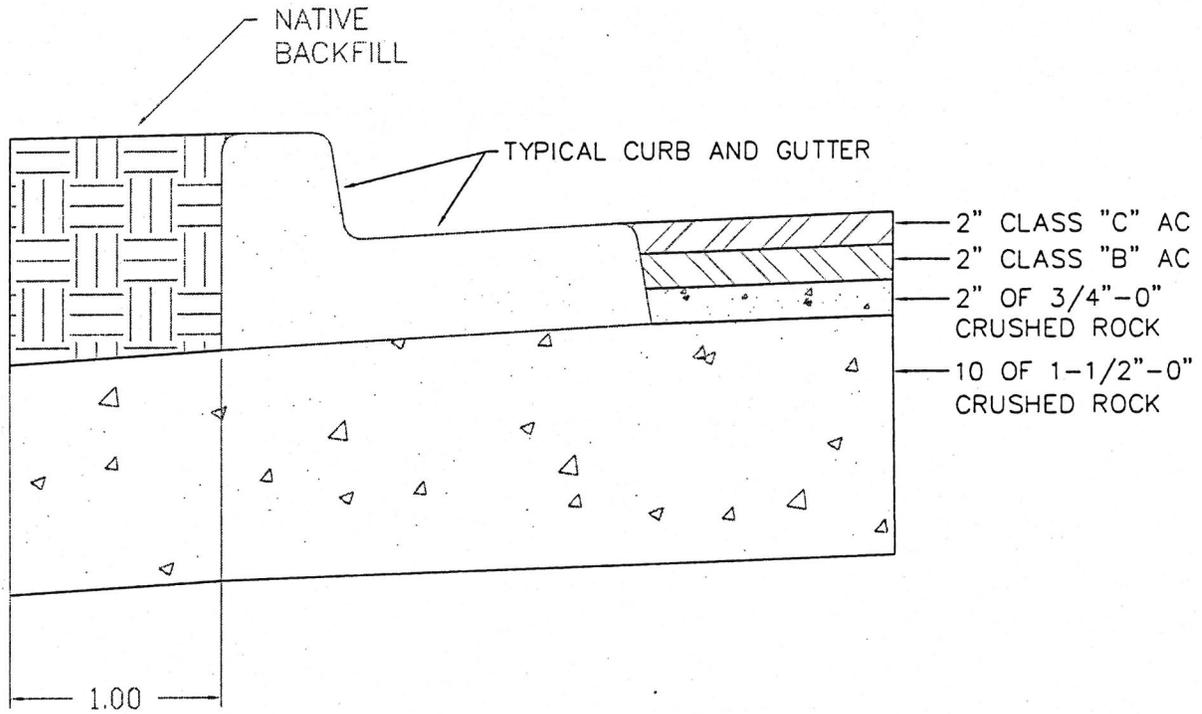
NOTES:

1. THE ENGINEER SHALL PROVIDE A STREET STRUCTURAL DESIGN SECTION FOR ALL ROADWAYS CLASSIFIED COLLECTOR OR HIGHER.
2. UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER, STREETS SHALL BE PAVED TO FINAL GRADE USING 2 OR MORE LIFTS. FINAL LIFT SHALL BE PLACED AT A TIME AS DIRECTED OR APPROVED BY THE CITY ENGINEER.

Alley, Local and
Neighborhood Route
Street Sections

	DATE: JAN 2000
	DRAWING NO. WL-502
	FILE NO. 00-502

REVISED



NOTES:

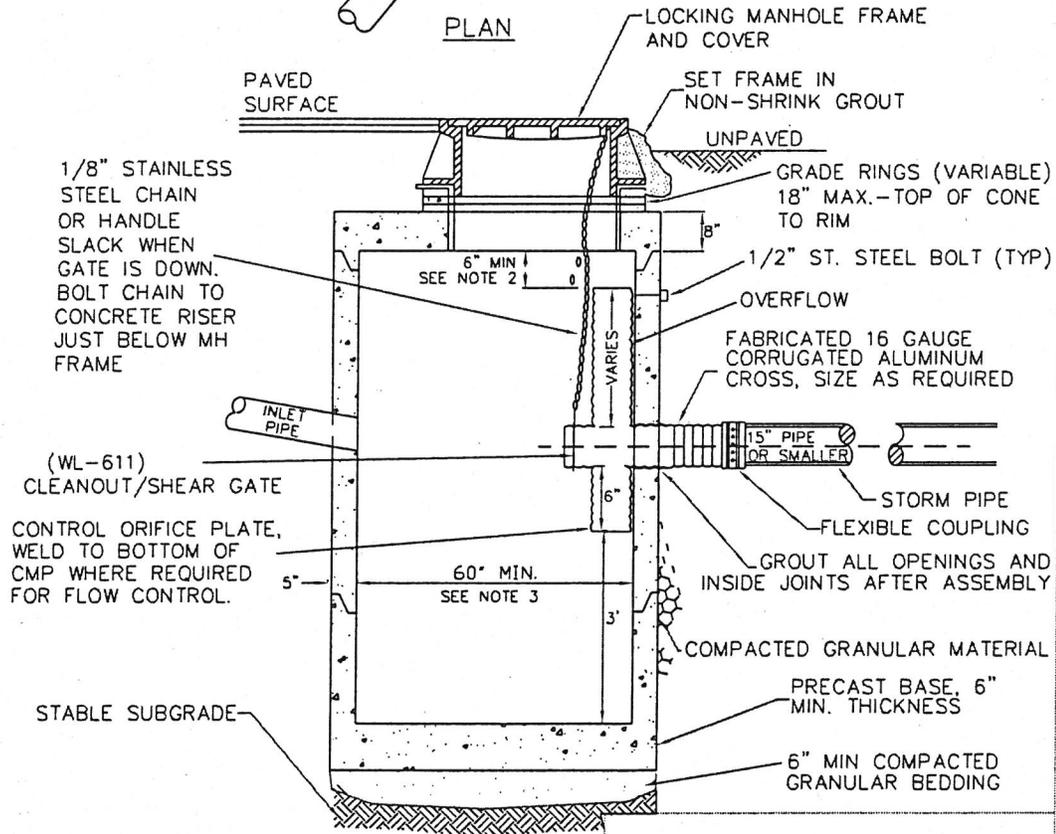
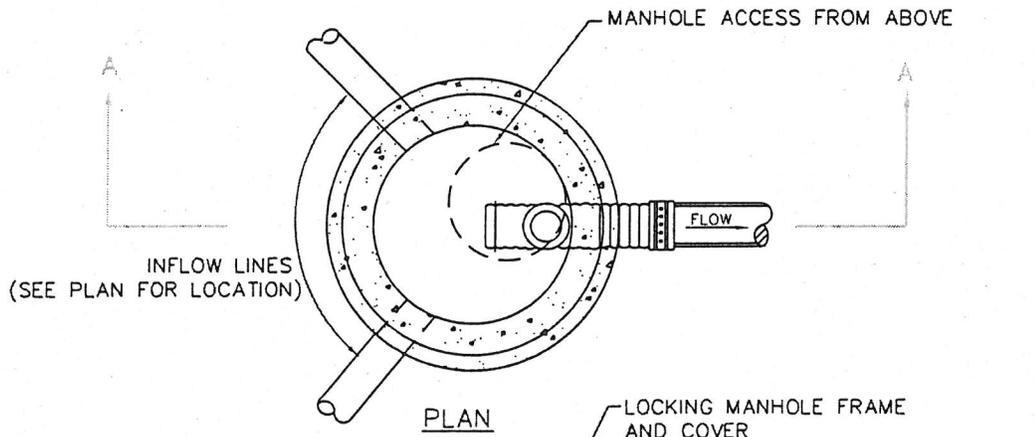
1. UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER, STREETS SHALL BE PAVED TO FINAL GRADE USING 2 OR MORE LIFTS. FINAL LIFT SHALL BE PLACED ONLY AFTER ACCEPTANCE OF THE FIRST LIFT AT A TIME AS DIRECTED OR APPROVED BY THE CITY ENGINEER.
2. BASE SHALL BE PREPARED 1 FOOT BEHIND CURB
2. SEE SECTION 5.0030 PAVEMENT DESIGN FOR ALL ROADWAYS CLASSIFIED COLLECTOR OR HIGHER

Alley, Local and
Neighborhood Route
Street Sections

*West
Linn*

DATE:	JAN 2003
DRAWING NO.	WL-502
FILE NO.	00-502

(28)



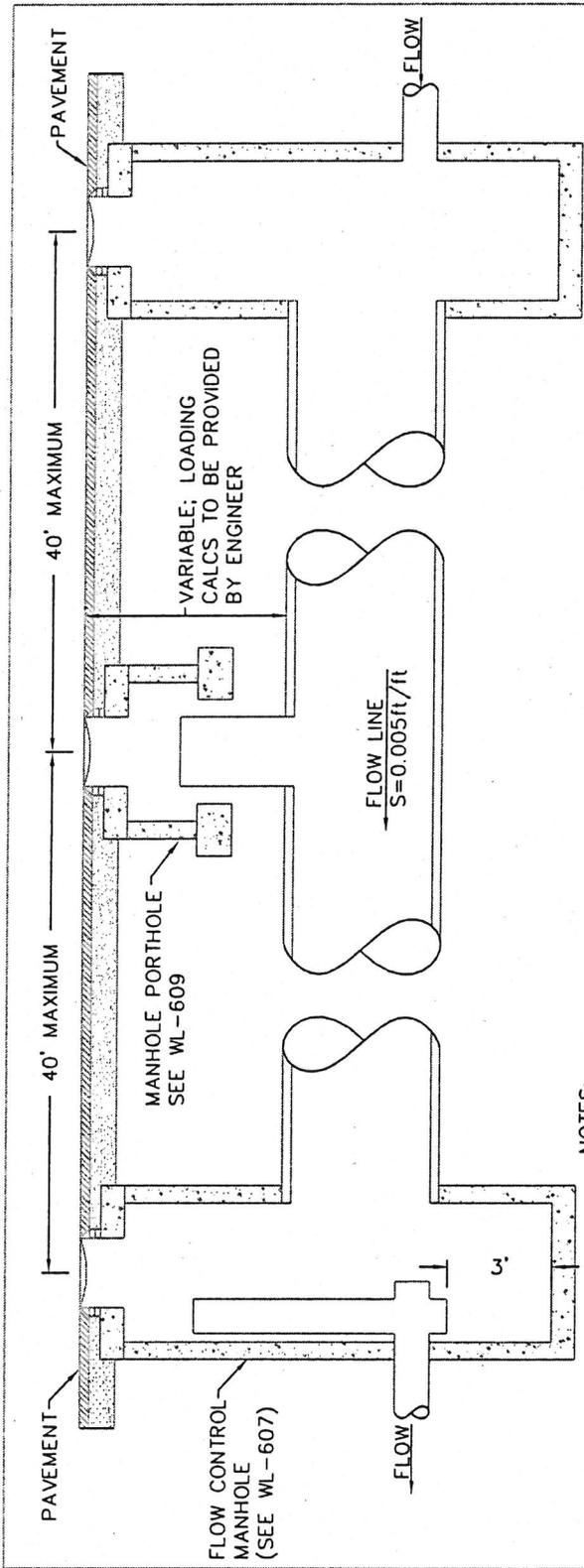
NOTES:

1. ALL PRECAST SECTIONS SHALL CONFORM TO THE REQUIREMENTS OF ASTM C-478.
2. DISTANCE FROM TOP OF OVERFLOW TO MH RIM SHALL BE BASED ON OVERFLOW CAPACITY CALC'S BY DESIGN ENGINEER. ASSUME ORIFICE CONTROL.
3. 72" MINIMUM DIA. MANHOLE REQUIRED FOR OUTLET OR INLET > 21".
4. NO STEPS REQUIRED

Pollution / Flow Control Manhole

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-607
FILE NO.	00-607

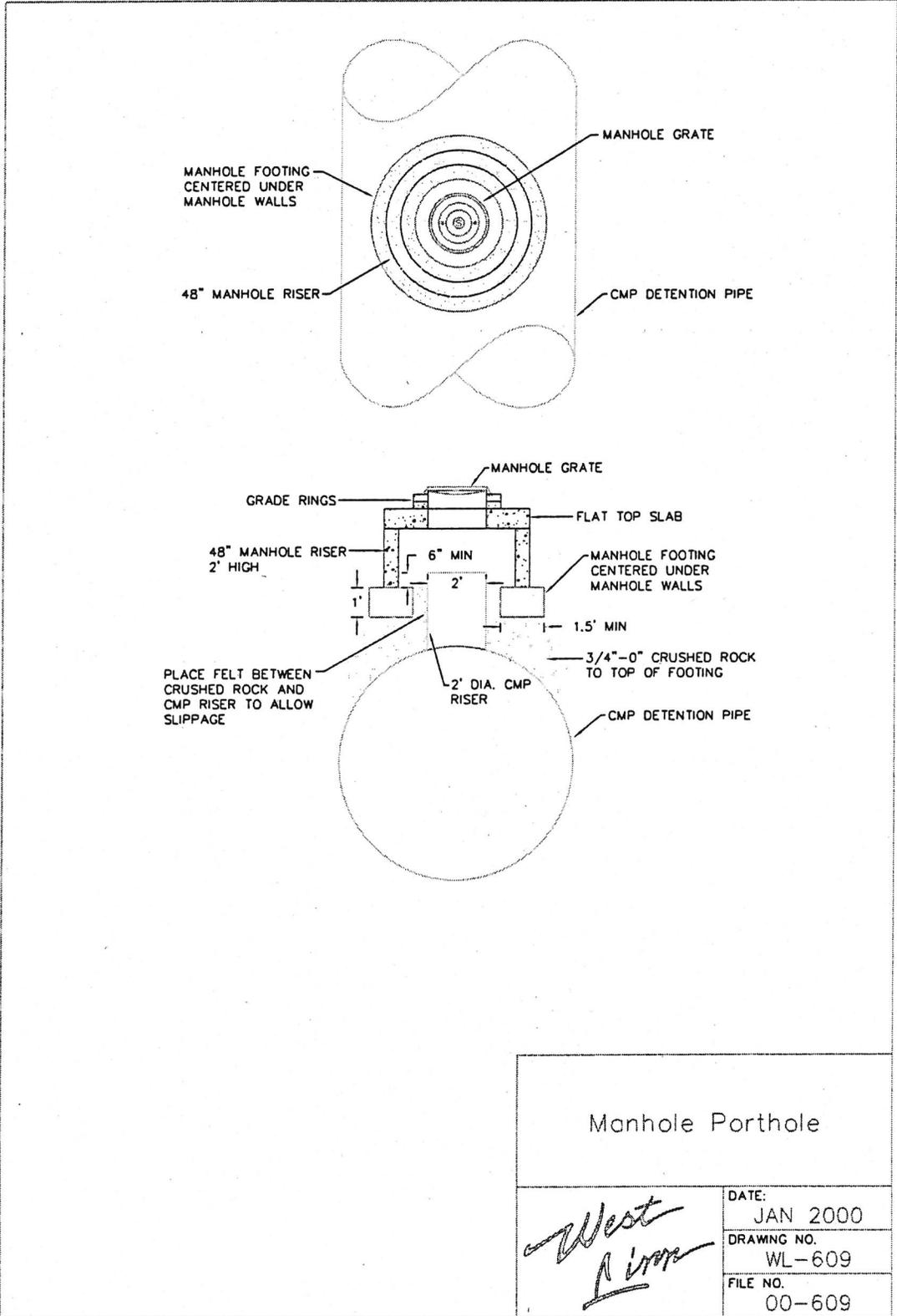


NOTES:

1. THIS DETAIL REPRESENTS A DESIGN CONCEPT. FINAL DESIGN MAY VARY DEPENDING ON SITE CONDITIONS AND SHALL BE APPROVED BY THE CITY.
2. MATERIALS FOR DETENTION PIPE AND MANHOLES SHALL HAVE A DESIGN LIFE OF 75 YEARS AND SHALL BE APPROVED BY THE CITY.
3. SUMP REQUIRED AT EACH END OF DETENTION PIPE.
4. MANHOLES MUST BE CONCRETE UNLESS OTHERWISE APPROVED BY THE CITY.
5. MANHOLE MATERIAL MAY BE SAME AS DETENTION PIPE MATERIAL. ALL FACILITIES WITHIN THE ROAD RIGHT OF WAY MUST BE DESIGNED FOR H2O LOADING.
6. DETENTION SYSTEM SHALL BE WATER TIGHT UNLESS DESIGNED AS AN INFILTRATION SYSTEM WHICH HAS BEEN APPROVED BY THE CITY.
7. MANHOLES TO BE OVERSIZED TO NECESSARY DIAMETER TO ACCOMMODATE DETENTION PIPE.
8. ALL ACCESSWAYS MUST BE 36" DIAMETER.

Underground Detention Manholes

<i>West Linn</i>	DATE:	JAN 2000
	DRAWING NO.	WL-608
	FILE NO.	00-608

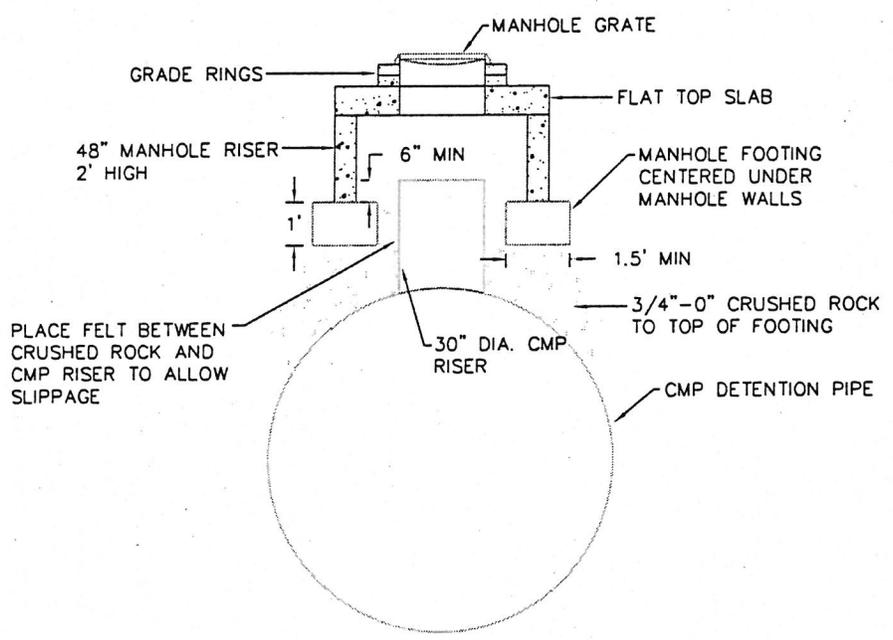
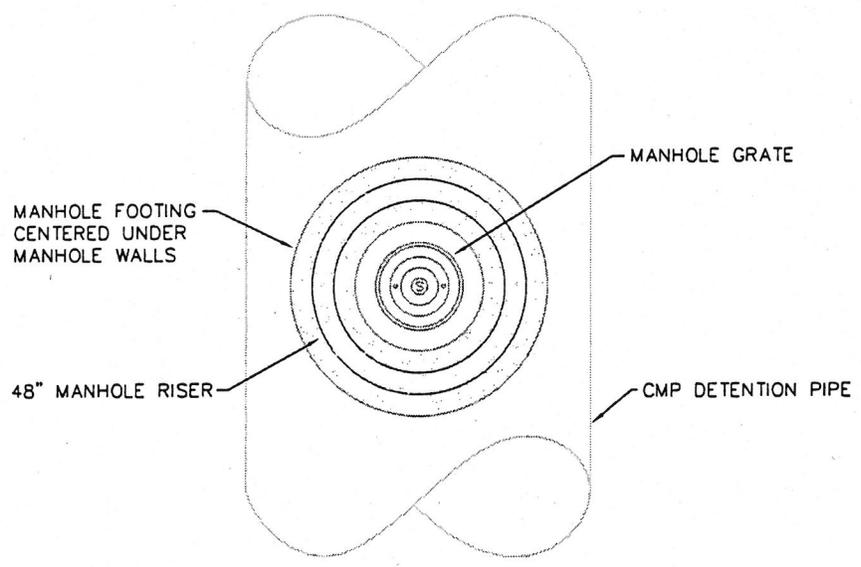


Manhole Porthole

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-609
FILE NO.	00-609

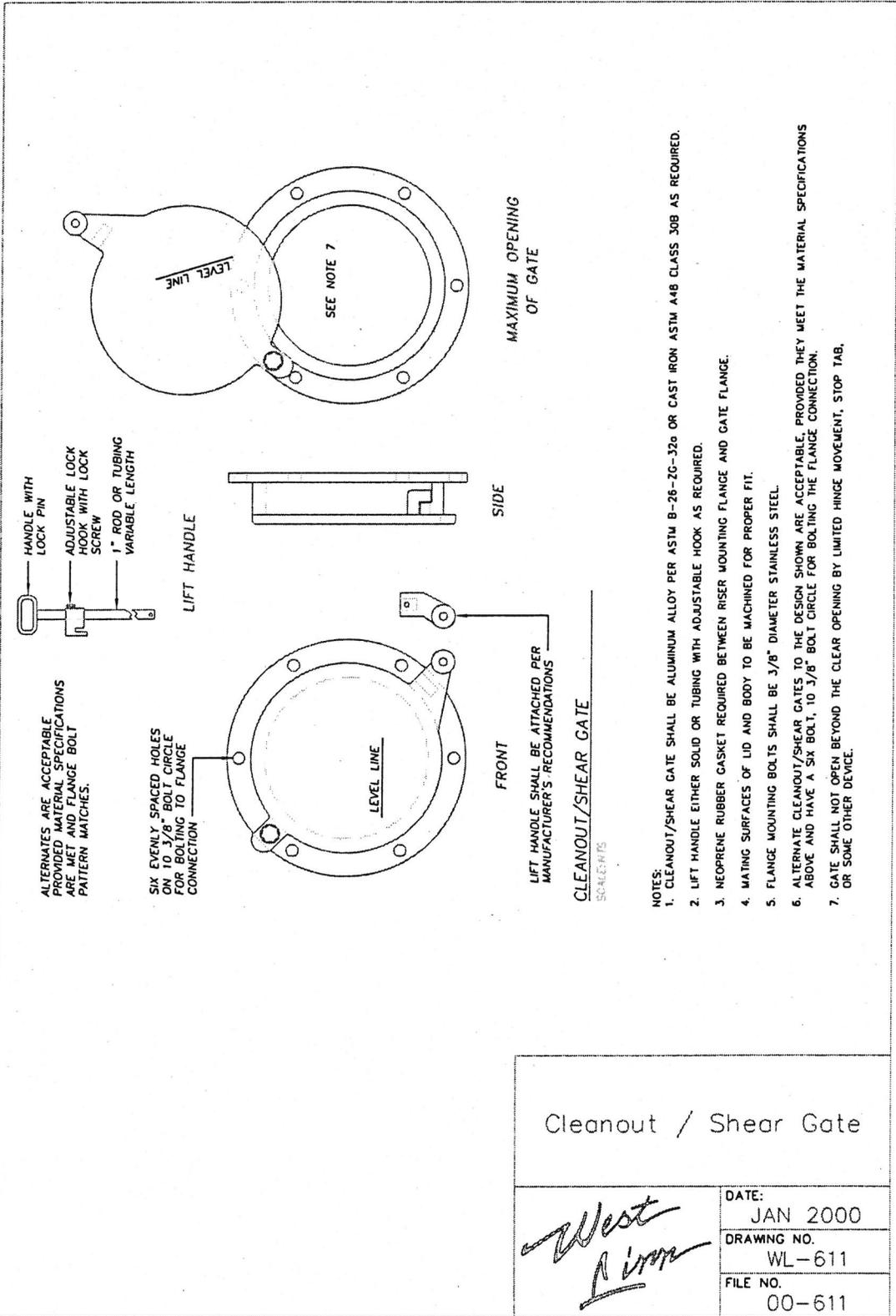
REVISED



Manhole Porthole

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-609
FILE NO.	00-609



ALTERNATES ARE ACCEPTABLE PROVIDED MATERIAL SPECIFICATIONS ARE MET AND FLANGE BOLT PATTERN MATCHES.

SIX EVENLY SPACED HOLES TO 3/8" BOLT CIRCLE FOR BOLTING TO FLANGE CONNECTION

LIFT HANDLE

SIDE

FRONT

MAXIMUM OPENING OF GATE

SEE NOTE 7

LEVEL LINE

LEVEL LINE

LIFT HANDLE SHALL BE ATTACHED PER MANUFACTURER'S RECOMMENDATIONS

CLEANOUT/SHEAR GATE

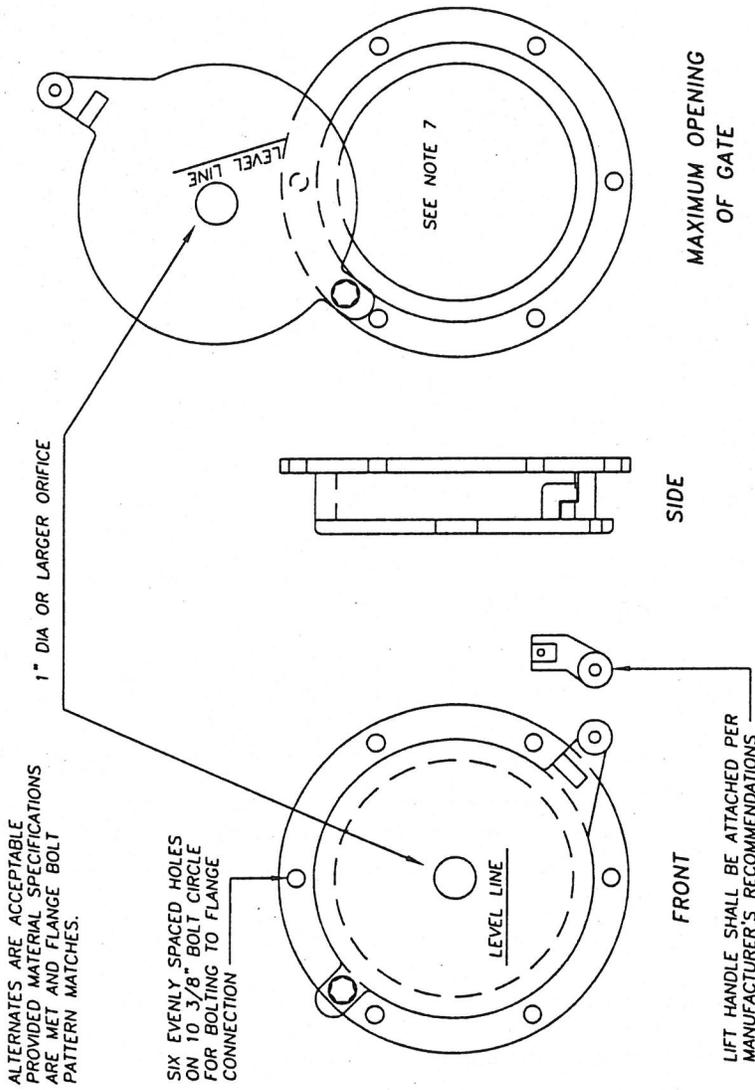
SCALE: A1:15

- NOTES:
1. CLEANOUT/SHEAR GATE SHALL BE ALUMINUM ALLOY PER ASTM B-26-20-32a OR CAST IRON ASTM A48 CLASS 30B AS REQUIRED.
 2. LIFT HANDLE EITHER SOLID OR TUBING WITH ADJUSTABLE HOOK AS REQUIRED.
 3. NEOPRENE RUBBER GASKET REQUIRED BETWEEN RISER MOUNTING FLANGE AND GATE FLANGE.
 4. MATING SURFACES OF LID AND BODY TO BE MACHINED FOR PROPER FIT.
 5. FLANGE MOUNTING BOLTS SHALL BE 3/8" DIAMETER STAINLESS STEEL.
 6. ALTERNATE CLEANOUT/SHEAR GATES TO THE DESIGN SHOWN ARE ACCEPTABLE, PROVIDED THEY MEET THE MATERIAL SPECIFICATIONS ABOVE AND HAVE A SIX BOLT, 10 3/8" BOLT CIRCLE FOR BOLTING THE FLANGE CONNECTION.
 7. GATE SHALL NOT OPEN BEYOND THE CLEAR OPENING BY LIMITED HINGE MOVEMENT, STOP TAB, OR SOME OTHER DEVICE.

Cleanout / Shear Gate

*West
Linn*

DATE:	JAN 2000
DRAWING NO.	WL-611
FILE NO.	00-611



ALTERNATES ARE ACCEPTABLE PROVIDED MATERIAL SPECIFICATIONS ARE MET AND FLANGE BOLT PATTERN MATCHES.

SIX EVENLY SPACED HOLES ON 10 3/8" BOLT CIRCLE FOR BOLTING TO FLANGE CONNECTION

1" DIA OR LARGER ORIFICE

SEE NOTE 7

MAXIMUM OPENING OF GATE

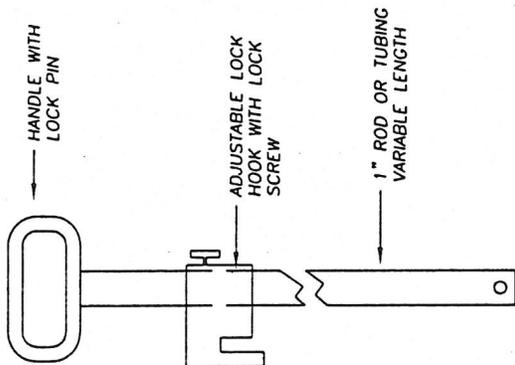
SIDE

FRONT

LIFT HANDLE SHALL BE ATTACHED PER MANUFACTURER'S RECOMMENDATIONS

CLEANOUT/SHEAR GATE

SCALE: NTS



LIFT HANDLE

SCALE: NTS

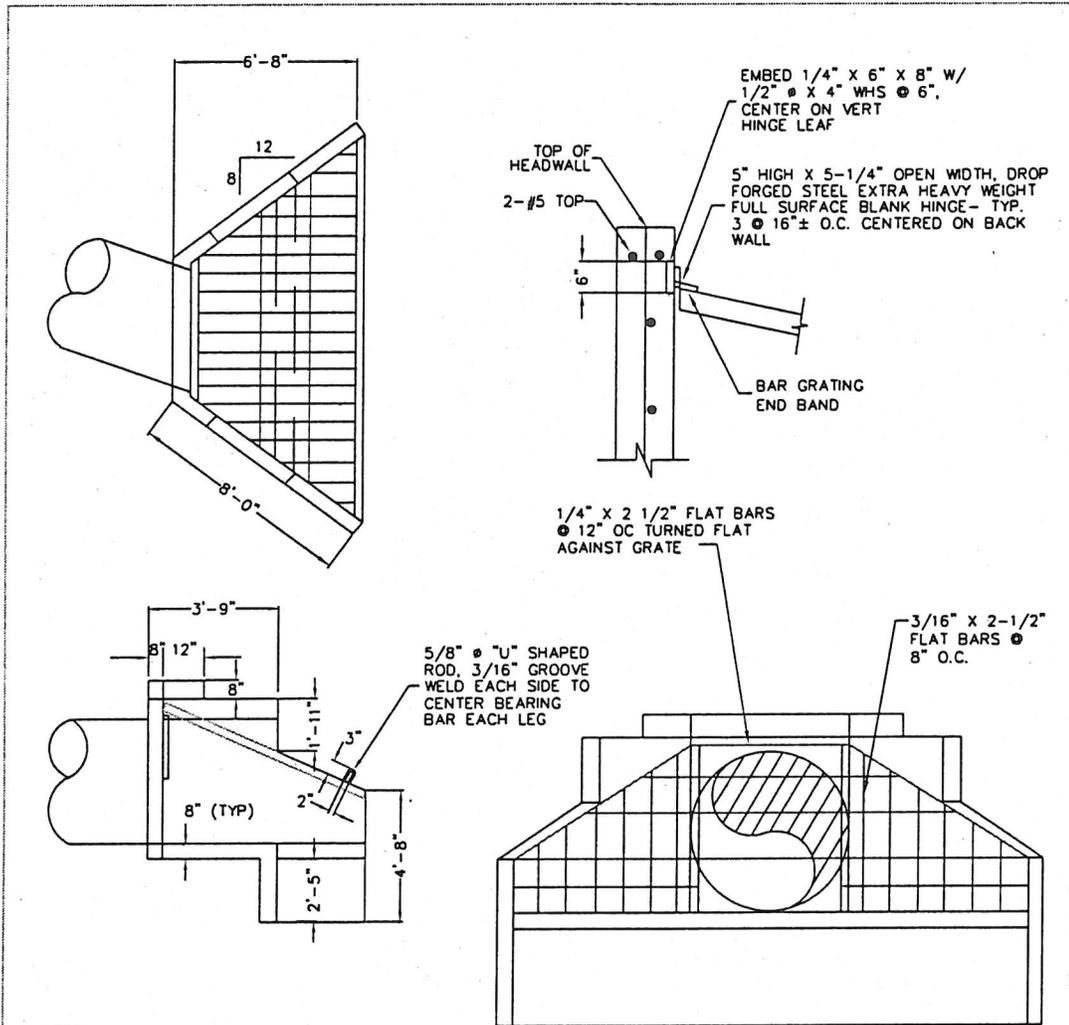
NOTES:

1. CLEANOUT/SHEAR GATE AND LIFT HANDLE SHALL BE ALUMINUM ALLOY PER ASTM B-26-ZG-320.
2. LIFT HANDLE EITHER SOLID OR TUBING WITH ADJUSTABLE HOOK AS REQUIRED.
3. NEOPRENE RUBBER GASKET REQUIRED BETWEEN RISER MOUNTING FLANGE AND GATE FLANGE.
4. MATING SURFACES OF LID AND BODY TO BE MACHINED FOR PROPER FIT.
5. FLANGE MOUNTING BOLTS SHALL BE 3/8" DIAMETER STAINLESS STEEL.
6. ALTERNATE CLEANOUT/SHEAR GATES TO THE DESIGN SHOWN ARE ACCEPTABLE, PROVIDED THEY MEET THE MATERIAL SPECIFICATIONS ABOVE AND HAVE A SIX BOLT, 10 3/8" BOLT CIRCLE FOR BOLTING THE FLANGE CONNECTION.
7. GATE SHALL NOT OPEN BEYOND THE CLEAR OPENING BY LIMITED HINGE MOVEMENT, STOP TAB, OR SOME OTHER DEVICE.

Cleanout / Shear Gate

West Iron

DATE:	JAN 2000
DRAWING NO.	WL-611
FILE NO.	00-611



NOTES:

1. FOLLOW ODOT DETAIL 5-7.3 "ALTERNATIVE "A" INLET DETAILS - 2:1 FILL SLOPE". FOR REINFORCEMENT DETAIL USE 5'-0" BARREL HEIGHT. FORM WALL AROUND 54" PIPE.
2. ALL WALL THICKNESS ON THIS PAGE ARE 8" UNLESS OTHERWISE NOTED.

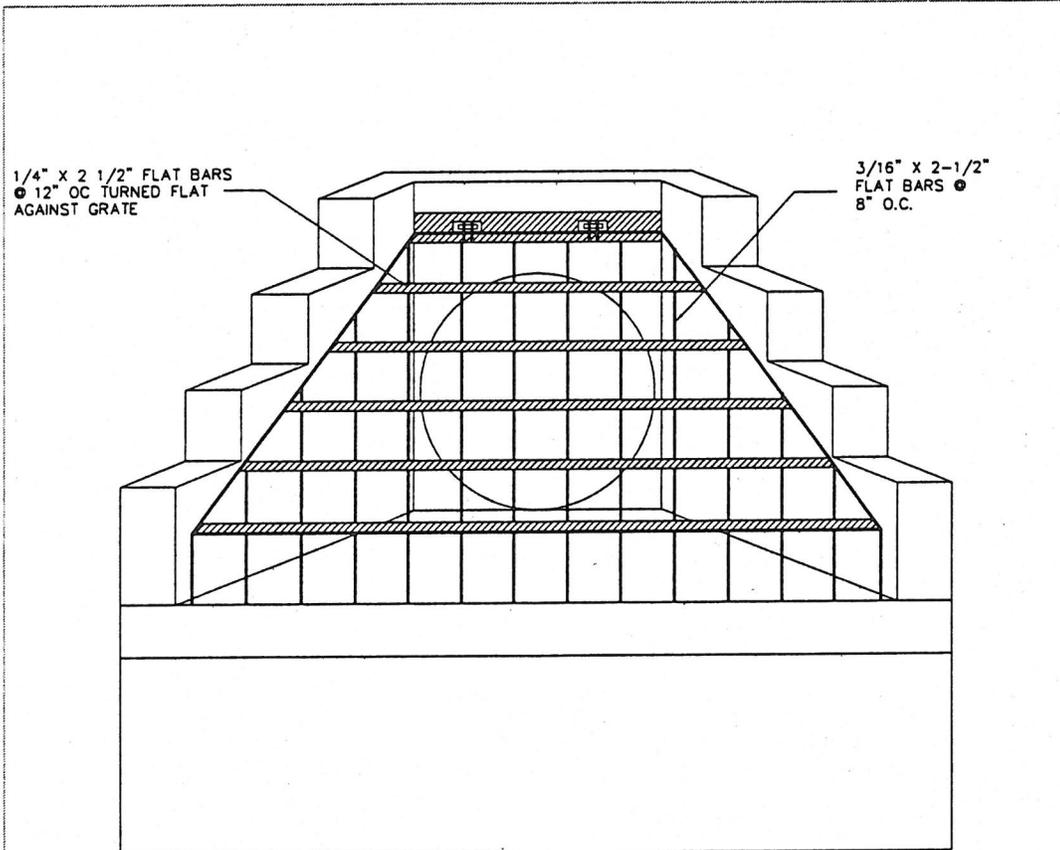
STEEL NOTES:

- A. CODES SPECIFICATIONS: STEEL CONSTRUCTION SHALL CONFORM TO THE SPECIFICATIONS AND STANDARDS AS CONTAINED IN THE 9TH EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION.
- B. MATERIAL: STRUCTURAL SHAPES, BARS, PLATES, AND SHEETS INDICATED ON THE DRAWNGS SHALL BE STEEL MEETING ASTM A36 SPECIFICATIONS. BOLTS SHALL CONFORM TO ASTM A307.
- C. WELDING: WELDING SHALL CONFORM TO AWS D1.1 CODE FOR ARC AND GAS WELDING IN BUILDING CONSTRUCTION. ELECTRODE SHALL BE E70XX LOW HYDROGEN GROUP. WELDERS SHALL BE CONDUCTED BY WELDERS CERTIFIED BY THE AWS. ALL WELDS SHALL BE MIN 3/16" FILLET UNLESS OTHERWISE NOTED.
- D. HOT DIP GALVANIZING: UNLESS OTHERWISE NOTED, ALL STEEL FABRICATIONS SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION.

Standard Inlet and Outlet
Headwall Structure
(For Outlets of
36" Dia. or Greater)

	DATE:
	JAN 2000
	DRAWING NO.
	WL-612
FILE NO.	
00-612	

NEW



SEE WL-612

NOTES:

1. FOLLOW ODOT DETAIL 5-7.3 "ALTERNATIVE "A" INLET DETAILS - 2:1 FILL SLOPE". FOR REINFORCEMENT DETAIL USE 5'-0" BARREL HEIGHT. FORM WALL AROUND 54" PIPE.
2. ALL WALL THICKNESS ON THIS PAGE ARE 8" UNLESS OTHERWISE NOTED.

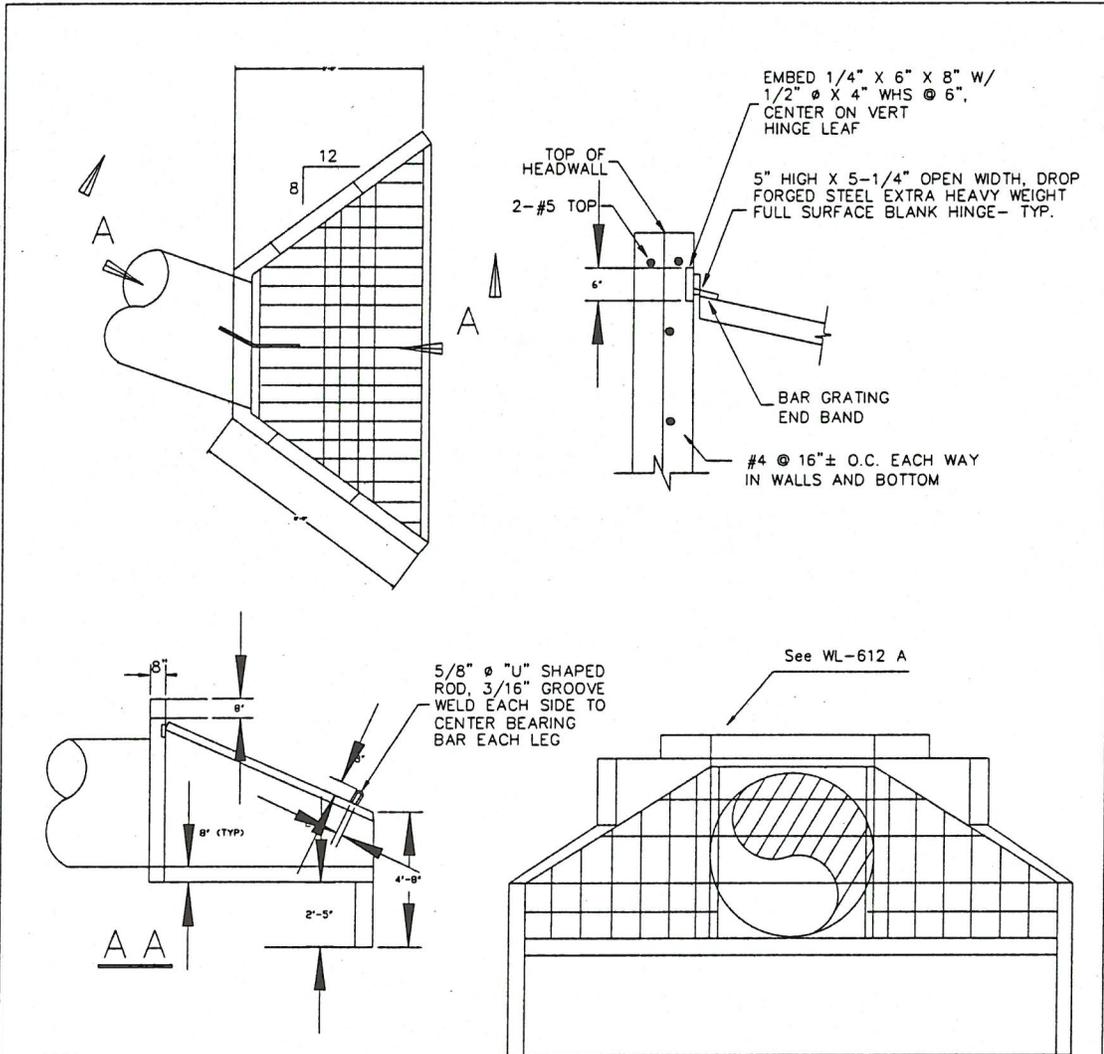
STEEL NOTES:

- A. CODES SPECIFICATIONS: STEEL CONSTRUCTION SHALL CONFORM TO THE SPECIFICATIONS AND STANDARDS AS CONTAINED IN THE 9TH EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION.
- B. MATERIAL: STRUCTURAL SHAPES, BARS, PLATES, AND SHEETS INDICATED ON THE DRAWINGS SHALL BE STEEL MEETING ASTM A36 SPECIFICATIONS. BOLTS SHALL CONFORM TO ASTM A307.
- C. WELDING: WELDING SHALL CONFORM TO AWS D1.1 CODE FOR ARC AND GAS WELDING IN BUILDING CONSTRUCTION. ELECTRODE SHALL BE E70XX LOW HYDROGEN GROUP. WELDERS SHALL BE CONDUCTED BY WELDERS CERTIFIED BY THE AWS. ALL WELDS SHALL BE MIN 3/16" FILLET UNLESS OTHERWISE NOTED.
- D. HOT DIP GALVANIZING: UNLESS OTHERWISE NOTED, ALL STEEL FABRICATIONS SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION.

Standard Inlet and Outlet
Headwall Structure
(For Outlets of
36" Dia. or Greater)

<i>West Linn</i>	DATE:	JAN 2000
	DRAWING NO.	WL-612A
	FILE NO.	00-612A

Revised



NOTES:

1. FOLLOW ODOT DETAIL 5-7.3 "ALTERNATIVE "A" INLET DETAILS - 2:1 FILL SLOPE". FOR REINFORCEMENT DETAIL USE 5'-0" BARREL HEIGHT. FORM WALL AROUND 54" PIPE.
2. ALL WALL THICKNESS ON THIS PAGE ARE 8" UNLESS OTHERWISE NOTED.

STEEL NOTES:

- A. CODES SPECIFICATIONS: STEEL CONSTRUCTION SHALL CONFORM TO THE SPECIFICATIONS AND STANDARDS AS CONTAINED IN THE 9TH EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION.
- B. MATERIAL: STRUCTURAL SHAPES, BARS, PLATES, AND SHEETS INDICATED ON THE DRAWINGS SHALL BE STEEL MEETING ASTM A36 SPECIFICATIONS. BOLTS SHALL CONFORM TO ASTM A307.
- C. WELDING: WELDING SHALL CONFORM TO AWS D1.1 CODE FOR ARC AND GAS WELDING IN BUILDING CONSTRUCTION. ELECTRODE SHALL BE E70XX LOW HYDROGEN GROUP. WELDERS SHALL BE CONDUCTED BY WELDERS CERTIFIED BY THE AWS. ALL WELDS SHALL BE MIN 3/16" FILLET UNLESS OTHERWISE NOTED.
- D. HOT DIP GALVANIZING: UNLESS OTHERWISE NOTED, ALL STEEL FABRICATIONS SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION.

**Standard Inlet and Outlet
Headwall Structure
(For Outlets of
36" Dia. or Greater)**

	DATE:	JAN 2000
	DRAWING NO.	WL-612
	FILE NO.	00-612

AGENDA BILL
05-03-08

For Council: March 14, 2005

Department: Pub Works (Eng)
Contract Review Board: Yes

Dept. Head Initials: RRH 

Subject: Contract award for the Volpp St waterline replacement (Project PW0502)

City Manager's Initials: 

Attachments: Bid Tab
Contract Page 1
Contract Page 2
Contract Page 3

Budget Impact:

Expenditures	Amount	Appropriation
Required: \$47,386	Budgeted: \$61,000	Needed: -0-

Summary:

This project replaces approximately 800 LF of existing water main with 6" ductile iron pipe and 2" rigid copper pipe, connecting new service lines, new fire hydrant installation, testing, and connection to the existing water system.

The existing line is 1" galvanized steel pipe that is undersized and near the end of its service life.

This project was competitively bid. Bids were opened February 16, 2005 with results as shown in exhibit "A". The contract agreement for the work as signed off by the contractor is attached as exhibit "B".

Recommended Action:

Staff recommends the contract award to DM Excavating Co Inc, as the lowest responsive, responsible bidder for the Volpp St waterline replacement (Project PW0502), authorizing the City Manager to sign an agreement (exhibit "B") with DM Excavating Co Inc.

Council Action Taken:

Approved:
Denied:
Continued:

EXHIBIT "A"

PROJECT: PW 0502, Volpp St Water Improvements				
BIDDERS ==>		Eng Estimate	DM Excavating	Integrity Excavating
GENERAL PROJECT BID ITEMS				
ITEM#	ITEM DESCRIPTION	UNITS	AMOUNT	AMOUNT
1	All Work per Plans and Specifications	L.S.	\$35,000 to 70,000	\$47,386.00
2	Unit price for extra 6" DIP	LF		\$33.00
3	Unit price for extra 2" CU	LF		\$29.00
4	Unit price for extra fire hydrant	EA		\$2,500.00
5	Unit price for extra asphalt paving	SF		\$5.00
	TOTAL		\$35,000 to 70,000	\$47,386.00
	BIDDERS ==>		K&R Plumbing Const	Cipriano & Son Const
1	All Work per Plans and Specifications	L.S.	\$53,000.00	\$55,570.00
2	Unit price for extra 6" DIP	LF	\$38.41	\$38.50
3	Unit price for extra 2" CU	LF	\$28.40	\$33.00
4	Unit price for extra fire hydrant	EA	\$2,400.00	\$2,770.00
5	Unit price for extra asphalt paving	SF	\$3.90	\$2.50
	TOTAL		\$53,000.00	\$55,570.00
	BIDDERS ==>		JW Underground Inc	Gregory Pacific Corp
1	All Work per Plans and Specifications	L.S.	\$58,800.00	\$77,978.00
2	Unit price for extra 6" DIP	LF	\$50.00	\$62.00
3	Unit price for extra 2" CU	LF	\$50.00	\$50.00
4	Unit price for extra fire hydrant	EA	\$5,000.00	\$3,100.00
5	Unit price for extra asphalt paving	SF	\$4.00	\$3.20
	TOTAL		\$58,800.00	\$77,978.00

CITY OF WEST LINN
VOLPP STREET WATER PROJECT

Project No. PW0502

This agreement is between the City of West Linn (Owner), Oregon, and D. M. Excavating Company, Inc. (Contractor).

1. The Contractor was awarded the bid for the Volpp Street Water Project No. PW0502 by Owner after a public bidding process in compliance with ORS Chapter 279.
2. In addition to this Agreement, the full contract between the Owner and Contractor includes the Proposal Documents for the Project, the Contract Documents for the Project, and the Standard Construction Documents for Capital Improvement Projects (collectively, the "Documents"), all of which are incorporated into this Agreement by this reference. The Documents and this Agreement shall be referred to collectively as the "Contract". In the event of an inconsistency, provisions in this Agreement shall prevail over any provision in the Documents, and the provisions in the Contract Documents for the Project shall prevail over the Proposal Documents and the Standard Construction Documents. Before submitting a bid, Contractor has made a careful examination of the Documents and became fully informed as to the quality and quantity of materials and the character of the work required and has made a careful examination of the location and conditions of the work and the sources of supply for materials. Owner is not responsible for any loss or unanticipated costs that may be suffered by Contractor as a result of Contractor's failure to acquire full information as to all conditions pertaining to the work to be performed. No oral agreements or representations have been made or relied on in connection with this Contract.
3. Contractor shall furnish all necessary labor, materials, equipment, tools, and services necessary to perform and complete in a workmanlike manner all work required for the completion of the Project, in strict compliance with the Contract.
4. Owner shall pay Contractor the amount of \$ 47,386⁰⁰ as full payment for Contractor's performance of the Contract, in accordance with the provisions, including the progress payment provisions, of the Documents.
5. Work on the project shall be completed not later than July 31, 2005 or thirty (30) days following on-site construction work, whichever is earlier. In the event that the work is not completed on time, Contractor agrees to pay Owner liquidated damages as provided in Section 108.07 of the Standard Construction Documents. Contractor agrees that the liquidated damage amounts set out in Section 108.07 of the Standard Construction Documents are reasonable estimates of the damages resulting from delay of this Project and that it would be difficult or impractical to accurately calculate actual damages.
6. Contractor agrees to contractually bind every subcontractor to the terms set forth in this Agreement and the Documents.
7. Each worker in each trade or occupation employed in the performance of this Agreement by Contractor or any subcontractor shall be paid not less than the applicable prevailing rate of wages. Contractor shall comply fully with the provisions of ORS 279.348 through 279.380.
8. As required by ORS 279.352 and 279.375 and OAR 839-16-020, Contractor shall pay to the Commissioner of the Bureau of Labor and Industries a fee equal to one tenth of one percent (.001) of

the contract price, but not less than \$100 or more than \$5,000. The fee shall be paid no later than 10 days after receipt of the first progress payment or 60 days after work on the contract has begun, whichever comes first. Final adjustments to the fee shall be made within 30 days of the final progress payment after completion of the contract. The fee shall be delivered to the Commissioner at the following address: Prevailing Wage Rate Unit, Wage and Hour Division, Bureau of Labor and Industries, 800 NE Oregon Street #32, Portland, OR 97232.

9. No person shall be employed for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or where the public policy absolutely requires it, and in such cases the laborer shall be paid at least time and a half (1.5 times base pay) for all time in excess of 8 hours a day or 40 hours a week in any week when the work week is five consecutive days, for all time in excess of 10 hours a day or 40 hours a week in any week when the work week is four consecutive days, and for all Saturdays and legal holidays specified in ORS 279.334.

10. All work shall be done under the general supervision of the City Project Manager, under authority of the City Engineer, who shall have the authority to inspect all work on the project at any time. The City Engineer shall decide any and all questions, which may arise as to the quality and acceptability of materials, furnished, work performed, rate of progress of work, interpretation of drawings and specifications, and all questions concerning the acceptable fulfillment of the Contract by Contractor.

11. Contractor is an independent contractor and is not an officer, employee or agent of Owner as those terms are used in ORS 30.265. Contractor is not a contributing member of the Public Employees' Retirement System and will be responsible for any federal or state taxes applicable to payment received under the Contract. Contractor will not be eligible for any benefits from federal Social Security, unemployment insurance, workers' compensation, or the Public Employees' Retirement System, as a result of these contract payments.

12. Contractor shall comply with all applicable federal and state civil rights and rehabilitation statutes, rules, and regulations including ORS 279.111. Contractor shall maintain valid all required licenses and certificates required by law.

13. This Agreement shall inure to the benefit of and be binding on Owner and Contractor and their partners, successors, assigns and legal representatives. Neither Owner nor Contractor may assign, sell, or transfer any interest or obligation under the Contract without the express written consent of the other party. No written approval shall relieve Contractor of any obligations of this Contract, and any transferee shall be considered the agent of the Contractor and bound to perform in accordance with the Contract. Contractor shall remain liable as between the original parties as if no assignment had occurred. Contractor is responsible for the actions of all its personnel, laborers, suppliers, and subcontractors on the Project.

14. All disputes relating to or arising from this contract, the works to be performed under this Contract, or the negotiations leading to this contract, shall be submitted to binding arbitration by a single arbitrator, using the rules of the Arbitration Service of Portland or similar rules. The prevailing party shall be entitled to an award of its reasonable attorney fees and costs at arbitration, at trial, and on appeal.

15. If any provision of the Contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the provision held to be invalid.

16. The Contract shall be effective when executed by both parties.

17. Each person signing below represents that he or she has the authority to sign this agreement and to fully bind the principal.

OWNER: CITY OF WEST LINN, AN OREGON MUNICIPALITY

By: _____ Date: _____

CONTRACTOR: D.M. Excavating Company, Inc.

By: Darrell J. Meng Date: February 16, 2005

Name: Darrell J. Meng

Title: President

Address: 14300 S.E. King Rd.

Portland, OR 97236

Tax I.D.: 93-0762219

AGENDA BILL
05-03-09

For Council: March 14, 2005

Department: Pub Works (Eng)
Contract Review Board: Yes

Dept. Head Initials: RHH 

Subject: Contract award for the Grove and Holly St waterline replacement (Projects PW0503&04)

City Manager's Initials: 

Attachments: Bid Tab
Contract Page 1
Contract Page 2
Contract Page 3

Budget Impact:

Expenditures	Amount	Appropriation
Required: \$130,970	Budgeted: \$132,000	Needed: -0-

Summary:

These two projects (to be done under one contract) replace approximately 1750 LF of existing water main with 6" ductile iron pipe and 2" rigid copper pipe, connecting new service lines, replacing three fire hydrants, testing, and connection to the existing water system.

The existing line is galvanized steel pipe that is undersized and near the end of its service life.

This project was competitively bid. Bids were opened February 17, 2005 with results as shown in exhibit "A". The contract agreement for the work as signed off by the contractor is attached as exhibit "B".

Recommended Action:

Staff recommends the contract award to Cipriano and Son Construction Inc, as the lowest responsive, responsible bidder for the Grove and Holly St waterline replacement (Projects PW0503&04), authorizing the City Manager to sign an agreement (exhibit "B") with Cipriano and Son Construction Inc.

Council Action Taken:

Approved:

Denied:

Continued:

Exhibit "A"

PROJECT: PW 0503/04, Grove-Holly St Water Improvements

BIDDERS ==>

Item	Description	Quantity	Unit	Eng Estimate		Cipriano & Son		Integrity Excavating	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization	1	L.S.	\$10,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00
2	Bonds and Insurance	1	L.S.	\$5,000.00	\$5,000.00	\$5,500.00	\$5,500.00	\$3,564.00	\$3,564.00
3	Temporary Traffic Control	1	L.S.	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$10,824.00	\$10,824.00
4	Decommission Existing Line	1	L.S.	\$1,500.00	\$1,500.00	\$710.00	\$710.00	\$2,200.00	\$2,200.00
5	Testing	1	L.S.	\$1,500.00	\$1,500.00	\$1,700.00	\$1,700.00	\$2,200.00	\$2,200.00
6	6" DIP/ fittings complete	1461	L.F.	\$35.00	\$51,135.00	\$30.00	\$43,830.00	\$32.00	\$46,752.00
7	2" CU pipe/ fittings complete	615	L.F.	\$30.00	\$18,450.00	\$26.00	\$15,990.00	\$19.35	\$11,900.25
8	Service replacement	44	EA	\$500.00	\$22,000.00	\$500.00	\$22,000.00	\$385.00	\$16,940.00
9	2" Permanent Blow-off Assembly	1	EA	\$1,500.00	\$1,500.00	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00
10	Fire hydrant assembly	3	EA	\$2,500.00	\$7,500.00	\$3,480.00	\$10,440.00	\$2,441.00	\$7,323.00
11	Trench Pavement Surface Restoration	10000	S.F.	\$3.00	\$30,000.00	\$2.00	\$20,000.00	\$2.37	\$23,700.00
12	Force Account or added Work	1	N/A	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Total: \$158,585.00		Total: \$130,970.00		Total: \$136,403.25	

BIDDERS ==>

Item	Description	Quantity	Unit	DM Excavating		Dunn Construction		Western UG	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization	1	L.S.	\$5,000.00	\$5,000.00	\$8,000.00	\$8,000.00	\$12,000.00	\$12,000.00
2	Bonds and Insurance	1	L.S.	\$3,500.00	\$3,500.00	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00
3	Temporary Traffic Control	1	L.S.	\$5,600.00	\$5,600.00	\$1,650.00	\$1,650.00	\$7,000.00	\$7,000.00
4	Decommission Existing Line	1	L.S.	\$2,500.00	\$2,500.00	\$1,800.00	\$1,800.00	\$1,500.00	\$1,500.00
5	Testing	1	L.S.	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00
6	6" DIP/ fittings complete	1461	L.F.	\$32.00	\$46,752.00	\$48.00	\$70,128.00	\$35.00	\$51,135.00
7	2" CU pipe/ fittings complete	615	L.F.	\$27.00	\$16,605.00	\$33.00	\$20,295.00	\$12.00	\$7,380.00
8	Service replacement	44	EA	\$455.00	\$20,020.00	\$500.00	\$22,000.00	\$850.00	\$37,400.00
9	2" Permanent Blow-off Assembly	1	EA	\$500.00	\$500.00	\$907.00	\$907.00	\$800.00	\$800.00
10	Fire hydrant assembly	3	EA	\$2,500.00	\$7,500.00	\$2,800.00	\$8,400.00	\$2,700.00	\$8,100.00
11	Trench Pavement Surface Restoration	10000	S.F.	\$4.00	\$40,000.00	\$2.75	\$27,500.00	\$2.75	\$27,500.00
12	Force Account or added Work	1	N/A	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Total: \$155,477.00		Total: \$172,680.00		Total: \$165,815.00	

BIDDERS ==>

Item	Description	Quantity	Unit	K & R Plumbing		AVE	
				Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization	1	L.S.	\$4,100.00	\$4,100.00	\$5,933.33	\$5,933.33
2	Bonds and Insurance	1	L.S.	\$2,500.00	\$2,500.00	\$3,677.33	\$3,677.33
3	Temporary Traffic Control	1	L.S.	\$13,000.00	\$13,000.00	\$6,845.67	\$6,845.67
4	Decommission Existing Line	1	L.S.	\$1,200.00	\$1,200.00	\$1,651.67	\$1,651.67
5	Testing	1	L.S.	\$2,500.00	\$2,500.00	\$2,816.67	\$2,816.67
6	6" DIP/ fittings complete	1461	L.F.	\$37.80	\$55,225.80	\$35.80	\$52,303.80
7	2" CU pipe/ fittings complete	615	L.F.	\$32.20	\$19,803.00	\$24.93	\$15,328.88
8	Service replacement	44	EA	\$705.00	\$31,020.00	\$565.83	\$24,896.67
9	2" Permanent Blow-off Assembly	1	EA	\$800.00	\$800.00	\$884.50	\$884.50
10	Fire hydrant assembly	3	EA	\$2,600.00	\$7,800.00	\$2,753.50	\$8,260.50
11	Trench Pavement Surface Restoration	10000	S.F.	\$3.25	\$32,500.00	\$2.85	\$28,533.33
12	Force Account or added Work	1	N/A	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Total: \$175,448.80		\$156,132.34	

6"&2" \$75.21 per ft
6"ave \$96.37 per ft

Exhibit "B"

CONTRACT AGREEMENT
CITY OF WEST LINN

Holly and Grove Street
Water main replacement Project

Project No. PW0503 & 0504

This agreement is between the City of West Linn (Owner), Oregon, and Cipriano & Soa Construction, Inc. (Contractor).

1. The Contractor was awarded the bid for the Holly-Grove Street Water Project No. PW0503-04 by Owner after a public bidding process in compliance with ORS Chapter 279.

2. In addition to this Agreement, the full contract between the Owner and Contractor includes the Proposal Documents for the Project, the Contract Documents for the Project, and the Standard Construction Documents for Capital Improvement Projects (collectively, the "Documents"), all of which are incorporated into this Agreement by this reference. The Documents and this Agreement shall be referred to collectively as the "Contract". In the event of an inconsistency, provisions in this Agreement shall prevail over any provision in the Documents, and the provisions in the Contract Documents for the Project shall prevail over the Proposal Documents and the Standard Construction Documents. Before submitting a bid, Contractor has made a careful examination of the Documents and became fully informed as to the quality and quantity of materials and the character of the work required and has made a careful examination of the location and conditions of the work and the sources of supply for materials. Owner is not responsible for any loss or unanticipated costs that may be suffered by Contractor as a result of Contractor's failure to acquire full information as to all conditions pertaining to the work to be performed. No oral agreements or representations have been made or relied on in connection with this Contract.

3. Contractor shall furnish all necessary labor, materials, equipment, tools, and services necessary to perform and complete in a workmanlike manner all work required for the completion of the Project, in strict compliance with the Contract.

4. Owner shall pay Contractor the amount of \$ 130,970.00 as full payment for Contractor's performance of the Contract, in accordance with the provisions, including the progress payment provisions, of the Documents.

5. Work on the project shall be completed not later than September 14, 2005 or sixty (60) days following on-site construction work, whichever is earlier. In the event that the work is not completed on time, Contractor agrees to pay Owner liquidated damages as provided in Section 108.07 of the Standard Construction Documents. Contractor agrees that the liquidated damage amounts set out in Section 108.07 of the Standard Construction Documents are reasonable estimates of the damages resulting from delay of this Project and that it would be difficult or impractical to accurately calculate actual damages.

6. Contractor agrees to contractually bind every subcontractor to the terms set forth in this Agreement and the Documents.

7. Each worker in each trade or occupation employed in the performance of this Agreement by Contractor or any subcontractor shall be paid not less than the applicable prevailing rate of wages. Contractor shall comply fully with the provisions of ORS 279.348 through 279.380.

8. As required by ORS 279.352 and 279.375 and OAR 839-16-020, Contractor shall pay to the Commissioner of the Bureau of Labor and Industries a fee equal to one tenth of one percent (.001) of the contract price, but not less than \$100 or more than \$5,000. The fee shall be paid no later than 10 days after receipt of the first progress payment or 60 days after work on the contract has begun, whichever comes first. Final adjustments to the fee shall be made within 30 days of the final progress payment after completion of the contract. The fee shall be delivered to the Commissioner at the following address: Prevailing Wage Rate Unit, Wage and Hour Division, Bureau of Labor and Industries, 800 NE Oregon Street #32, Portland, OR 97232.

9. No person shall be employed for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or where the public policy absolutely requires it, and in such cases the laborer shall be paid at least time and a half (1.5 times base pay) for all time in excess of 8 hours a day or 40 hours a week in any week when the work week is five consecutive days, for all time in excess of 10 hours a day or 40 hours a week in any week when the work week is four consecutive days, and for all Saturdays and legal holidays specified in ORS 279.334.

10. All work shall be done under the general supervision of the City Project Manager, under authority of the City Engineer, who shall have the authority to inspect all work on the project at any time. The City Engineer shall decide any and all questions, which may arise as to the quality and acceptability of materials, furnished, work performed, rate of progress of work, interpretation of drawings and specifications, and all questions concerning the acceptable fulfillment of the Contract by Contractor.

11. Contractor is an independent contractor and is not an officer, employee or agent of Owner as those terms are used in ORS 30.265. Contractor is not a contributing member of the Public Employees' Retirement System and will be responsible for any federal or state taxes applicable to payment received under the Contract. Contractor will not be eligible for any benefits from federal Social Security, unemployment insurance, workers' compensation, or the Public Employees' Retirement System, as a result of these contract payments.

12. Contractor shall comply with all applicable federal and state civil rights and rehabilitation statutes, rules, and regulations including ORS 279.111. Contractor shall maintain valid all required licenses and certificates required by law.

13. This Agreement shall inure to the benefit of and be binding on Owner and Contractor and their partners, successors, assigns and legal representatives. Neither Owner nor Contractor may assign, sell, or transfer any interest or obligation under the Contract without the express written consent of the other party. No written approval shall relieve Contractor of any obligations of this Contract, and any transferee shall be considered the agent of the Contractor and bound to perform in accordance with the Contract. Contractor shall remain liable as between the original parties as if no assignment had occurred. Contractor is responsible for the actions of all its personnel, laborers, suppliers, and subcontractors on the Project.

14. All disputes relating to or arising from this contract, the works to be performed under this Contract, or the negotiations leading to this contract, shall be submitted to binding arbitration by a single arbitrator, using the rules of the Arbitration Service of Portland or similar rules. The prevailing party shall be entitled to an award of its reasonable attorney fees and costs at arbitration, at trial, and on appeal.

15. If any provision of the Contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the provision held to be invalid.

16. The Contract shall be effective when executed by both parties.

17. Each person signing below represents that he or she has the authority to sign this agreement and to fully bind the principal.

OWNER: CITY OF WEST LINN, AN OREGON MUNICIPALITY

By: _____ Date: _____

CONTRACTOR:

If Sole Proprietor or Partnership:

In witness hereto the undersigned has set his hand this _____ day of _____, 20__

Signature of Bidder

Title

If Corporation:

In witness whereof the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this 17th day of February, 2005

Cipriano & Son Construction, inc.
Name of Corporation

Debbie G. Culchrest Treasurer
Title

ATTEST: Denise J. Cipriano VP/Sec.
Secretary

DRAFT

Mini Survey on Priorities

(Mail-back form to be published in Update newsletter, West Linn Tidings and West Linn Website)

(Note: These are General Fund items only. No items from other funds are included, such as cable TV and public works items)

Question: The city is preparing its annual budget. In addition to maintaining essential services, numerous items have been nominated by citizens and city staff for funding. The City Council would like to hear what you think the priorities should be. Because funds are limited, please check only five items.

- Renovate or replace the outdoor stage in Willamette Park.
- Provide a more current and comprehensive City website, with interactive forms and on-line services.
- Provide support to create and display in West Linn a full-sized replica of the Willamette Meteorite.
- Provide support to revive the citizen leadership program, which was discontinued four years ago.
- Conduct a community-wide survey on city services, community priorities and quality-of-life issues.
- Produce educational video programs on city services, such as community policing.
- Publish and distribute a West Linn "Owner's Manual" (services directory) to all households.
- Reorganize the library's collections for better access and staff efficiency.
- Provide downloadable books to library patrons with MP3 players.
- Upgrade the library's print and non-print collections.
- Upgrade community programs in the library, such as Music in the Stacks.
- Update the parks master plan.
- Complete development of new parks.
- Replace playground equipment at various parks.
- Develop Willamette Riverfront trail.
- Start a seasonal curbside leaf pickup program.
- Conduct a business market analysis/needs assessment for the community.
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-

CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: _____, 2005

Council Rules require anyone who wishes to address the Council to complete this form. A person shall be allowed to speak for five minutes at Community Comments. Please place this form in the tray entitled "Testimony Forms" prior to the beginning of the meeting.

With regard to particular agenda items, a separate form must be turned in to the Council for each item prior to the item being called for discussion. [Note: After the meeting has started, please give your form(s) to a member of City staff who will pass it to the Council President.] Please limit your remarks on a particular agenda item to five minutes, unless the Council decides prior to that item to allocate more or less time.

Please print clearly

Name:

Tom Allman

Address:

19110 Suncrest Dr.

Telephone:

503-636-4318

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 03
(any non-consent items)

In Support

Neutral

In Opposition

All remarks should be addressed to Council as a body. Questions on an agenda item shall be asked of and through the Mayor, who has the authority to preserve order. Anyone who makes personal, offensive or slanderous remarks while addressing Council is subject to removal. (*Council Rules and Attorney General's Public Records and Meetings Manual*)

CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

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Please print clearly

Name:

Beverly Burke

Address:

19110 Suncrest Dr

Telephone:

583-636-4318

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 03
(any non-consent items)

In Support

Neutral

In Opposition

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CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

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Please print clearly

Name: Alice Richmond
Address: 3939 Parker Rd.
Telephone: 503-557-9158

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

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CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: 3 - 14, 2005

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Please print clearly

Name:

Bob Thomas

Address:

2563 Pimlico Drive

Telephone:

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 02
(any non-consent items)

In Support

Neutral

In Opposition

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CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: March 14, 2005

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Please print clearly

Name: Teresa Cordova
Address: 19777 Bennington Ct
Telephone: (503) 656-9518

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

All remarks should be addressed to Council as a body. Questions on an agenda item shall be asked of and through the Mayor, who has the authority to preserve order. Anyone who makes personal, offensive or slanderous remarks while addressing Council is subject to removal. (Council Rules and Attorney General's Public Records and Meetings Manual)

CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: MARCH 14, 2005

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Please print clearly

Name: GREG MORSE
Address: 18335 NIXON AVE
Telephone: W. LINN

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

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CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: 3/14, 2005

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Please print clearly

Name:

DAVID L. GLIVINSKI

Address:

2001 CONESTOGA LN W LINN OR 97068

Telephone:

503-650-4610

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

All remarks should be addressed to Council as a body. Questions on an agenda item shall be asked of and through the Mayor, who has the authority to preserve order. Anyone who makes personal, offensive or slanderous remarks while addressing Council is subject to removal. (Council Rules and Attorney General's Public Records and Meetings Manual)

CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: 3- _____, 2005

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Please print clearly

Name:

MARY CLOSSON

Address:

14335 SW Beech Bend Tigard

Telephone:

503-590-0920

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

All remarks should be addressed to Council as a body. Questions on an agenda item shall be asked of and through the Mayor, who has the authority to preserve order. Anyone who makes personal, offensive or slanderous remarks while addressing Council is subject to removal. (*Council Rules and Attorney General's Public Records and Meetings Manual*)

CITY OF WEST LINN
CITY COUNCIL MEETING

TESTIMONY FORM

Date: 3/14/05, 2005

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Please print clearly

Name: Mark Buser
Address: 1960 Alpine Dr.
Telephone: 503-313-4442

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

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TESTIMONY FORM

Date: March 14, 2005

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Please print clearly

Name:

Alice Richmond

Address:

3939 Parker Rd

Telephone:

503 557 9158

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 02
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name: KEN OLSON
Address: 6021 CAFFREY
Telephone: 503-656-1326

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 02
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name:

Troy Bowers

Address:

2990 Lancaster St

Telephone:

~~West Linn Or a~~
503-650-1680

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 02
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name: ANDREW CHEBOK
Address: 1635 CARRIAGE WAY
Telephone: (503) 723-9013

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 03
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name: ALMA COSTON
Address: P.O. BOX 387 W.L.
Telephone: 503-656-3546

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 03
(any non-consent items)

In Support *in support of annexation of the land which was purchased by 1998 park bond money into the city as soon as possible. This would*
 Neutral *move forward the process of development of the park and the fields and activities which citizens have agreed*
 In Opposition *they would like to see there.*

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Please print clearly

Name: John Huntzman
Address: 19390 Kapteyns ST
Telephone: 503-655-6214

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name: Bruce Koepke

Address: 1655 Valley View Drive

Telephone: 503/636-3058

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- 03 - 03
(any non-consent items)

In Support

Neutral

In Opposition

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Please print clearly

Name:

Bob Thomas

Address:

2563 Pindico Drive

Telephone:

I wish to speak during Community Comments.

I wish to speak on Agenda Bill 05- _____ - _____
(any non-consent items)

In Support

Neutral

In Opposition

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