



# Molalla City Council

Meeting located at: Molalla Adult Community Center  
315 Kennel Avenue Molalla, OR 97038

## **April 10, 2013** **Regular Meeting Agenda**

**Work session: 6:30 pm.** The Council will review and discuss agenda items for the business meeting.

**Business meeting:** The meeting will begin at 7 p.m. The Council has adopted Public Participation Rules. Copies of these rules and public comment cards are available at the entry desk. Public comment cards must be turned into to the City Recorder prior to the start of the Council meeting.

The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. To obtain services call the City Recorder at (503) 829-6855.

### ***1,013<sup>th</sup> Regular Meeting***

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#### **1. CALL TO ORDER**

- A. Flag Salute
- B. Roll Call

#### **2. COMMUNICATIONS AND PUBLIC COMMENT**

##### **A. Library Board Minutes**

#### **3. AWARDS & RECOGNITIONS**

#### **4. PUBLIC HEARINGS**

- A. Public Hearing – Annexation Ordinance

#### **5. CONTINUING BUSINESS**

- A. Consider Draft Economic Development Action Plan and EID discussion and provide direction to staff to proceed with EID hearings process.

**6. NEW BUSINESS**

- A. Citizen Appointment – Rod Keech for Molalla Planning Commission
- B. Enterprise Zone – Modern Construction (Presented by Jaime Johnk, Clack. Co)

**7. ORDINANCES**

- A. Ordinance 2013-03: Annexation Code Section 19

**8. RESOLUTIONS**

- A. Resolution 2013-07: Annexation of Acreage as Approved by the Voters
- B. Resolution 2013-08: Appointment of New Budget Officer
- C. Resolution 2013-09: \$150.00 Water Meter Tampering Fee

**9. PROCLAMATIONS**

- A. Declaring the Month of April as Grange Month

**10. REPORTS AND ANNOUNCEMENTS**

- A. City Manager Report
- B. Upcoming Council Agenda Items:
  - 1. Finance Committee Ordinance – 04/24/13
  - 2. Ecomnomic Improvement District
  - 3. Telecommunication Franchise Ordinance
  - 4. *Council Goals – date and time TBD*
  - 5. URA Work Session With Greg Ellis, Canby City Manager at 6:30 pm on Wednesday, April 24, 2013 with a regular meeting to follow. Time TBD – Molalla Adult Center

**11. EXECUTIVE SESSION**

**12. ADJOURNMENT**

## Molalla Library Advisory Board

Meeting Date: 2/21/2013

Meeting brought to order by Sandy Nelson at 6:30 P.M.

Members Present: Mary Gilson, Sandy Nelson, Kelly Andrews, Dennis Wolfe (our new City Council representative), Paula Beck (who is applying for a position on the Advisory Board)

Staff Present: Glenda Triebwasser

The minutes from the January meeting were approved as read.

- Staff Report: (Ask Glenda for a copy of the "Staff Report" if you didn't receive one.)
  - a) Paula Beck would like to be a member of our Library Advisory Board, so we will recommend her to the City Council. She has volunteered in the library and worked with Glenda and the rest of the staff. We would welcome her.
  - b) A current member of the Library Board, is unable to attend most of our meetings and now has another meeting on the same night as ours. So we regretfully feel that this board member needs to resign so we will be able to operate with a quorum. Our bylaws do not address this issue at this time.
  - c) We discussed writing a membership policy. The board feels that there is a need to create the policy to address the issue of non attendance of members so we can operate with a quorum. Suggestions were: "If you miss three consecutive meetings, you need to resign" or....
- Old Business:
  - a) We discussed the future lease of the current Molalla Public Library from the school district which will come up in 2023. Some considerations were these: it is an undersized facility and collection for the people who use it; will the lease be renewed and at the same charge, \$1.00 a year; can a new library be built in our service area, though not immediately in the city?; is the school district interested in selling the whole property; and the legal commitment if we were to remodel to continue to lease it.
  - b) Sandy Nelson will meet with the superintendent, Tony Mann, of the Molalla School District on Tuesday, March 12<sup>th</sup>, 2013 at 2:30 to elicit some information so that we will be able to make some decisions about the library facilities for the future. Board members who wish to attend the meeting with her are welcome.
- New Business:
  - a) Elections: these are the results:
    - Kelly Andrews –Chair Person
    - Sandy Nelson - Vice Chair Person
    - Mary Gilson - appointed as secretary by the Library Director.

The next meeting will be on March 21 at 6:30 P.M. at the Public Library in Molalla.

The meeting was adjourned at 7:42 P.M.

Submitted by Mary Gilson, Secretary.

## Library Board Meeting – Staff Report – March 21<sup>st</sup>, 2013

### Library Activities –

Craft Time with Sheila on Tuesday March 26<sup>th</sup> from 2-3 pm. For elementary age children.

Movie Day on Thursday, March 28<sup>th</sup> at 2:00 pm in the library conference room. We will be showing the animated new release “Wreck-it Ralph rated PG.

Board game day on Friday, March 29<sup>th</sup> from 2-4 in the conference room.

Annual poetry contest is here again. April is the national poetry month. Flyers are available at the library. Original poems may be submitted between April 1<sup>st</sup> and 30<sup>th</sup>. Poetry books will be available for purchase for \$6.00 which will include all the poems that were submitted.

Story times are Thursday and Friday mornings at 10:30 am.

The library will be closed on Sunday, March 31<sup>st</sup>.

### Old Business –

We are still waiting on the last book drop to be completed. I spoke with Mr. Nichols today and he said he was in the process of painting it. Hopefully it will be completed and installed next week.

Btop fiber update – I still have not received any information about the final cost of the router that we will need to purchase. We still have no date that we will be switching over to the new fiber.

### Library2Go-

There is a new look to the overdrive site. I have found that the new format seems to be user friendly. You can take a look at it by going to the webpage [www.lincc.org](http://www.lincc.org) and click on the Library2Go link. The change went into effect on March 11<sup>th</sup>.

The district Library2Go account has been created. We are beginning to purchase additional books that will be available only for our district patrons. Most of the purchases will be eBooks with the emphasis on best sellers so that the wait for patrons will be shorter.

Paula Beck was appointed by the city council last week to fill the position left vacant by the resignation of Claude Hawks last summer.

### New Business –

#### Oregon Library Passport –

This is a pilot program that has been developed by the Oregon Library Association to build on Oregon’s tradition of cooperative programs such as Library2Go and MIX agreements. Libraries join on a voluntary basis, but patrons must belong to a library which is participating in order to take part in the program.

To learn more about the program you can go to their website [www.librariesoforegon.org/passport](http://www.librariesoforegon.org/passport)

The program began on January 1<sup>st</sup>, 2013. The LINCC libraries will be joining as of May 1<sup>st</sup>. Each library has agreed to the policies outlined on the "Statement of Understanding" created by the Oregon Library Association. The LINCC libraries have also developed rules under which we will be operating the program.

#### Interlibrary Loans –

These are requests for items that we do not have within Clackamas County. We are able to request these items from a library anywhere in the United States. We do not charge patrons for this service although there is a cost to the district for providing this service, for instance staff time and postage. Lately our library has been experiencing a number of requests which patrons do not pick up. Michelle has brought this to my attention. Instead of charging patrons a fee for the service I would like to create a policy that if they request and ILL twice without picking it up they will lose their privilege of requesting items from outside our district.



## STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** Mark j. Gervasi, City Manager

**DATE:** April 10, 2013

**SUBJECT:** EID Draft

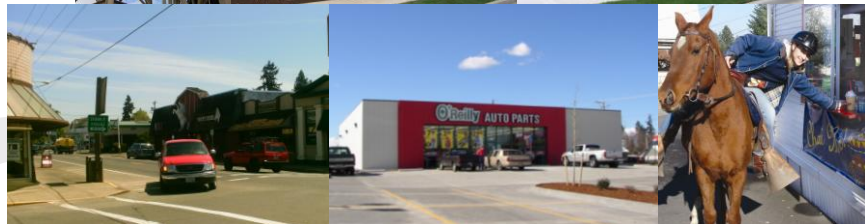
**ISSUES BEFORE THE COUNCIL:** *To approve or not approve the agreement.*

**RECOMMENDATION:** *Approve the agreement.*

**EXECUTIVE SUMMARY:**

Update by Mr. Gervasi at meeting.

**DRAFT 3/18/13**  
**ECONOMIC DEVELOPMENT ACTION PLAN  
FOR THE CITY OF MOLALLA**



**March 2013**

**Prepared by Jenifer Kay Hood,  
Executive Director,  
And the Board of the  
Team for Economic Action in Molalla  
With input from Mark Gervasi, interim City Manager,**

## Preface

In compliance with ORS 223.117(1a)'s call for a description of "the economic improvement project to be undertaken or constructed" TEAM has prepared this Economic Development Action Plan for the benefit of the City of Molalla as they prepare the City's Economic Improvement District Ordinance. This plan outlines several projects which are likely to generate substantial costs (such as building new roads, street repairs and other infrastructure improvements) the cost of which will have to be determined at a later time. Therefore, the statute's call (223.117 - 1b) for "a preliminary estimate of the probable cost of the economic improvement," is based upon TEAM's approximate annual budget of \$61,740 and does not include whatever additional revenue or costs may be added later as a part of this plan. See Addendum 1 (page 16) for TEAM's 2013 Budget. Addendum 2 (page 18) represents "the boundaries of the district in which property will be assessed" as required by ORS 223.117 (1c).

## PREPARATION OF THE ECONOMIC DEVELOPMENT ACTION PLAN

In preparing an Economic Development Action Plan members of the TEAM Board consulted members of other groups already active in the City, including the interim City Manager, Molalla Planning Commission, Molalla Area Chamber of Commerce, Molalla Historical Society, Molalla Centennial Committee and the Buckeroo Association.

TEAM also included recommendations based upon the County's Community Economic Preparedness Program (CEP) assessment. The CEP is designed to assist the community in identifying its economic development strengths and areas where improvements are recommended. The City (Ellen Barnes) and TEAM completed a Community Assessment which was based on the economic conditions of Molalla. The responses provided a reflection of the City's readiness to retain existing businesses; attract new businesses; and grow small businesses. With these results, Clackamas County Economic Development staff compiled recommendations designed to further the City's capacity in building opportunities for the community. Elements of the CEP were incorporated into this plan.

Preparation of the Plan commenced with the formulation of an overall goal for Molalla's economic development efforts. TEAM then analyzed the strengths and weaknesses of Molalla as a business location and developed nine objectives with the aim of enhancing Molalla's strengths and minimizing or eliminating the weaknesses. TEAM systematically examined each objective and devised strategies to attain each one.

TEAM will recommend this Community Economic Development Strategy for adoption by the Molalla City Council in March 2013 and is prepared to provide support and technical assistance to the City to complete elements of the plan.

## Program Overview

This Economic Development Action Plan was developed after months of work by TEAM.

Major economic development goals reflected in this plan are:

- Update the Molalla Comprehensive Plan and Development Code to continue to allow Molalla to be more desirable for businesses to locate here.
- Update of water and sewer services and infrastructure.



- Update the Transportations System Plan (TSP) to map and plan for street improvements to Hwy 211 and Molalla Ave., including traffic signal improvements where needed. In addition, updates to the TSP should plan for ample growth for new business and residents which will create more efficient traffic movement for future needs. Also identify and develop additional parking in the downtown core, which will help promote and sustain local business.
- Participation with other agencies in planning for the South Road, Hwy. 213 Connector to the Molalla Forest Road.
- Continued funding for Economic Improvement District.
- Help property owners to redevelop strategic employment sites, create family wage jobs and increase assessed property value to support public services for the City.
- Promote all industrial lands in Molalla and work to get those lands ready for development.
- Preparation of a refinement plan addressing zoning and infrastructure for future industrial job creating development.
- Planning and development of the Molalla Main Street Redevelopment project in the central downtown area consisting of a mix of uses.
- Further commercial development to complement industrial growth.
- Joint planning with Clackamas County on future development of approximately 40 acres along west Main Street with a mix of office, retail, multifamily, and government uses to infill area between historic downtown and new development at crossroads of Highways 211 and 213.

The objectives and strategies contained in this plan are designed to more accurately identify actions which the City will be a partner in development.

This Plan is designed to be a guide to the City Council and staff in determining a course of action for economic development activities in cooperation with TEAM. It is not meant to be a component of the Comprehensive Plan and does not include an economic analysis of the City.

## **WHY AN ECONOMIC DEVELOPMENT PLAN?**

Molalla has grown from a quaint community of 2,000 in 1970 to a small city of 8,200 in 2012. Molalla is a community that is looking for an identity. It is not content to serve merely as a “bedroom” to Portland. A strong plan would boost community spirit endeavoring to make Molalla a well-balanced city.

Large amounts of vacant, industrial land did not, of itself, lead TEAM to undertake an Economic Development Action Plan; but, looking at past efforts to attract new business in Molalla, it became apparent there was a need for a new overall look at Economic Development planning in Molalla.

## **CONTENT OF THE ECONOMIC DEVELOPMENT PLAN**

The Plan begins with an Overall Goal for Molalla’s economic development efforts. Nine objectives are given as a method of obtaining that goal. To carry out each objective, specific strategies are listed by CEP category.

## **OVERALL GOAL**

**TO BECOME ONE OF THE PREMIER ECONOMIC ACTIVITY CENTERS OF CLACKAMAS COUNTY, ACHIEVING COMMERCIAL AND INDUSTRIAL GROWTH WITHIN THE FRAMEWORK OF HIGH ENVIRONMENTAL STANDARDS AND EXCELLENCE IN URBAN DESIGN.**

## **THE NINE OBJECTIVES**

1. Maintain an inventory of development related information with selected information published in an attractive manner.
2. Actively market Molalla as a business location to target groups such as commercial and industrial brokers, private sector developers, regional development agencies, Clackamas County Business Development office, and the Oregon Economic and Community Development Department (Business Oregon).
3. Continue working with State, County and Regional Agencies to guarantee that the South Road/213 Connector becomes a reality.
4. Periodically evaluate Molalla's permit process to ensure that it operates efficiently.
5. Promote, maintain and enhance standards for environmental protection and excellence in urban design.
6. Promote and maintain a healthy business climate to benefit new and existing businesses in the City.
7. Plan for future commercial development in Molalla to meet needs of the residents in the area.
8. Be prepared to address development of areas adjacent to the City of Molalla (northeast and southwest of Molalla) while honoring the City's traditional core.
9. Promote industrial lands as designated "Developable" or "Certified" under State and County programs.

## **THE STRATEGIES**

### **A. Organizational Capacity for Economic Development**

- The City Council, working with the City Manager and City Finance Director should develop five-year budget projections as a means of being prepared for potential economic development needs.
- The City should continue active participation in and cooperation with the Molalla Area Chamber of Commerce and TEAM.

- Continue to participate in discussions at the regional and local levels on the viability of developing land to the northeast, south, and southwest of the City and the impacts such development would have on the existing downtown commercial district.
- Maintain an inventory of development-related information.
- Periodically review internal permit processing procedures to find ways to improve efficiencies.
- Ordinance language should be prepared by the County Planning Department to address differences in size and status of building projects.
- Review procedures and policies of the Planning Commission in the development review process.
- Review the City's Community Design Standards periodically to ensure they are reflective of community values, changing construction methods, or development opportunities and meeting the strategy to assure high-quality development.

**Recommendations:** Develop a five year budget plan to anticipate expenses and revenues, including those of Urban Renewal District (Tax Increment Financing) and Economic Improvement District assessment (if applicable). Include recommended permit charge adjustments in the five-year financial planning processes and fiscal budget. Use available opportunities to market the City of Molalla and the region through groups such as the Molalla Area Chamber of Commerce, Clackamas County Economic Development Commission, Clackamas County Tourism and Business Development Departments, Port of Portland and Business Oregon. This involves attending meetings of these organizations, taking part in trade shows, and working on task groups to tackle common problems. As part of the effort to improve services to the public, the City will work with the County to insure that internal permit processes are periodically evaluated by staff. The routing procedures and flow of information should be as efficient as possible and result in rapid and accurate permit processing. Development Code should distinguish between large, new projects and small remodel projects in terms of language on what requires full architectural review or a less formalized review. The entire process should be periodically reviewed by Council to determine if it is fulfilling the original intent of statutes and in compliance with the County.

## B. Strategies for Economic Development

- Periodically (at least once a year) evaluate Molalla's permit process to ensure that it operates efficiently.
- Since the County currently serves as the City's Planning Department, the City Council should work with the City Planning Commission to develop and communicate issues of a policy nature to the County.
- Review land use planning processes (at least annually) to determine where further delegation to County staff can reasonably occur.
- Evaluate needs for additional commercially-designated land in the City of Molalla.
- File paperwork with Business Oregon to designate industrial land as either "Developable" or "Certified."
- Notify Business Oregon and Clackamas County of developable or certified industrial areas.

**Recommendations:** Regional tours for development opportunities should be coordinated with Greater Portland Inc., the City's regional economic development partners, and Business Oregon, as needed. Establish a process for the Planning Commission to review codes in partnership with the County. Analyze past commercial development in the City by conducting a market study of

commercial needs and a review by Council of existing commercial zone policies. Identify industrial lands ready for development and help property owners navigate through the agencies and paperwork to perform an environmental report (Level 1 or 2) so the property will be available for development in the shortest possible time frame. Work with Oregon Department of Environmental Quality (DEQ) to notify property owners of availability of help to characterize any contaminants or areas of concern. Work with Oregon Department of State Lands (DSL) to determine wetland status on property and any mitigation resources available. Find resources to help property owners remediate any environmental contaminates and help prepare them for site visits for interested investors. Follow-up to make sure designation went through and actively work to correct problems hanging designation up. Update all “Expand In Oregon” listings with information on certification. Send press release regarding new designation to business journals, trade papers, local media and League of Oregon Cities. If funds are available, purchase advertising in Site Selection magazines or other business papers.

## **C: Business Retention/Expansion**

- The City and TEAM should conduct regular business outreach efforts
- Create business recognition program
- Policies and standards should give particular attention to the needs of existing businesses who are attempting to expand or remodel as a way of promoting retention of current Molalla companies.
- Publicize available assistance to existing businesses.
- Create codes which address small remodel projects
- TEAM should provide business support services

**Recommendations:** Conduct annual meet and greets with business community and offer awards for outstanding contributions. Development Code should distinguish between what requires full architectural review or a less formalized review. In addition to providing a small business library free business consulting and planning services, TEAM should maintain close ties with the local Small Business Development Center (SBDC) and help businesses network with appropriate business partners.

## **D: Business Start Up/Recruitment**

- Compile a “Resource Tool Kit”
- Create a “Rapid Response Team”
- Create a targeted industry analysis and marketing strategy
- Actively market Molalla as a business location to target groups such as commercial and industrial brokers, regional development agencies, Clackamas County and the Oregon Economic and Community Development.
- Target the groups which can most effectively “spread the word” on Molalla and ensure that they are aware of the benefits of Molalla as a business location.
- Maintain an updated list of contact persons in each brokerage, agency or organization.
- Recognize and be prepared to respond to major industrial prospects which serve as catalysts for further job creation.
- Compare permit charges to those of other regional jurisdictions (business license fees, System Development Charges (SDCs) etc.).

- Participate in site visits for private development of vacant industrial and commercial land on a regular basis.
- Continue to strengthen the City's policy of informing developers up front of all procedural requirements and costs in the permit process.
- Prepare letters welcoming new businesses to the City.

**Recommendations:** Generate a "tool kit" for prospective businesses. Put together a group of knowledgeable local persons as a "Rapid Response Team." Identify which industries are best suited to the area and create marketing strategy for reaching them. Contact commercial and industrial brokers who are conversant with business in Molalla, Molalla Area Chamber of Commerce, Portland Chamber of Commerce, North Clackamas Chamber of Commerce, Clackamas County Business and Economic Development, Portland Development Commission (PDC), Clackamas County Practitioner's Roundtable, League of Oregon Cities, Business Oregon, Port of Portland, Portland Ambassador Program, Local business journalists, Greater Portland Inc., Neighboring jurisdictions, Molalla River School District, Public utility economic development representatives (Molalla Communications, PGE, NW Natural). Implementation of this strategy is dependent on interest from potentially large developers. The City should be prepared to consider appropriate financial incentives and, for specific cases where sufficient probability of development exists, undertake travel to make presentations on Molalla. Develop a designated procedure by the City, Molalla Area Chamber of Commerce, and Molalla's regional economic development partners to respond to such requests. Periodically compare permit charges to other jurisdictions in the region to establish appropriate fees. Opportunities for site visits should be publicized to target groups.

## **E. Main Street Program**

- Update design guidelines for Downtown to ensure design compatibility and high quality development.
- Re-institute the Community Design Awards Program as a recognition tool for quality urban design and new businesses in the community.
- Ensure a vibrant downtown by a continued commitment to development of Molalla's commercial core.
- Evaluate the need for public building facilities such as a community center, a new City Hall, and office space to meet the needs of the community and augment the commercial core or surrounding area.
- Utilize Main Street's Four-Point Approach™
- Establish and market coordinated shopping hours
- Conduct Downtown Parking analysis

**Recommendations:** Investigate viability of design guidelines applying to the entire commercial district. The commitment to pedestrian-oriented development with a variety of uses should continue to be stressed. Consider locating new public buildings within the commercial core to enhance the viability of commercial businesses. Assistance and trainings with Four-Point Approach can be provided by Clackamas County Main Street and Oregon Main Street upon request.



## F. Tourism

- Complete a Tourism Analysis and Marketing Strategy
- In addition to its function as a rodeo venue (Buckeroo, La Fortuna, Ross Coleman Invitational), utilize the Buckeroo Grounds as a community concert venue.
- Work with the Molalla Area Chamber of Commerce and other interested groups to promote Molalla.
- The City, TEAM and the Buckeroo Association should work together on the development of the Rodeo Walk of Fame.
- Collaborate with Clackamas County Tourism and Cultural Affairs to promote and develop tourism opportunities.

**Recommendations:** Develop partnerships with the City, TEAM, Molalla Area Chamber of Commerce, Clackamas County Tourism and Cultural Affairs, Molalla Farm Loop and Molalla Buckeroo to identify, develop and promote activities and events. Complete a tourism asset inventory and marketing analysis in order to strategically plan for, market, and report back on the economic impact tourism has on the Molalla area. Clackamas County staff would be available to review and provide comment on said tourism analysis upon request.

## G. Information for Economic Development

- Gather information on demographics, the amenities and business climate of Molalla.
- Print above types of information in a format which is attractive, easy to update and easy to read.
- Create short videos about how to do business with Molalla in easy to understand language could cover material that is longer range and unlikely to change very often.
- Prepare appropriate handouts, including flow charts and diagrams, addressing the various land use and building permit procedural requirements.
- The City should also consider a means of explaining System Development Charges (SDC's) in clearer language and demonstrating why they are necessary for infrastructure improvements and where the fees collected are used. Public information videos could be supplied as part of the application process.
- Include quality of life attributes in community profile and marketing materials.

**Recommendations:** Generate site information reports, marketing materials and links to other agencies' web sites within the region. Material should be divided into booklets to address different audiences, including one to explain what someone needs to know before developing land in Molalla, another to promote the area as a place to locate a business, and a third to attract business visitors. Avenues of joint planning of programs and marketing materials should be explored.

Material should include updated industrial/commercial development facts, demographic information on Molalla and region, characteristics of commercial and industrial sites including: existing and planned infrastructure, size and any unusual features, marketing agent, if any, property owners and their interest in site development, commercial support services available, development costs in Molalla, existing employers in Molalla, available business assistance and community amenities

*Note: TEAM has begun the process of gathering this information and has some of it in draft form.*

## H. Labor Force

- Identify work force issues
- Work with local schools on developing local industry specific curriculum

**Recommendations:** Work with Worksource Oregon and Clackamas County BED to gather workforce data. Continue to work with Molalla River School District and Clackamas Community College satellite campus to insure graduating students have skills to meet needs of existing employers and sufficient community pride to return to Molalla after college.

## I. Infrastructure Capacity

- Continue working with State, County, and Regional agencies to guarantee that the South Road/213 Connector becomes a reality.
- Actively monitor and be involved in regional committees affecting transportation in the Molalla area.
- Keep residents and businesses informed about the process and the benefits of building the South Road/213 Connector by use of City newsletter or other media.
- Determine requirements for off-site improvements such as streets, sidewalks, additional parking lots in the downtown core and street lights vis-à-vis development of public facilities.
- Encourage development as infill between Molalla Avenue and Highway 213.
- Generate a plan of action for growth within Urban Growth Boundary (UGB).

**Recommendations:** City Council and staff should continue to be involved in such committees as Clackamas Transportation Advisory Committee, Metro's Transportation Planning Advisory Committee (TPAC) and other committees which affect regional transportation issues. The City should continue to be actively involved in working with agencies concerning the South Road/213 Connector. As well as the City newsletter, virtual and actual Community Forums should continue to be used to provide information about the benefits of the southwesterly bypass to Highway 211. City requirements for off-site improvements such as streets, sidewalks and street lights should be related to the impacts generated by the development of public facilities. Many improvements are needed to the City's streets and sidewalks. The development of the Rodeo Walk of Fame should assist in this process as it will give the City access to ODOT's STIP, Historic, Humanities and Arts funding. Be prepared to address development of areas adjacent to the City of Molalla (northeast and southwest of Molalla) while honoring the City's traditional core.

## J. Financial Resources

- Tap resources available to support business growth and development
- Work to pass and garner support for Economic Improvement District
- City and TEAM staff is knowledgeable of financing assistance programs and resources available to businesses.

**Recommendations:** Take advantage of funding opportunities through Urban Renewal, Enterprise Zone, Strategic Investment Zone, and Rural Renewable Energy Development Zone. Develop means of providing information on financing options to local business and property owners.. Another option

to consider; forming local improvement districts (LID's), which would provide an alternate method of financing the upgrading and repair of streets but which would require considerable education of citizens.

## K. Quality of Life

- Maintain and enhance standards for environmental protection and excellence in development design.
- Environmental and design standards should be reviewed on a periodic basis to determine if changes are needed to assure high-quality development in the City.
- Evaluate how we can make our commercial and industrial areas more attractive.

**Recommendations:** Investigate options to create city-wide walking and biking paths which may include portions of the Bear Creek corridor. Also consider “rails to trails” walking and biking path along unused Oregon Pacific line. Look into pocket parks adjacent to commercial and industrial areas. Act to clean up commercial and industrial areas that are vacant and keep them litter and weed free.

## Implementation Timeline (CITY'S PARTNERS ARE LISTED)

### A. Organizational Capacity for Economic Development

	Recommended Action	Partnering Agencies	Timeline
	Provide Economic Development Trainings	TEAM, Clackamas County BED, Business Oregon, OR DEQ	2013, Annually
	The City Council, working with the City Manager and City Finance Director should develop five-year budget projections as a means of being prepared for potential economic development needs.	TEAM	2013
	The City should continue active participation in and cooperation with the Molalla Area Chamber of Commerce and TEAM.	Molalla Area Chamber of Commerce, TEAM	Ongoing
	Continue to participate in discussions at the regional and local levels on the viability of developing land to the northeast, south, and southwest of the City and the impacts such development would have on the existing downtown commercial district.	TEAM, Molalla Area Chamber of Commerce, Clackamas County BED, Business Oregon	Ongoing
	Maintain an inventory of development-related information	TEAM, Clackamas County BED, Business Oregon	Ongoing
	Periodically review internal permit processing procedures to improve efficiency.	Clackamas County Planning, TEAM	Ongoing
	Ordinance language should be prepared by the County Planning Department to address differences in size and status of building projects.	Clackamas County Planning	2013-14



# City of Molalla Economic Development Plan

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	Review the role of the Planning Commission in development review.	Clackamas County Planning, TEAM	2013
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## B. Strategies for Economic Development

	Recommended Action	Partnering Agencies	Timeline
	Review the City's Community Design Standards periodically to ensure they are reflective of community values, changing construction methods, or development opportunities and meeting the strategy to assure high-quality development.	Clackamas County Planning, TEAM	2013-14
	Continue Business Outreach	TEAM, Chamber	Ongoing
	Establish a Rapid Response Team	TEAM, Chamber	2013
	Periodically evaluate Molalla's permit process to ensure that it operates efficiently.	Clackamas County Planning	Ongoing
	Because the County currently serves as the City's Planning Department, the City Council should work with the City Planning Commission to develop and communicate issues of a policy nature to the County.	City Planning Commission, Clackamas County Planning	Ongoing
	Review land use planning processes to determine where further delegation to County staff can occur.	Planning Commission, Clackamas County Planning	2013-14
	Evaluate needs for additional commercially-designated land in the City of Molalla.	Clackamas County Planning	2015
	File paperwork to designate industrial land as either "Developable" or "Certified."	Business Oregon	2013
	Notify Business Oregon and Clackamas County of developable or certified industrial areas.	Business Oregon Clackamas County BED,	2013

## C. Business Retention/Expansion:

	Recommended Action	Partnering Agencies	Timeline
	Create Business Recognition Program	TEAM, Chamber	2013-14
	The City and TEAM should conduct regular business outreach efforts	TEAM	Ongoing
	Policies and standards should give particular attention to the needs of existing businesses who are attempting to expand or remodel as a way of promoting retention of current Molalla companies.	City Planning Commission, Clackamas County Planning	2013-14
	Publicize available assistance to existing businesses.	TEAM, Chamber	Ongoing
	Create codes which address small remodel projects	Planning Commission, Clackamas County Planning	2013-14
	TEAM should provide business support services	SBDC, Clackamas County BED	Ongoing

## D. Business Start Up/Recruitment:

	Recommended Action	Partnering Agencies	Timeline
	Complete a Targeted Industry Analysis and Marketing Strategy	TEAM, Clackamas County BED, Business Oregon and Greater Portland, Inc.	2013-14
	Establish a Rapid Response Team	TEAM, Chamber	2013
	Compile a Resource "Tool Kit"	TEAM, Clackamas County BED, Business Oregon and Greater Portland, Inc.	2013
	Actively market Molalla as a business location to target groups such as commercial and industrial brokers, regional development agencies, Clackamas County and Business Oregon.	TEAM, Clackamas County BED, Business Oregon and Greater Portland, Inc.	Ongoing
	Target the groups which can most effectively "spread the word" on Molalla and promote awareness of benefits of Molalla as a business location	TEAM, Chamber, Clackamas County BED, Business Oregon and Greater Portland, Inc.	Ongoing
	Maintain an updated list of contact persons in each brokerage, agency or organization.	TEAM, Chamber	Ongoing
	Recognize and be prepared to respond to major industrial prospects which serve as catalysts for further job creation.	TEAM, Clackamas County BED, Business Oregon	Ongoing
	Compare permit charges to those of other regional jurisdictions.	and Planning	2013-14
	Conduct site visits for private development of vacant industrial and commercial land on a regular basis.	Clackamas County BED, Business Oregon, Greater Portland, Inc., local Commercial Realtors Group	Ongoing, Quarterly?
	Continue to strengthen the City's policy of informing developers up front of all procedural requirements and costs in the permit process.	TEAM,	2013-14
	Prepare letters welcoming new businesses to the City.	TEAM, Chamber	2013

## E. Main Street Program:

	Recommended Action	Partnering Agencies	Timeline
	Update design guidelines for Downtown to ensure design compatibility and high quality development.	TEAM, Clackamas County Planning, City Planning Commission	2013-14
	Re-institute the Community Design Awards Program as a recognition tool for quality urban design and new businesses in the community.	TEAM, Chamber	2013
	Ensure a vibrant downtown by a continued commitment to development of Molalla's commercial core.	TEAM	Ongoing

# City of Molalla Economic Development Plan

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	Evaluate the need for public building facilities such as a community center, new City Hall, and office space to meet the needs of the community and augment the commercial core or surrounding area.	TEAM	2015
	Utilize Main Street's Four-Point Approach™	Clackamas County Main Street, Oregon Main Street	Ongoing
	Establish and market coordinated shopping hours	TEAM, Chamber	2013
	Conduct Downtown Parking analysis	TEAM, Chamber of Commerce	2013-14

## F. Tourism:

	Recommended Action	Partnering Agencies	Timeline
	Complete a Tourism Analysis and Marketing Strategy	TEAM, Clackamas County Tourism	2013
	In addition to its function as a rodeo venue (Buckeroo, La Fortuna, Ross Coleman Invitational), utilize the Buckeroo Grounds as a community concert venue.	Buckeroo Association, Chamber	2013-14, Ongoing
	Work with the Molalla Area Chamber of Commerce and other interested groups to promote Molalla.	TEAM, Chamber	Ongoing
	The City should work with TEAM and the Buckeroo Association on the development of the Rodeo Walk of Fame.	TEAM, Buckeroo Association, Chamber and Clackamas County Tourism	2013-2018

## G. Information for Economic Complete Community Profile Updates

	Recommended Action	Partnering Agencies	Timeline
	Gather information on demographics, the amenities and business climate of Molalla.	TEAM, Chamber, Clackamas County BED, Business Oregon	2013
	Print above types of information in a format which is attractive, easy to update and easy to read.	TEAM	2013
	Short videos about how to do business with Molalla in easy to understand language could cover material that is longer range and unlikely to change very often.	TEAM, Chamber	2013
	Prepare appropriate handouts, including flow charts and diagrams, addressing the various land use and building permit procedural requirements.	TEAM, Chamber, Clackamas County BED, Business Oregon	2013
	Explain System Development Charges (SDC's) in clearer language and demonstrating why they are necessary for infrastructure improvements and where the fees collected are used. Public information videos could be supplied as part of the application process.	TEAM, Clackamas County Planning	2013-14
	Include quality of life attributes in community profile and marketing materials.	TEAM, Chamber, and Tourism	Ongoing

## H. Labor Force:

	Recommended Action	Partnering Agencies	Timeline
	Identify work force issues	TEAM, Worksource Oregon	2013-14
	Work with local schools on developing local industry specific curriculum	Molalla River School District, Clackamas Community College	Ongoing

## I. Infrastructure Capacity:

	Recommended Action	Partnering Agencies	Timeline
	Continue working with State, County, and Regional agencies to guarantee that the South Road/213 Connector becomes a reality.	Clackamas County Planning, Transportation Departments, ODOT, TEAM	2013-Until complete
	Actively monitor and be involved in regional committees affecting transportation in the Molalla area.	TEAM	Ongoing
	Keep residents and businesses informed about the process and the benefits of building the South Road/213 Connector by use of City newsletter or other media.	TEAM	Ongoing
	Determine requirements for off-site improvements such as streets, sidewalks and street lights vis-à-vis development of public facilities.	ODOT, County Transportation Department	2014-15
	Encourage development as infill between Molalla Avenue and Highway 213.	TEAM, ODOT	Ongoing
	Be prepared to address development of areas adjacent to the City of Molalla (northeast and southwest of Molalla) while honoring the City's traditional core.	ODOT, TEAM	2015, Ongoing
	Participate in Clackamas County Asset Mapping	TEAM, Clackamas County BED	2013-14
	Prioritize projects to promote	TEAM, Chamber	2013

## J. Financial Resources:

	Recommended Action	Partnering Agencies	Timeline
	Tap resources available to support business growth and development	TEAM, Clackamas County BED, Business Oregon, Greater Portland, Inc., Foundations	Ongoing
	Work to pass and garner support for and Economic Improvement District	TEAM	2013
	Provide financing assistance programs and resources available to businesses.	TEAM, Clackamas County BED, Business Oregon, Greater Portland, Inc., Foundations	Ongoing

## K. Quality of Life:

	Recommended Action	Partnering Agencies	Timeline
	Maintain and enhance standards for environmental protection and excellence in development design.	Clackamas County Planning, Oregon DEQ, U.S. EPA	Ongoing
	Environmental and design standards should be reviewed on a periodic basis to determine if changes are needed to assure high-quality development in the City.	City Planning Commission, Clackamas County Planning, TEAM, Oregon DEQ	2013-14, Ongoing
	Evaluate how we can make our commercial and industrial areas more attractive.	Clackamas County BED and Tourism, TEAM, Business Oregon and Oregon DEQ	Ongoing

## Addendum 1

### TEAM 2013 BUDGET

(Budget is based on anticipated revenues and does not factor in grants or other resources which may increase operating capital)

Cash Balance 2012	72,490.00	
Designated Funds	10,750.00	Rodeo Walk of Fame Charrette and Tourism Grants
Total Operating Cash Carry Forward	61,740.00	
Ordinary Income/Expense 2013		
Income		
E I D		
	E.I.D. Funds	50,000.00
Total E I D		50,000.00
Miscellaneous Income		
Total Income		50,000.00
Gross Profit		50,000.00
Expense		
Printing & Reproduction		
Dues & Subscriptions		720.00
Education & Training		600.00
Insurance		2,115.00
Meals		600.00
Mileage Reimbursement		612.00
Office Supplies		1,500.00
Payroll		
	Salary	45,996.00
	Payroll Taxes	4,620.00
Total Payroll		50,616.00
Postage & Delivery		144.00
Professional Services		
	Accounting	1,800.00
	Payroll Services	1,152.00
Total Professional Services		2,952.00
Rent		3,000.00
Tax		45.00
Telephone/Internet		1,680.00

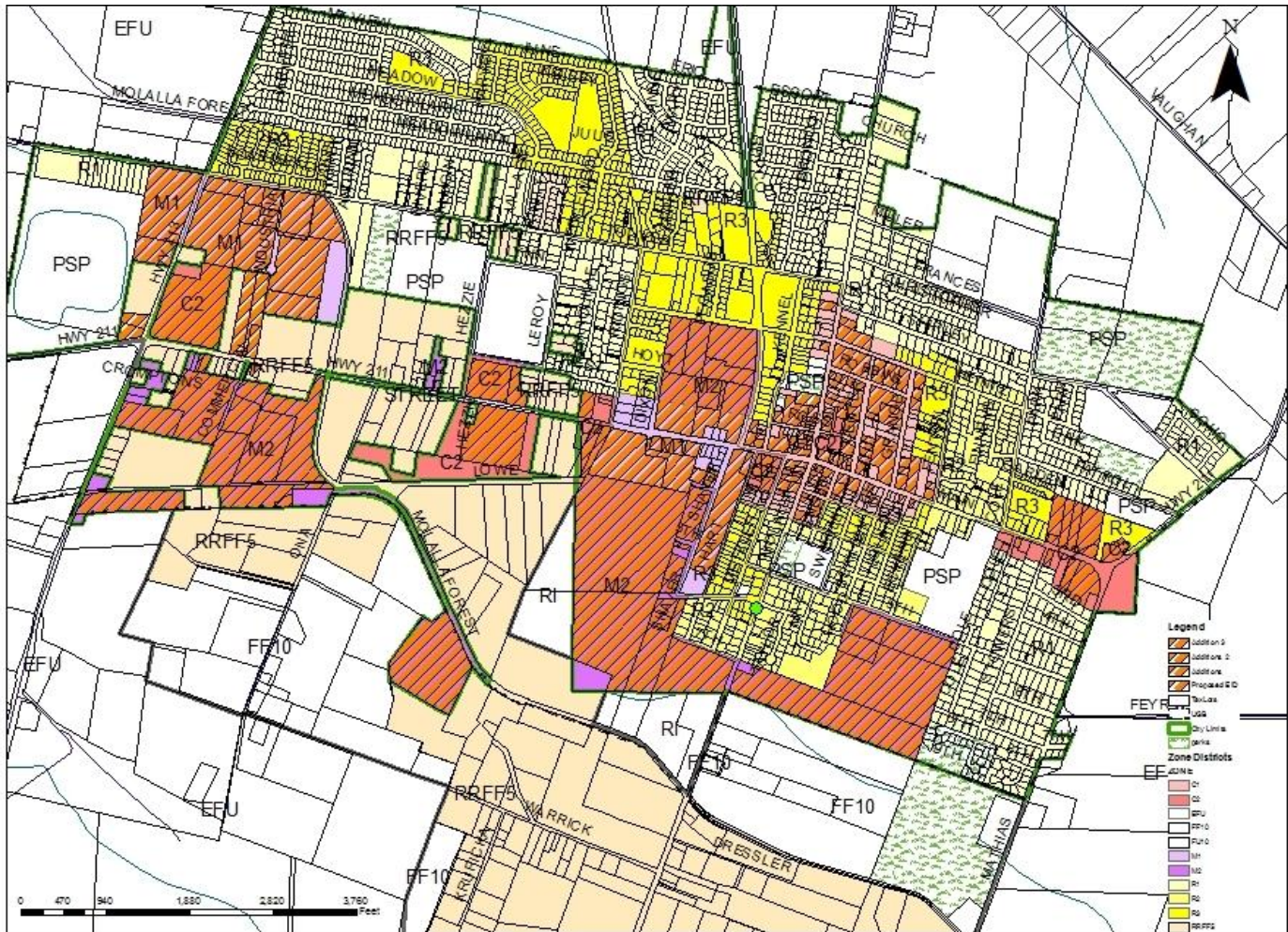
# City of Molalla Economic Development Plan

Travel	350.00
Utilities	<u>420.00</u>
Total Expense	<u>65,354.00</u>
Net Ordinary Income	-15,354.00
Other Income/Expense	
Other Income	
Main Street	
Grant 2nd Friday	<u>1,000.00</u>
Total Main Street	<u>1,000.00</u>
Total Other Income	1,000.00
Other Expense	
Main Street Expense	
Promotion Committee	
2nd Friday	<u>1,000.00</u>
Total Promotion Committee	<u>1,000.00</u>
Total Main Street Expense	<u>1,000.00</u>
Total Other Expense	<u>1,000.00</u>
Net Other Income	<u>0.00</u>
Cash Reserve 2013	<u><u>46,386.00</u></u>



Addendum 2

**Proposed 2013-2017 Economic Improvement District**







## **STAFF REPORT**

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Mark J. Gervasi, City Manager  
**FROM:** Sadie Cramer, City Recorder  
  
**DATE:** March 13, 2013  
  
**SUBJECT:** Citizen Appointments

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### **ISSUES BEFORE THE COUNCIL:**

To appoint citizens to open board/commission positions.

### **COUNCIL ACTION:**

Consider the appointment of Rod Keech to the Molalla Planning Commission as a voting member.

# City of Molalla

## Application for Appointment to Citizen Committee



Date: 3/22/13

Board/Committee of Interest: Planning Commission

Name:

Address:

State

Zip

Home Phone:

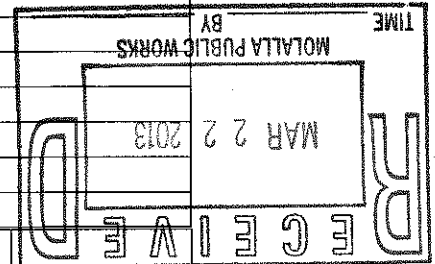
Work Phone:

\*E-Mail

Rodney Keech  
119 Loldave  
OR 97038  
503 829 8675  
3956 6811

Years of Residence Inside City

Years of Residence in Community



Current or Previous

Community Affiliations or Activities:


Please explain why you would like to serve on this committee and give any other background you might have in this area.

I think I would bring new insight I have been in the construction industry here in this area for 20 years. I believe it's our duty to serve.

If applying for re-appointment to this Commission/Board/Committee/Task Force, please indicate what has been the key accomplishment of the group during your service.


If you could make any improvement to the Commission/Board/Committee/Task Force, what would it be?


\*Signature or type name:

Rodney Keech

### To submit electronically:

After completing the form, save it to your hard drive.

Email the completed form as an attachment to:  
cityrecorder@molalla.net

### Or print the completed form and mail to:

City Recorder  
City of Molalla  
PO Box 248  
Molalla, OR 97038

Or FAX it to: 503-829-3676



## STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** Mark j. Gervasi, City Manager

**DATE:** April 10, 2013

**SUBJECT:** Enterprise Zone Agreement

**ISSUES BEFORE THE COUNCIL:** *To approve or not approve the agreement.*

**RECOMMENDATION:** *Approve the agreement.*

**EXECUTIVE SUMMARY:**

Ms. Johnk will be in attendance to provide information and insight.

**OUTCOMES OF DECISION:** Ms. Johnk will be in attendance to provide information and insight.

WRITTEN AGREEMENT  
WITH THE MOLALLA ENTERPRISE ZONE SPONSOR TO EXTEND PROPERTY TAX  
EXEMPTION TO FIVE CONSECUTIVE YEARS IN TOTAL FOR MODERN  
CONSTRUCTION, LLC

The sponsor of the Molalla Enterprise Zone comprising the governing body of the City of Molalla (hereinafter "The Zone Sponsor") and Modern Construction, LLC (hereinafter "The Firm") do hereby enter into an agreement for extending the period of time in which The Firm shall receive an exemption on its proposed investments in qualified property in the Molalla Enterprise Zone contingent on certain special requirements.

The Zone Sponsor and The Firm jointly acknowledge: that subject to timely submission and approval of an application for precertification and the satisfaction of other requirements under ORS 285B.650 to 285B.728 (1997), The Firm is eligible for three years of complete exemption on its qualified property; that nothing in this agreement shall modify or infringe on this three-year exemption or the requirements thereof, and that this agreement becomes null and void if The Firm does not qualify for these three years of the exemption.

The Zone Sponsor extends The Firm's property tax exemption an additional two years on all property that initially qualifies in the Molalla Enterprise Zone in or before the assessment year beginning on January 1, 2014 and, thus, sets a total period of exemption of five consecutive years during which statutory requirements for the standard three-year enterprise zone exemption must also be satisfied and maintained.

In order to receive the additional two years of enterprise zone exemption granted herein, The Firm agrees herewith pursuant to ORS 285B.710 (3) that for each year of the exemption, all of The Firm's new employees shall receive an average level of compensation equal to or greater than 150 percent of the county average annual wage (\$31.27 per hour), in accordance with the definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 065, which provides that:

1. Such compensation may include non-mandatory benefits that can be monetized;
2. At the time of precertification, 150% of the Clackamas County average wage is \$31.27 per hour (2013 county average wage rate \$20.85 per hour);
3. Only employees working at jobs filled for the first time after the application for precertification but prior to July 1 following the first full year of the exemption and performed within the current boundaries of the Molalla Enterprise Zone are counted; and
4. Only full-time, year-around and non-temporary employees engaged a majority of their time in The Firm's eligible operations under ORS 285B.707 are counted,

regardless if such employees are leased, contracted for or otherwise obtained through an external agency or are employed directly by The Firm.

The Zone Sponsor does not request any requirement of The Firm and relinquishes all rights to make the additional two years of property tax exemption granted herein contingent on additional requirements that might otherwise be reasonably requested under ORS 285B.710[(3) for urban zones.

ACCEPTING FOR THE SPONSOR OF  
THE MOLALLA ENTERPRISE ZONE:

ACCEPTING FOR  
MODERN CONSTRUCTION, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Date:

Date:

# OREGON ENTERPRISE ZONE AUTHORIZATION APPLICATION

• Complete form and submit to the local enterprise zone manager **before** breaking ground or beginning work at the site. • Please type or print neatly.

## APPLICANT

Enterprise Zone or Rural Renewal Energy Development Zone (where business firm and property will be located) <b>410 Section St. Molalla, OR 97038</b>		County <b>Clackamas</b>	
Name of Business Firm <b>Modern Construction</b>		Telephone Number <b>( 971 ) 302-9474</b>	
Mailing Address <b>PO Box 1182</b>	City <b>Molalla</b>	State <b>OR</b>	ZIP Code <b>97038</b>
Location of Property (street address if different from above)	City	State	ZIP Code
Map and Tax Lot Number of Site <b>52E17AA03400 &amp; 52E17AA03300</b>	Contact Person <b>Russell Hawkins</b>		Title <b>General Manager</b>

- My firm expects to first claim the standard property tax exemption in the following year(s): \_\_\_\_\_
- ☐ Check here if your firm has or has had another exemption in this enterprise zone. Note the first year of such exemption: \_\_\_\_\_
- ☒ Check here that your firm commits to renew this authorization application. Renew this application on or before April 1 every two calendar years, until the tax exemption on qualified property is claimed.
- ☐ Check here if you are requesting an **extended abatement** of one or two additional years of exemption. This is subject to minimum average annual "compensation" for employees and written agreement with local zone sponsor. Sponsor may request additional requirements.

### Zone Manager Use Only (after written agreement but before authorizing firm):

County Average Annual Wage: \$ \_\_\_\_\_ For Year \_\_\_\_\_ Total Exemption Period: ☐ 4 or ☐ 5 Consecutive Years (check one)

## BUSINESS ELIGIBILITY

**Eligible Activity**—Check all activities that apply to proposed investment within the enterprise zone:

- ☒ Manufacturing ☒ Fabrication ☐ Bulk Printing ☐ Shipping ☐ Agricultural Production ☐ Energy Generation
- ☒ Assembly ☐ Processing ☐ Software Publishing ☐ Storage ☒ Back-office Systems
- ☐ Other—describe the activities that provide goods, products, or services to other businesses (or to other operations of your firm): \_\_\_\_\_

- ☒ Check here if your business firm does or will engage in **ineligible activities** within the enterprise zone (such as retail sales, health care, professional services, or construction). Describe below (or in an attachment) these activities and their physical separation from "eligible activities" checked above: Construction of fabricated buildings *ECB*

**Special Cases**—Check all that apply:

- ☐ Check here if a **hotel, motel, or destination resort** in an applicable enterprise zone.
- ☐ Check here if a **retail/financial call center**. Indicate expected percent of customers in local calling area: \_\_\_\_\_ %.
- ☐ Check here if a **"headquarters" facility**. (Zone sponsor must find that operations are statewide or regional in scope and locally significant.)
- ☐ Check here if an **electronic commerce investment** in an e-commerce enterprise zone. (This also provides for an income tax credit.)

## EMPLOYMENT IN THE ENTERPRISE ZONE (see worksheets on last page)

**Do not** count temporary, seasonal, construction, FTE, part-time jobs (32 hours or less per week), or employees working at ineligible operations.

**Existing Employment**—My business firm's average employment in the zone over the past 12 months is \_\_\_\_\_ jobs.

**New Employees**—

- Hiring is expected to begin on (date or month and year): 01Apr13
- Hiring is expected to be completed by (month and year): 01Apr18
- Estimated total number of new employees to be hired with this investment is: 60

**Commitments**—By checking all boxes below, you agree to the following commitments as required by law for authorization:

- ☒ By April 1 of the first year of exemption on the proposed investment in qualified property, I will increase existing employment within the zone by one new employee or by 10 percent, whichever is greater.
- ☒ My firm will maintain at least the above minimum level as an annual average employment during the exemption period.
- ☒ When the exemption claim is also filed by April 1 following each calendar year of exemption, total employment in the zone will not have shrunk by 85 percent at one time or by 50 percent twice in a row, compared to any previous year's figure.
- ☒ My firm will comply with local additional requirements as contained in: (1) a written agreement for an extended agreement, (2) zone sponsor resolution(s) waiving required employment increase, or (3) an **urban** enterprise zone's adopted policy, if applicable.
- ☒ My firm will verify compliance with these commitments, as requested by the local zone sponsor, the county assessor or their representative, or as directed by state forms or administrative rules.
- ☒ My firm will enter into a **first-source hiring agreement** before hiring new eligible employees. (This **mandatory** agreement entails an obligation to consider referrals from local job training providers for eligible job openings within the zone during at least the exemption period.)

# **OREGON EMPLOYMENT OUTSIDE THE ENTERPRISE ZONE**

## **Check only those that apply:**

- ☐ Check here if your firm or a commonly controlled firm is, or will be, closing or curtailing operations in the state **beyond 30 miles of the zone's boundary**. Indicate timing, location, number of any job losses, and relationship to the proposed enterprise zone investment:
- ☐ Check here if you are transferring any operations into the zone from site(s) **within 30 miles of the zone boundary** (existing businesses only): My firm's average employment at the site(s) over the past 12 months is \_\_\_\_\_ jobs.
- ☐ Check here if your firm commits to increase the combined employment at the site(s) (within 30 miles) and in the zone to 110 percent of the existing combined level by April 1 and on average during the first year of exemption.

## **PROPOSED INVESTMENT IN QUALIFIED PROPERTY**

**Anticipated Timing**—Enter dates or months/years

Action	Site and Building & Structures			Machinery and Equipment		
	Preparation	Construction*	Placed in Service	Procurement**	Installation	Placed in Service
To commence or begin on	18Mar13	18April13	31Dec13	18Mar13	18Mar13	18Apr13
To be completed on	18Apr14	18April16		18April16	18April16	

\* And/or new reconstruction, additions to, or modifications of existing building(s) or structure(s).

\*\* May precede application by up to three months.

## **Special Issues:**

- ☐ Check here for building/structure acquired/leased for which construction, reconstruction, additions, or modifications began prior to this application (attach executed lease or closing documents).
- ☐ Check here for **Work-in-Progress** tax exemption for qualified property that is not yet placed in service and is located on site as of January 1. (Attach description and list of such probable property. See "Special Issues Worksheet," on the last page.)

**Qualifying Property:** Estimates of cost (please attach a preliminary list of machinery and equipment).

Type of Property		Number of Each/Item	Expected Estimated Value	Check if any Item will be Leased
Real Property	Building or structure to be newly constructed	2	\$ 1.2Mil	<input type="checkbox"/>
	New addition to or modification of an existing building/structure		\$	<input type="checkbox"/>
	Heavy or affixed machinery and equipment	30	\$ 800,000	<input type="checkbox"/>
Personal Property Item(s) Costing:	\$50,000 or more	30	\$ 200,000	<input type="checkbox"/>
	\$1,000 or more (E-commerce zone or used exclusively for tangible production)		\$	<input type="checkbox"/>
<b>Total Estimated Value of Investment</b>			\$ 2.2 million	

**Additional Description:** In addition to what is explained elsewhere, briefly comment below (or in an attachment) on the scope of your investment, the particular operations and output that are planned, and the intended uses of the qualifying property.

Modern will be fabricating structural steel components, light gauge metal framing components, lt. ga. metal truss assemblies, timber truss assemblies, structural timber assemblies, and will house the central facility for management, marketing, design, etc. for statewide or wider operation of company.

## **DECLARATION**

I declare under penalties of false swearing [ORS 305.990(4)] that I have examined this document and attachments, and to the best of my knowledge, they are true, correct, and complete. If any information changes, I will notify the zone manager and the county assessor and submit appropriate written amendments. I understand that my business firm will receive the tax exemption for property in the enterprise zone, only if my firm satisfies statutory requirements (ORS Chapter 285C) and complies with all local, Oregon, and federal laws that are applicable to my business.

**MUST BE SIGNED BY AN OWNER, COMPANY EXECUTIVE, OR AUTHORIZED REPRESENTATIVE OF THE BUSINESS FIRM**

Signature: Russell Hawkins Date: 13 May 2013

Title (if not an owner or executive, attach letter attesting to appropriate contractual authority):  
Russell Hawkins

**Local enterprise zone manager and county assessor must approve this application (with Enterprise Zone Authorization Approval, form 150-303-082)**

**CLACKAMAS COUNTY****ENTERPRISE ZONE ESTIMATE FOR: MODERN CONSTRUCTION***Based on an estimated \$2.2 million investment***For More Information Contact:**

Staff : Jamie Johnk Phone: (503) 742-4413

Clackamas County [jamejohn@clackamas.us](mailto:jamejohn@clackamas.us)

Business &amp; Economic Development

**Investment:**

Type	Amount	Depreciation Rate	Depreciation				
			FY1	FY2	FY3	FY4	FY5
Building	\$1,200,000	39 yrs/SL	\$30,769	\$30,769	\$30,769	\$30,769	\$30,769
Equipment	\$1,000,000	10 yrs/SL	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
<b>Total</b>	<b>\$2,200,000</b>		<b>\$130,769</b>	<b>\$130,769</b>	<b>\$130,769</b>	<b>\$130,769</b>	<b>\$130,769</b>

Type	Market Value of Investment	Assessed Value of Investment (96.1%)	Taxes				
			FY1	FY2	FY3	Subtotal 3 Year Taxes Abated	Total 5 Year Taxes Abated
Building	\$1,200,000	\$1,153,200	\$17,558	\$17,589	\$17,591	\$52,738	\$17,564
Equipment	\$1,000,000	\$961,000	\$13,468	\$12,261	\$10,960	\$36,690	\$17,509
<b>Total</b>	<b>\$2,200,000</b>	<b>\$2,114,200</b>	<b>\$31,026</b>	<b>\$29,850</b>	<b>\$28,551</b>	<b>\$89,428</b>	<b>\$35,073</b>

**Application Fee:**

1/10 of 1% of  
Investment

\$2,200

**Assumptions:**

1. Taxes were calculated based on the current Industrial rate of \$15.6428 per 1,000
2. Assessed Value in calculated at 96.1% of Market Value with a 3% increase per year for each qualifying abatement year
3. Estimates are based on the values provided by the prospective business
4. Estimated values may vary based on the actual new investment made in Clackamas County
5. Depreciation was calculated using the simple straight line method of accounting

**Disclaimer:** This is an estimate of potential Enterprise Zone tax abatement based on information provided by your company. Actual tax abatement amounts may vary depending upon the actual amount of qualifying investment, property tax rates, method of depreciation, number of jobs created, and the ability to comply with the program requirements.

*(Refer to accompanying program filer for additional details on Clackamas County's 3 year & 5 year tax abatement options.)*

We recommend consulting with your tax attorney or accountant to determine the actual Enterprise Zone Tax Abatement your company will receive.





# STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, Interim City Manager

**FROM:** City Attorney, Chad Jacobs and City Recorder, Sadie Cramer - other staff involved in preparing this report

**DATE:** April 10, 2013

**SUBJECT:** PROPOSED ANNEXATION ORDINANCE

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## ISSUES BEFORE THE COUNCIL:

The City of Molalla does not have an ordinance enacting requirements and procedures for annexation of lands to the city. The proposed annexation ordinance identifies application submittal requirements and fees and requires voter approval of property owner initiated annexations prior to a property's annexation to the city.

## RECOMMENDATION:

- Adopt the proposed Annexation ordinance.

## EXECUTIVE SUMMARY:

- Legal Review
  - Reviewed by Chad Jacobs – Molalla City Attorney
- Facts:
  - On November 8, 2011 the citizens of Molalla passed Measure No. 3-380. This measure amended the City Charter to require that annexations initiated by property owners be referred to a vote of the electorate. Consistent with direction of this measure and the requirements of ORS 222, city staff prepared legislation with provisions designed to implement the requirements of Measure No. 3-380 for review and adoption by the City Council.
  - On March 19, 2013 the Molalla City Planning Commission voted to recommend to the Molalla City Council that the Council adopt the Annexation Ordinance. This proposed Ordinance sets up requirements and procedures for annexation of lands to the City of Molalla.

## PROPOSED ANNEXATION ORDINANCE

Page 2 of 2

April 10, 2013

### **EXECUTIVE SUMMARY CONTINUED:**

- Past direction of Council - In 2012, city staff was directed by the Molalla City Council to prepare an annexation ordinance.
- Applicable policy or law – Oregon Revised Statutes 222.

Attachments:

A. Proposed Annexation Ordinance

**AN ORDINANCE ENACTING REQUIREMENTS AND PROCEDURES  
FOR ANNEXATION OF LANDS TO THE CITY OF MOLALLA**

**WHEREAS:** On November 8, 2011 the citizens of Molalla passed Measure No. 3-380. This measure amended the City Charter to require that annexations initiated by property owners be referred to a vote of the electorate. Consistent with the direction of this measure and the requirements of ORS 222, city staff prepared legislation with provisions designed to implement the requirements of Measure No. 3-380 for review and adoptions by the City Council.

**WHEREAS:** The proposed annexation ordinance identifies application submittal requirements and fees and requires voter approval of property owner initiated annexations prior to a property's annexation to the City.

**WHEREAS:** At its meeting of March 19, 2013, the Molalla Planning Commission, after studying the proposed annexation ordinance voted to recommend to the City Council that it be adopted.

**WHEREAS:** At its meeting of April 10, 2013, the Molalla City Council received public testimony and discussed the issues, and at its meeting of April 10, 2013 approved the Planning Commission recommendation.

**NOW, THEREFORE,** the City of Molalla ordains as follows:

Chapter 19.22 is hereby added to the Molalla Municipal Code and will be titled "Annexations".

**Section 19.22.010      Purpose**

The purpose of this chapter is to enact policies relating to annexation and petitions for annexation of property to the City, to determine the process and criteria by which annexations will be reviewed and approved, to provide for City review of all annexation requests for a determination of the availability of facilities and services as related to the proposal and for ensuring alignment with the City of Molalla Comprehensive Plan. The City Charter requires that annexations initiated by property owners be approved by voters in an election to be paid for by the property owner(s) seeking annexation. Annexations initiated by the City of Molalla need not be referred to a vote of the electorate.

**Section 19.22.020      Policy**

It is the policy of the City that annexation decisions should be made consistent with the procedures set forth in this Chapter and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

- A. It is the City's policy to encourage and support annexation where:
  - 1. The annexation complies with the provisions of this Chapter;

2. The annexation will provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City;
  3. The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;
  4. The annexation will be clearly to the City's advantage in controlling the growth and development plans for the area.
- B. It is the City's policy to discourage and deny annexations where:
1. The annexation is inconsistent with the provisions of this Chapter;
  2. The annexation would cause the creation of irregular boundaries or would create islands or "cherry stem" or "shoestring" annexations;
  3. The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City;
  4. Full urban services could not be made available within a reasonable time.

**Section 19.22.030**      **Criteria**

- A. The following criteria shall apply to all annexations whether initiated by property owners or the City:
1. The subject site must be located within the Molalla Urban Growth Boundary.
  2. The subject site must be contiguous to the existing Molalla city limits.
  3. The requirements set forth in the Oregon Revised Statutes for the initiation of the annexation process must have been met.
  4. The proposed use for the site must comply with the designation on the Molalla Comprehensive Plan map. If a re-designation of the Plan map is requested concurrent with annexation, the applicant must apply for and the City must use the procedures for an amendment to the Comprehensive Plan as provided in Chapter 19.28 of this Code.
  5. An adequate level of infrastructure for sewer, water, roads and parks must be available or made available within three years of annexation.
  6. An adequate level of police and fire services must be available to serve the subject site.
- B. The applicant has the burden for providing evidence sufficient to satisfy the requirements of this section and the information required for the application process set forth in Section 19.22.040.

**Section 19.22.040**      **Application Requirements**

Application for annexation shall be made on forms provided by the City Manager or his or her designee and shall include, at a minimum, the following material:

- A. Written consent by the owner(s) of the area to be annexed;
- B. A legal description together with an illustration depicting the boundaries of the legal description, or a boundary survey compiled from record documents or field survey as necessary

to accurately define the entire boundary of the property to be annexed, certified by a registered engineer or surveyor licensed in the state of Oregon;

- C. A vicinity map that includes a complete map of the area to be annexed and which identifies adjacent city territory;
- D. A general land use plan indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open space, and adjoining development;
- E. A statement explaining the available capacity of an adequate level of infrastructure for sewer, water, roads and parks as well as an adequate level of police and fire services;
- F. A statement of projected increased demand for such facilities to be generated by the proposed development and the basis for that projection;
- G. A statement of additional facilities required to meet the increased demand and a schedule for the phasing of such facilities in accordance with projected demand;
- H. A statement outlining the method and source of financing to provide additional public facilities required by subsections F and G of this section;
- I. Payment of annexation fees (planning review and hearing), as set by city council resolution;
- J. Payment of a deposit to cover election and publication costs;
- K. A schedule for abatement of a nonconforming use as provided by Section 19.22.130.

#### Section 19.22.050

#### **Application Filing, Publication and Posting Deadlines**

All annexation requests approved by the City Council, whether initiated by the City or property owners, shall be referred to the voters if required by the Charter or state law. The Council may approve annexation requests without referring the requests to the voters if permitted by the Charter and state law to do so.

- A. Any required annexation election may be scheduled on any election date set by law. An application deadline is established for each election date to permit public hearings before both the Molalla Planning Commission and Molalla City Council, however, applications filed before established deadlines does not guarantee placement on the ballot at any particular election. Application, publication, and posting deadlines for annexations are as follows:
  - 1. May and November Elections. Applications for annexations shall be filed with the City before 5 p.m. on the second Thursday of November for a ballot election in May and before 5 p.m. on the second Thursday in May for a ballot election in November.
  - 2. Special Elections. An applicant may submit a written request for a special election. Special elections are held the second Tuesday in March and the third Tuesday in September. Applications for annexations to be placed on a special election shall be filed with the City before 5 p.m. on the second Thursday of September for a ballot election in March and before 5 p.m. on the second Thursday in March for a ballot election in September.
- B. Property owners that initiate annexation requests are required to cover all election costs associated with placing their annexation request on the ballot, including publication costs. Publication costs are incurred in all elections. Publication costs will be divided equally between

the number of annexations measures referred to the voters. A deposit, set by Council resolution, will be required from all applicants to pay election costs. If the deposit does not cover the applicant's share of the actual election costs, the deficit amount shall be paid to the City prior to adoption of the annexation ordinance. Any unused portion of the deposit shall be refunded to the application following the election.

- C. Notice of annexation elections shall be published in a newspaper of general circulation in the city not more than thirty (30) days and not less than twenty (20) days prior to the date of the election. Such notice shall include a map and general location of the property to be annexed.

#### Section 19.22.060      **Annexation Procedures**

- A. The Planning Director shall determine whether an annexation application meets the requirements set forth in Section 19.22.040. After an application for annexation has been accepted by the Planning Director, the Planning Director shall prepare and submit a report to the Planning Commission.
- B. After receiving the report from the Planning Director, the Planning Commission shall hold at least one open meeting on the annexation request. Within forty-five (45) days following the Planning Commission open meeting, unless a continuance is announced, the Commission shall make specific findings of fact. Based on the findings, the Commission shall make a recommendation that the application be approved or denied. The Commission's recommendation shall include findings that specify how the proposal has or has not complied with the review criteria.
- C. Upon receipt of the Planning Commission's recommendation the matter shall be set for a public hearing before the City Council. The Council shall approve annexation applications that adequately address the review criteria, and shall make findings in support of its decision. The City Council may adopt the Planning Commission findings for approval or denial of the annexation, supplement the record as appropriate in the circumstances, or reject the findings of the Planning Commission and adopt new findings.

#### Section 19.22.070      **Annexation Declaration**

If the annexation application is required to be and is approved by city electors, the City Council shall by ordinance declare the annexation after determining that all requirements of state law and this Chapter have been met, all applicable fees have been paid, and the annexation request has been approved by a majority of those voting. If the annexation is approved, the City Council, by ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation in accordance with state law.

#### Section 19.22.080      **Annexation Initiated by City**

- A. The City may initiate an annexation application on its own motion. In that event, the standards and procedures of this Chapter shall apply as if the annexation was initiated by a property owner, except that: (1) no fees shall be required; (2) unless required by state law, no election shall be required; and (3) other procedural requirements, such as consent of the owners, need not apply if under the circumstances the Planning Director determines them to be inapplicable.
- B. The Council may, by ordinance, declare the annexation after determining that all requirements of state law and all procedures of this Chapter have been met. In enacting an annexation ordinance authorized by this section the Council shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation in accordance with state law.

**Section 19.22.090**      **Health Hazard Annexation**

The City shall annex those areas constituting a health hazard in accordance with state law, taking into consideration the ability of the City to provide necessary services. Annexation of areas constituting a health hazard is not subject to voter approval.

**Section 19.22.100**      **Island Annexation**

The City may annex those areas constituting a island annexations in accordance with state law.

**Section 19.22.110**      **Zoning Designations**

A zone change request may be made concurrent with the annexation application. The proposed re-designation shall then be used to determine compliance with the Molalla Comprehensive Plan. In the event that the annexation request is denied, the zone change request shall automatically be deemed denied.

**Section 19.22.120**      **Coordination**

To the extent feasible or legally required, annexation requests shall be coordinated with affected public and private agencies, including but not limited to, Clackamas County, Molalla River School District, Molalla Fire Department, local utilities, the Oregon Department of Transportation, and Portland General Electric. Coordination shall be accomplished by providing copies of the annexation request to affected agencies sufficiently in advance of final City action to allow for reviews and recommendations to be incorporated into the record of public hearings held on the annexation application.

**Section 19.22.130**      **Annexation of Nonconforming Uses**

Nonconforming uses of property annexed into the City shall be subject to and governed by Chapter 20.08 of this Code, provided that for annexation applications initiated by property owners, the City Council may impose conditions of approval to require all nonconforming uses in the annexed area to be

abated within ten (10) years of annexation. If a property owner initiates an annexation application, the application shall include a schedule for the removal of all nonconforming uses.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

Approved:

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Debbie Rogge, Mayor

ATTEST this \_\_\_\_ day of \_\_\_\_\_ 2013.

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Sadie Cramer, City Recorder



## MEMO

TO: Planning Commission

FROM: Clay Glasgow, Planner

DATE: March 21, 2013

RE: proposed annexation ordinance

On November 8, 2011, the voters of Molalla passed Measure 3-380. This measure amended the City Charter to require that annexations initiated by property owners be referred to a vote of the electorate. Consistent with the direction of this measure and the requirements of ORS 222, legal counsel for the City prepared legislation with provisions designed to implement the requirements of Measure 3-380 for review and adoption by the City Council. Prior to this review by City Council staff presented the proposal to the Planning Commission for review and consideration.

### ATTACHMENTS

DRAFT annexation ordinance

### RECOMMENDATION:

There are no local approval criteria to apply in this situation, beyond: “does this work for the City?” Staff presented the DRAFT annexation ordinance to the Planning Commission to gather comments and recommendation. That information is included with this memo. Staff is of the mind the proposed annexation ordinance as written captures the intent of Measure 3-380, is consistent with State law and should be approved by City Council.

STAFF REPORT/RECOMMENDATION  
TO PLANNING COMMISSION

Files: CP2012-2/Z2012-2, annexation

Date: February 13, 2013

Hearing(s): February 26, 2013 (PC) March 27, 2013 (Council)

**I. GENERAL INFORMATION**

- A. PROPOSAL: This is a request for annexation, comprehensive plan change and a zone change to annex the subject property into the city and apply the City's Multi-Family Residential Plan designation and the R-3, Medium Density Residential Zoning District.
- B. Legal Description: T5, R2E, Section 08C, Tax Lots 1100 and 1200
- C. Location: 13322 S. Highway 211 (W. Main Street) at Hezzie Lane.
- D. Current Plan/Zone Designation: in County jurisdiction, with Multi-Family Residential Plan designation, MFR; Rural Residential Farm/Forest Zone designation, RRFF-5
- E. Proposed Plan/Zone Designation: The City's MFR, Multi-Family Residential Plan designation and R-3, Medium Density Residential Zone designation
- F. Site Description: The subject property is approximately 4.5 acres in size, with two residences and various accessory buildings in place. The site is currently under County land use jurisdiction, zoned for rural residential use. Applicant has received voter approval to annex into the City, with the proposed zone for the site being R-3, Medium Density Residential and Plan designation of Multi-Family Residential. City water, sanitary and storm sewer are available to serve the site. Access is shown as being both from a new driveway approach to Main Street as well as through the existing apartment complex – also accessing off Main Street.

The site slopes gently from southeast to northwest. Staff is unaware of any significant natural features on the site or in the general area.

## II. FINDINGS

This request is subject to the applicable provisions of the Molalla Development Code (MDC), specifically those found in Chapter 19.22, Annexations, and Chapter 19.28, Land Use District Map and Text Amendments.

## III. CONCLUSIONS

Planning staff has reviewed this request in reference to the applicable provisions of the Molalla Development Code (MDC.) Based upon this review, staff makes the following conclusions:

### A. Annexations

1. Chapter 19.22, Annexations, will be added to the MDC. This was prepared in response to passage of Measure 3-380, approved by voters of Molalla on November 8, 2011. The measure amended the City Charter to require that annexations initiated by property owners be referred to a vote of the electorate. The remainder of this staff report is written on the assumption “Annexations,” as currently proposed is approved by Council.

**19.22.020** *This is the policy section of the new annexation ordinance. Generally, it shall be the policy of the City to encourage and support annexation where the annexation complies with the rest of this ordinance, will provide a logical service area, contribute to a clear identification of the City, benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area and the annexation will be clearly to the City’s advantage.*

Through submitted application materials, the applicant has addressed these policies. Staff finds the proposal satisfies this Subsection of the Annexations Ordinance. **This criterion is met.**

**19.22.030(A)** *This Subsection lays out specific approval criteria for annexation proposals. The following criteria shall apply to all annexations whether initiate by property owners or the City:*

*The subject site must be located within the Molalla Urban Growth Boundary: The subject site is within the Molalla Urban Growth Boundary. **This criterion is met.***

*The subject site must be contiguous to the existing Molalla City limits: the property is adjacent/contiguous to the City limits. **This criterion is met.***

*The requirements set forth in the Oregon Revised Statutes for the initiation of the annexation process must have been met: applicant has satisfied these requirements. **This criterion is met.***

*The proposed use for the site must comply with the designation on the Molalla Comprehensive Plan map. If a re-designation of the Plan map is requested concurrent with annexation, the applicant must apply for and the City must use the procedures for an amendment to the Comprehensive Plan as provided in Chapter 19.28 of this Code: the applicant proposes multi-family residential use on the subject property. The property is planned for such use. **This criterion is met.***

*An adequate level of infrastructure for sewer, water, roads and parks must be available or made available within three years of annexation: Information submitted by the applicant as well as the city indicates adequate infrastructure is in place to serve the proposed use. **This criterion is met.***

*An adequate level of police and fire services must be available to serve the site: Based on available information an adequate level of police and fire services are available. **This criterion is met.***

**19.22.030(B)** *The applicant has the burden for providing evidence sufficient to satisfy the requirements of this section and the information required for the applicant process set forth in Section 19.22.040. Based on information provided by the applicant staff is able to find this subject is satisfied.*

**19.22.060** *Annexation Procedures: The Planning Director shall determine whether an annexation application meets the requirements set forth in 19.22.040. After acceptance, the Planning Director shall prepare and submit a report to the Planning Commission. The Planning Commission shall then hold at least one open meeting on the annexation request. Within forty-five days following the Planning Commission open meeting the Commission shall make specific findings of fact. Based on the findings, the Commission shall make a recommendation that the application be approved or denied. Upon receipt of the Planning Commission's recommendation the matter shall be set for a public hearing before the City Council. The Council shall approve annexation applications that adequately address the review criteria, and shall make findings in support of its decision.*

B. Comprehensive Plan Amendment and Zone Change

2. Subsection 19.22.110 of the Annexation Ordinance provides for application of Zone Change concurrent with annexation. The proposed re-designation shall then be used to determine compliance with the Molalla Comprehensive Plan. Chapter 19.28, Land Use District Map and Text Amendments, deals with map changes. This chapter requires satisfaction of the following criteria:

***19.28.030(B1) Approval of the request is consistent with the Statewide Planning Goals.***

- a. Goal 1 - "Citizen Involvement" - The purpose of this goal is to provide citizens the opportunity to be involved in the planning process. Public notification was provided as required, thereby satisfying Goal 1.
- b. Goal 2 - "Land Use Planning" – Goal 2 requires local jurisdictions to adopt comprehensive plans and ordinances to implement those plans. Molalla has an adopted Comprehensive Plan and implementing ordinance. This proposal is consistent with the adopted Plan and implementing ordinances, satisfying Goal 2.
- c. Goal 3 - Agricultural Lands – Molalla has no designated agricultural lands. This goal is inapplicable.
- d. Goal 4 – Forest Lands – Molalla has no designated forest lands. This goal is inapplicable.
- e. Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources – Goal 5 requires local jurisdictions to inventory a dozen types of natural and cultural resources, such as wetlands and wildlife habitat; determine which sites are significant; and undertake an evaluation to determine which sites will be protected and to what extent. The subject property has not been inventoried by the city under Goal 5.
- f. Goal 6 – Air, Water and Land Resources Quality – This Goal requires the Comprehensive Plan and implementing ordinances to be consistent with state and federal pollution standards. This Goal is inapplicable to the proposed Plan amendment because the amendment does not seek to change the city's pollution standards.
- g. Goal 7 – Areas Subject to Natural Disasters and Hazards – This Goal covers development in areas subject to natural disasters and hazards, such as floods or landslides. The proposed Plan amendment will have no impact on the city's regulations pertaining to natural disasters and hazards. The subject property has not been identified as being at risk for a natural disaster or hazard that would be a basis for preventing the residential development allowed by the new designation.

- h. Goal 8 – Recreational Needs – This Goal requires the city to plan for recreation needs. The Comprehensive Plan designates recreation amenities. This proposal does not plan to change detract from those amenities.
- i. Goal 9 – Economy of the State – Goal 9 requires the city to plan and zone for an adequate supply of commercial and industrial land. The proposal does not impact commercial or industrial land.
- j. Goal 10 – Housing – Goal 10 requires local jurisdictions to inventory residential lands and to accommodate an adequate supply of a variety of housing types. The proposed zone change will increase the city's supply of residential land, specifically that providing for multi-family use.
- k. Goal 11 – Public Facilities and Services – This Goal requires local jurisdictions to plan for such public facilities and services as water, sewer and fire protection. Public Facilities and Services are available to serve this property.
- l. Goal 12 – Transportation – Goal 12 requires the city to adopt a transportation system plan (TSP) that provides for a variety of types of transportation facilities. The proposed Plan amendment will be consistent with the city's adopted TSP.
- m. Goal 13 – Energy Conservation – This Goal requires land use to maximize energy conservation. The proposed zone change will have no impact on the city's plan policies or implementing regulations regarding energy conservation.
- n. Goal 14 – Urbanization – This Goal requires the establishment of urban growth boundaries and planning for sufficient land to meet urban needs. Molalla has an established urban growth boundary and the subject property is planned for multi-family residential use.
- o. Goal 15 – Willamette Greenway – This Goal establishes procedures for administering the greenway that protects the Willamette River. The subject property is not within the greenway; therefore, this Goal is inapplicable.
- p. Goals 16 through 19 pertain to coastal jurisdictions only and are inapplicable to Molalla.

**19.28.030(B2)** *Approval of the request is consistent with the Comprehensive Plan.*

The Comprehensive Plan Map shows the subject property as Multi-Family Residential. The requested zone designation is R-3, Medium Density Residential. The proposal is consistent with the Comprehensive Plan. **This criterion is met.**

**19.28.030(B3)** *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period.*

Information available to staff indicates the property and affected area is currently provided with adequate public facilities, etc. **This criterion is met.**

**19.28.030(B4)** *The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application.*

The proposal involves expansion of an existing apartment complex, and is consistent with neighborhood development and conditions. Staff is able to find the proposal meets the public interest. **This criterion is met.**

**19.28.030(B5)** *The amendment conforms to applicable administrative rules of the Oregon Land Conservation and Development Commission, including the transportation planning rules.*

The proposal conforms to applicable administrative rules, including the TPR. **This criterion is met.**

**19.28.030** *When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility in accordance with applicable Oregon Administrative Rules. If the development or amendment will significantly affect a transportation facility as determined under the rules, the applicant shall demonstrate compliance with the rules.*

The applicant is working with appropriate agencies (e.g. ODOT) to determine compliance with applicable administrative rules relative to transportation. If the traffic study is accepted, **this criterion can be met.**

#### **IV. RECOMMENDATION**

The Planning Commission is authorized to make a recommendation to the City Council on annexation requests, zone changes and Comprehensive Plan amendments pursuant to Subsections 19.028.030 and 19.22.060 of the Molalla Development Code. Planning staff recommends the Planning Commission forward to the City Council a recommendation to approve the annexation, Comprehensive Plan amendment and Zone designation, based on the submitted application materials and findings/conclusions, above.





## STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** Sadie Cramer

**DATE:** April 10, 2013

**SUBJECT:** A RESOLUTION OF THE MOLALLA CITY COUNCIL  
PROCLAIMING ANNEXATION OF 4.640 ACRES INTO THE CITY  
LIMITS

### ISSUES BEFORE THE COUNCIL:

Consider the Molalla City Planning Commission's recommendation to the Molalla City Council to approve the annexation of 4.640 acres (commonly referred to as Stone Place West) into the City limits.

### RECOMMENDATION:

Approve the annexation resolution based on the executive summary in order to provide notification to local agencies in compliance with state law.

### EXECUTIVE SUMMARY:

An application for annexation was received by the City of Molalla and after the city followed processes outlined by state law the matter was referred to the voters of Molalla.

The annexation was placed on the November 6, 2012 ballot. Certified numbers have been received and with a vote of 1,818 (yes) to 869 (no) the majority of the voters approved the annexation of the proposed 4.640 acres.

The Molalla Planning Commission held a public hearing on March 19, 2013 at which time they recommended to the Molalla City Council that the City Council approve the annexation of 4.640 acres (referred to as Stone Place West).

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*April 10, 2013*

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The next step is for the Council to acknowledge the certification so the 4.640 can be officially annexed into the territory and recorded at local, county and state levels that the council acknowledges the certification of the election results for this item.

**OUTCOMES OF DECISION:**

If the City Council approves the annexation of the 4.640 acres into the city (Stone Place West project) then city Staff can move forward with notifying local and state agencies of the annexation and changes. If the City Council does not approve the Resolution then the annexation does not move forward.



# STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, Interim City Manager

**FROM:** City Attorney, Chad Jacobs and City Recorder, Sadie Cramer - other staff involved in preparing this report

**DATE:** April 10, 2013

**SUBJECT:** PROPOSED ANNEXATION ORDINANCE

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## ISSUES BEFORE THE COUNCIL:

The City of Molalla does not have an ordinance enacting requirements and procedures for annexation of lands to the city. The proposed annexation ordinance identifies application submittal requirements and fees and requires voter approval of property owner initiated annexations prior to a property's annexation to the city.

## RECOMMENDATION:

- Adopt the proposed Annexation ordinance.

## EXECUTIVE SUMMARY:

- Legal Review
  - Reviewed by Chad Jacobs – Molalla City Attorney
- Facts:
  - On November 8, 2011 the citizens of Molalla passed Measure No. 3-380. This measure amended the City Charter to require that annexations initiated by property owners be referred to a vote of the electorate. Consistent with direction of this measure and the requirements of ORS 222, city staff prepared legislation with provisions designed to implement the requirements of Measure No. 3-380 for review and adoption by the City Council.
  - On March 19, 2013 the Molalla City Planning Commission voted to recommend to the Molalla City Council that the Council adopt the Annexation Ordinance. This proposed Ordinance sets up requirements and procedures for annexation of lands to the City of Molalla.

## PROPOSED ANNEXATION ORDINANCE

Page 2 of 2

April 10, 2013

### **EXECUTIVE SUMMARY CONTINUED:**

- Past direction of Council - In 2012, city staff was directed by the Molalla City Council to prepare an annexation ordinance.
- Applicable policy or law – Oregon Revised Statutes 222.

Attachments:

A. Proposed Annexation Ordinance

## Land Use Hearing Item Staff Summary to City Council

**File Number:** CP2012-2/Z2012-2

**Staff Contact:** Clay Glasgow

**Proposal:** applicant requests to annex the subject property, recognize the Multi-Family Plan designation and rezone from current RRFF-5, Rural Residential to R-3, Multi-family Residential. The site is located at 13322 S. Highway 2111 (W. Main Street) at Hezzie Lane, and is approximately 4.50 acres in size.

**Planning Commission action:** This is a plan/zone change request along with annexation and as such the role of the Planning Commission (PC) is to consider testimony and other evidence then arrive at a recommendation to forward to City Council. The Council is the final City decision making authority for this type of application. The PC held a public hearing on February 26, 2013 to consider the proposal. The matter was continued to March 19, 2013 to allow for further review and testimony. The staff report was presented and discussed. Applicant provided testimony. No other testimony was received. The PC discussed the proposal, including much discussion on items not directly related to this request. Eventually the Planning Commission recommended Council approve the requested annexation and Zone change, from the County's Rural Residential RRFF-5 to Multi-family Residential, R-3.

**Significant Issues:** This proposal is made possible by voter approval of the proposed annexation, last fall. A summary of that along with the proposed annexation ordinance is provided in this packet. Regarding this specific zone change/annexation request: discussion ensued on adequacy of infrastructure, e.g. water supply, sewer, etc. Some PC members are concerned not so much about current capacity, instead apparently focused on the impact this development may have on other, future (unknown) proposals in the city. At the second hearing the Public Works Director was present to advise capacity exists to serve the new use. Another item of concern was adequacy of the transportation network. This is a common theme in Molalla when new developments are proposed. Without signalization at Main/Molalla along with a bypass route, at some point traffic in Molalla will become untenable. ODOT submitted comments and suggests that, if approved the developer of this proposal should participate in funding signalization of Molalla/Main, and that the signalization be placed on the 5-yr Capital Improvement Plan.

**Staff Recommendation:** staff suggests Council follow the recommendation of the Planning Commission and approve this request for annexation and zone change.

## Molalla Planning Commission, March 19, 2013

### Minutes

Call to order, 6:35 p.m.

Members present: chair Glen Boreth, Jake Burroughs, Jerome Beattie, Patricia Torsen, Grant Sharp (arrives 7 minutes late)

Staff: planner Clay Glasgow, City Manager Mark Gervase, Public Works Director Marc Howatt

others: Mark Grenz, Kiril Ivanov, Dale Bolton

Chair Boreth reads script, regarding conduct of meeting. Notes this is continuation of the February 26<sup>th</sup> public hearing.

Planning Commission begins discussion of proposed annexation ordinance. Staff notes the proposal is similar to what other medium size cities in the area use.

Jake Burroughs is concerned about language regarding annexations initiated by the City. Looks as if the City can just take whatever they want. Suggests closer look at 19.22.010, last sentence.

Staff notes this is not a change from the current situation. Prior to the voter approval process the City had the ability to annex.

Jerome Beatty also has concerns.

Grant Sharp suggests changing language to allow City initiated annexation only if “non-hostile.” Also thinks annexation requests should be evaluated based on “value to the city.” Notes he had submitted a written list of suggestions, after the last hearing. That list will be e-mailed out to the PC members for review.

Staff reminds PC of the ballot measure approved by voter majority – requiring voter approval for annexation requests initiated by land owners. The proposed annexation ordinance is an attempt to codify what the voters want. Nothing more – and nothing less.

Discussion.

City Manager Mark Gervasi notes the proposed ordinance has been drafted by legal counsel, and suggests approval. Chair Boreth asks for vote on proposed annexation ordinance.

Jake Burroughs moves to further consider language at 19.22.010, last sentence. Otherwise suggests recommending the Council approve. Boreth seconds. Two “aye” votes, one “nay” (Beatty.)

**M001-13, et al Stone Place Apartments** including Zone Change, Annexation and Design Review. Staff report. Continuation of last month’s hearing on these items. The proposal involves a group of applications: annexation, zone change, site design review. Item was continued so all PC members would have enough time to thoroughly review materials and to provide for additional information to be submitted.

Staff reviews the processes involved. The PC will be making recommendation to the Council regarding this annexation request as well as the zone change request. The PC will make actual decision on the site design review aspect. ODOT has submitted comments relative to the traffic study from the applicant. Suggests City require applicant to participate in funding of signal at Molalla/Main and that the project be put on the CIP (Capital Improvement Plan) 5-yr list.

Mark Grenz, applicant representative gives brief overview of project. Notes traffic study was submitted. Essentially applicant proposes to expand the existing Stone Place apt. complex by adding 106 units on land currently under County jurisdiction. This requires annexation in to the City. Site specific issues discussed.

Glen Boreth moves to recommend approval of annexation and zone change. Second by Jake Burroughs. Unanimous, with conditions as requested by ODOT.

Grant Sharp talks, throughout meeting, of various policies and code provisions of the Molalla Plan and Zoning Ordinance he believes to be wrong or ineffective (staff note: essentially none of the comments have specific bearing on the proposals at hand.)

Mark Grenz gives information on proposed surface water detention facilities, as this question came up at the last hearing.

Grant Sharp talks, at length about the proposed surface water detention system.

Marc Howatt, Public Works – proposed stormwater management plan meets and exceeds City standards.

**Jake Burroughs** moves to recommend approval of zone change. Second by Jerome Beatty. Unanimous.

Grant Sharp continues, this time mostly about what is wrong with multi-family Plan designation along Highway 211 in this area. (staff note: based on his discussion it would appear he is opposed to any further development in Molalla until the Forest Road is reopened.)

Kiril Ivanov, applicant provides further detail and answers questions.

Staff note: due to extensive discussion of tangential issues, criteria applicable to this proposal are not being properly considered.

Mark Grenz – transportation study, recommendations from ODOT including extension of turn lane, frontage improvements. Sidewalk will be provided.

Glen Boreth closes public hearing.

More discussion generally amongst PC and staff.

**Jerome Beatty** recommends approval of Site Design Review. Second by Jake Burroughs, with conditions as discussed (ODOT requirement for developer to contribute to cost of signalization of Molalla/Main and to put project on 5-yr CIP list. Street light added at entrance.

Staff notes scheduled Council hearing next week, March 27<sup>th</sup>.

8:45, hearing adjourned



## Molalla Planning Commission, February 26, 2013 Minutes

Call to order, 6:34 p.m.

Members present: chair Glen Boreth, Jake Burroughs, Jerome Beattie, Grant Sharp

Staff: planner Clay Glasgow, City Manager Mark Gervase

others: Jeff Spitzer, Patricia Torsen, Mark Grenz, Kiril Ivanov

It is noted not all planning commission members received packets.

**LUR2012-1, Spitzer (appeal)** staff report – this is an appeal of an approved land use review, for Jeff Spitzer to allow auto sales at 31667 S. Hezzie Lane, on Highway 211. Site is approximately ten acres in size and mostly vacant. Mr. Spitzer proposes to use the northwest portion of the property as an auto sales yard. Staff approval appealed by Patricia Torsen.

Jeff Spitzer, original applicant discusses proposed use. Subject property will be used for display of automobiles. No building planned currently. Off-site office to be used. PC members ask questions of applicant, discuss.

Patricia Torsen, appellant. Offers testimony reflecting her concerns of having the use on the property. She lives adjacent to site. Is concerned prime commercial land is being used for less than prime use. Site should be put to better use. Also has concerns regarding private roadway to be used for access.

Discussion amongst PC and both Torsen and Spitzer.

Grant Sharp notes it is not the duty of the City to dictate what use occurs, beyond general zoning allowances. After hearing Mr. Spitzer's discussion, it would appear the proposed use is allowed by the zone.

discussion

Patricia Torsen wonders about compliance with code provisions. Commissioner Boreth notes the city has code enforcement in place.

Motion by Jerome Beattie to approve original application and deny the appeal. Second by Jake Burroughs. Unanimous.

**M001-13, et al Stone Place Apartments** staff report. The proposal involves a group of applications: annexation, zone change, site design review. As not all PC members received packets, this evening's hearing should be continued to allow adequate time to review. Chair Boreth agrees, and further states that testimony will be taken this evening as the item was advertised and people (including applicant and representatives) are present.

Staff goes through, generally, the processes involved. This is the first time through with the new voter approval annexation process. Part of this hearing is to review and discuss the proposed new annexation ordinance, then compare this specific request to the language. Voters have already approved the annexation. The PC will be making recommendation to the Council regarding the annexation ordinance,

this particular annexation request as well as the zone change request. The PC will make actual decision on the site design review aspect.

Mark Grenz, applicant representative introduces proposal. Essentially applicant proposes to expand the existing Stone Place apt. complex by adding 106 units on land currently under County jurisdiction. This requires annexation in to the City. Site specific issues discussed.

Discussion, questions from PC members. Access, surface water management, frontage improvement along the Highway 211 frontage, sidewalks, etc. discussed.

Kiril Ivanov, applicant provides further detail and answers questions.

More discussion generally amongst PC and applicants.

Chair Boreth notes again that some PC members did not receive information prior to tonight's hearing. Motion made to continue the hearing to March 19, 2012<sup>3</sup> at 6:30 p.m., at which time all PC members will be up to speed on the group of applications. This should allow enough time to still hold the council hearing as scheduled, on March 27<sup>th</sup>.

8:30, hearing adjourned



## STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** Sadie Cramer

**DATE:** April 10, 2013

**SUBJECT:** A RESOLUTION OF THE MOLALLA CITY COUNCIL  
PROCLAIMING ANNEXATION OF 4.640 ACRES INTO THE CITY  
LIMITS

**ISSUES BEFORE THE COUNCIL:** Consider the Molalla City Planning Commission's recommendation to the Molalla City Council to approve the annexation of 4.640 acres (commonly referred to as Stone Place West) into the City limits.

**RECOMMENDATION:** Approve the annexation resolution based on the executive summary in order to provide notification to local agencies in compliance with state law.

**EXECUTIVE SUMMARY:** An application for annexation was received by the City of Molalla and after the city followed processes outlined by state law the matter was referred to the voters of Molalla.

The annexation was placed on the November 6, 2012 ballot. Certified numbers have been received and with a vote of 1,818 (yes) to 869 (no) the majority of the voters approved the annexation of the proposed 4.640 acres.

The Molalla Planning Commission held a public hearing on March 19, 2013 at which time they recommended to the Molalla City Council that the City Council approve the annexation of 4.640 acres (referred to as Stone Place West).

The next step is for the Council to acknowledge the certification so the 4.640 can be officially annexed into the territory and recorded at local, county and state levels that the council acknowledges the certification of the election results for this item.

**OUTCOMES OF DECISION:** If the City Council approves the annexation of the 4.640 acres into the city (Stone Place West project) then city Staff can move forward with

STAFF REPORT: *Resolution 2013-07*

*April 10, 2013*

*Page 2 of 2*

notifying local and state agencies of the annexation and changes. If the City Council does not approve the Resolution then the annexation does not move forward.

**CITY OF MOLALLA RESOLUTION 2013-07**

**A RESOLUTION OF THE MOLALLA CITY COUNCIL PROCLAIMING  
ANNEXATION OF 4.640 ACRES INTO THE CITY LIMITS**

WHEREAS, Karl Ivonov on behalf of Stone Place West submitted a petition to the City requesting that Tax Lot 1100 owned by the Mary E Tiffin Trustee and tax lot 1200 is owned jointly by Brian C and Amy J Collins, all of whom have given their permission to Karl Ivonov to file the application for annexation into the City of Molalla. The City, following its Charter, placed this matter before the voters for approval following state law guidelines.

WHEREAS, the Molalla City Council August 22, 2012 conducted a public hearing on the proposal per state law; and

WHEREAS, after proper notices and publications the Molalla City Council conducted a public hearing on August 22, 2012 voted to approve the annexation request by Resolution 2012-39 to submit it to a vote of the City electors at the next available election; and

WHEREAS, the Molalla City Council adopted Resolution 2012-39 at their August 22, 2012 meeting calling for a measure election to submit to the electors of the City the question of annexation of 4.640 acres into the City limits; and

WHEREAS, on November 6, 2012 there was an election held and the question of this annexation was asked of all electors inside the City of Molalla and the outcome was 1,818 yes votes to 869 no votes, therefore a majority of the electors approved the annexation.

WHEREAS, on December 12, 2012 the Molalla City Council acknowledged and certified the outcome was 1,818 yes votes to 869 no votes;

NOW, THEREFORE IT IS ORDERED THAT the territory described in Exhibit "A" is annexed to the City of Molalla according to the City Council findings.

PASSED and effective this 10<sup>th</sup> day of April, 2013.

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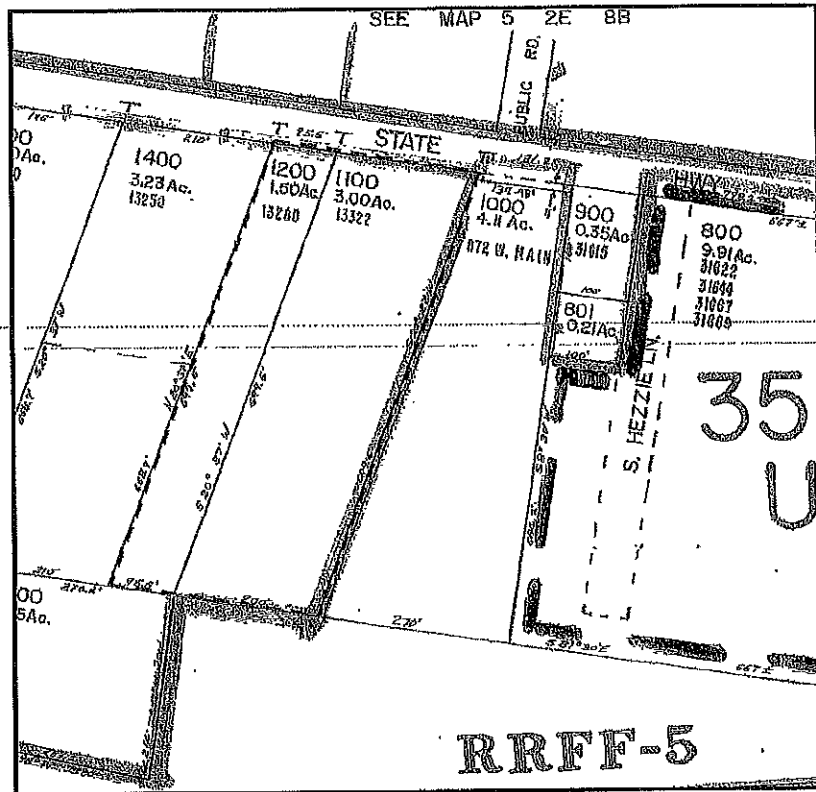
Mayor

ATTEST:

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City Recorder

## STONE PLACE WEST ANNEXATION



### ANNEXATION REQUEST:

The subject property is currently zoned Clackamas County RRFF-5 (Rural Residential Farm/Forest 5-Acre District). The applicant is requesting that 52E08C/Tax Lots 1100 and 1200 be annexed into the City of Molalla.

The territory to be annexed will not create an enclave. The City limits line borders the east property line of Tax Lot 1100. On May 21, 2012, a pre-application meeting was held with the applicant and City staff to discuss annexation and development of the subject property.

The annexation will permit new development. Private utilities will be provided with under grounding of electrical, gas, telephone and cable lines. It is timely to process the annexation of the subject property now, as it will be a minimum of one year before actual development can take place.

The public interest is best served by referring the matter to the voters in November 2012.

2S/B #52E08B

Legal Description of Tax Lots 1100 & 1200, Map # 52E08C

Beginning at a point on the North line of the Rachel Larkins Donation Land Claim being 628.87 feet South 81°30'00" East of the Northwest Corner of said D.L.C., located in the Southwest Quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon; thence South 20°37'37" West 698.86; thence South 81°29'52" East 295.50 feet; thence North 20°37'36" East 698.87 feet to the North line of said D.L.C.; thence along said North line North 81°30'00" West 295.50 feet to the point of beginning and containing 4.640 acres of land plus or minus.

**RESOLUTION 2012-39**

**A RESOLUTION CALLING FOR AN ELECTION ON AND APPROVING A BALLOT  
TITLE FOR ANNEXATION OF TAX LOTS 1100 AND 1200 OF TAX MAP 52E08C  
LOCATED AT 13322 S. HIGHWAY 211 AND 13288 S HIGHWAY 211 FOR THE  
NOVEMBER 6, 2012 ELECTION**

**WHEREAS:** Karl Ivanov of I & E Construction, on behalf of the owners of tax lots 1100 and 1200 of Tax Map 52E08C located at 13322 S. Highway 211 and 13288 S Highway 211, has submitted an application for annexation of 4.640 acres into the City of Molalla; and

**WHEREAS:** Pursuant to the provisions of the Molalla City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Molalla for an election; and

**WHEREAS:** ORS 250.035 requires a notice of ballot measure be prepared by the City and submitted to the Clackamas County Elections Department by September 6, 2012 in order to appear on the ballot for the November 6, 2012 election; and

**WHEREAS:** Pursuant to the Molalla Municipal Code 2.02.170, the Molalla City Attorney and Molalla City Manager have prepared a ballot title and explanatory statement to be submitted to the Clackamas County Elections Division for publication for the November 6, 2012 as provided by state law.

**NOW THEREFORE, THE CITY OF MOLALLA RESOLVES**, as follows:

**Section 1:** A City election on the annexation of tax lots 1100 and 1200 of Tax Map 52E08C located at 13322 S. Highway 211 and 13288 S. Highway 211 is called for November 6, 2012.

**Section 2:** The ballot title will read as follows:

**CAPTION:** AUTHORIZATION TO APPROVE ANNEXATION OF 4.640 ACRES  
INTO CITY

**QUESTION:** Should the City Council approve annexing 4.640 acres on the southern  
City boundary into the City of Molalla?

**SUMMARY:** Approval of this ballot measure will authorize the Molalla City Council to  
approve annexation of 4.640 acres into the city if the application for



annexation complies with state law. The property to be annexed consists of two separate tax lots, tax lots 1100 and 1200 on Tax Map 52E08C. The tax lots are located at 13322 S. Highway 211 and 13288 S Highway 211. The area to be annexed lies generally on the south side of Highway 211 (W. Main Street) located west of Ona Way and east of Hezzie Lane. The properties currently are each zoned Rural Residential Farm/Forest 5 (RRFF-5). Molalla's Comprehensive Plan Map designates the properties as Multi-family Residential (MFR) upon annexation into the city. Any future development of the properties must comply with state land use laws and receive approval of the City Council.

Section 3: The explanatory statement will read as follows:

This measure would authorize the Molalla City Council to approve annexation of 4.640 acres into the City of Molalla. The properties to be annexed are known as Tax Lots 1100 and 1200 of Tax Map 52E08C and are located generally in the southern western part of the City. Tax Lots 1100 and 1200 are currently zoned RRFF-5 (Rural Residential Farm/Forest 5-5 Acre District) under County zoning. If annexation into the City is approved by the voters and by City Council, the parcels will become multi-family residential under the City's Comprehensive Plan. A zone change will be required to align the City's Zoning Map with the Comprehensive Plan Map.

Tax Lot 1100 is owned by the Mary E Tiffin Trustee and tax lot 1200 is owned jointly by Brian C and Amy J Collins, all of whom have given their permission to Karl Ivonov to file the application for annexation into the City of Molalla. The City, following its Charter, is placing this matter before the voters for approval.

The parcels front the south side of Highway 211 (W. Main Street). Tax lot 1100, located at 13322 S. Highway 211, currently has a single family home on it. Tax lot 1200, located at 13288 S Highway 211, also currently has a single family home on it. The property adjacent to Tax lot 1100 to the east is inside the current city limits and is zoned General Commercial (C-2). The property is occupied by Stone Place Apartments. The adjacent property to the west of Tax lot 1200 is outside the city limits and zoned RRFF-5. It is occupied by the Church of Jesus Christ of Latter Day Saints. The subject properties will be recognized by the City's Comprehensive Plan Map as Multi-family Residential upon annexation. The applicant will have to apply for a zone change to align the City's Zone Map with the City's Comprehensive Plan if annexation is approved by voters. The applicant indicates they will construct a one hundred-unit apartment complex, which will be allowed by the City's Comprehensive Plan but will require a zone change. Annexation alone does not set the future uses to be built on the property. Any further development will have to comply with state and local land use laws and will be subject to public review.

The Molalla City Council voted \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays to refer the annexation to a vote of the Molalla electorate.

Section 4: The City Recorder will publish the ballot title as provided by state law.

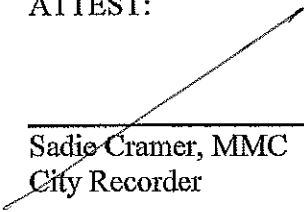
Section 5: This resolution is effective upon adoption by the City Council.

This Resolution shall take effect on August 22, 2012.

ADOPTED this 22<sup>nd</sup> day of August, 2012, by the Molalla City Council.

  
\_\_\_\_\_  
Mike Clarke  
Mayor

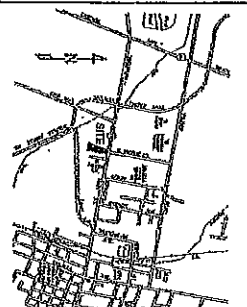
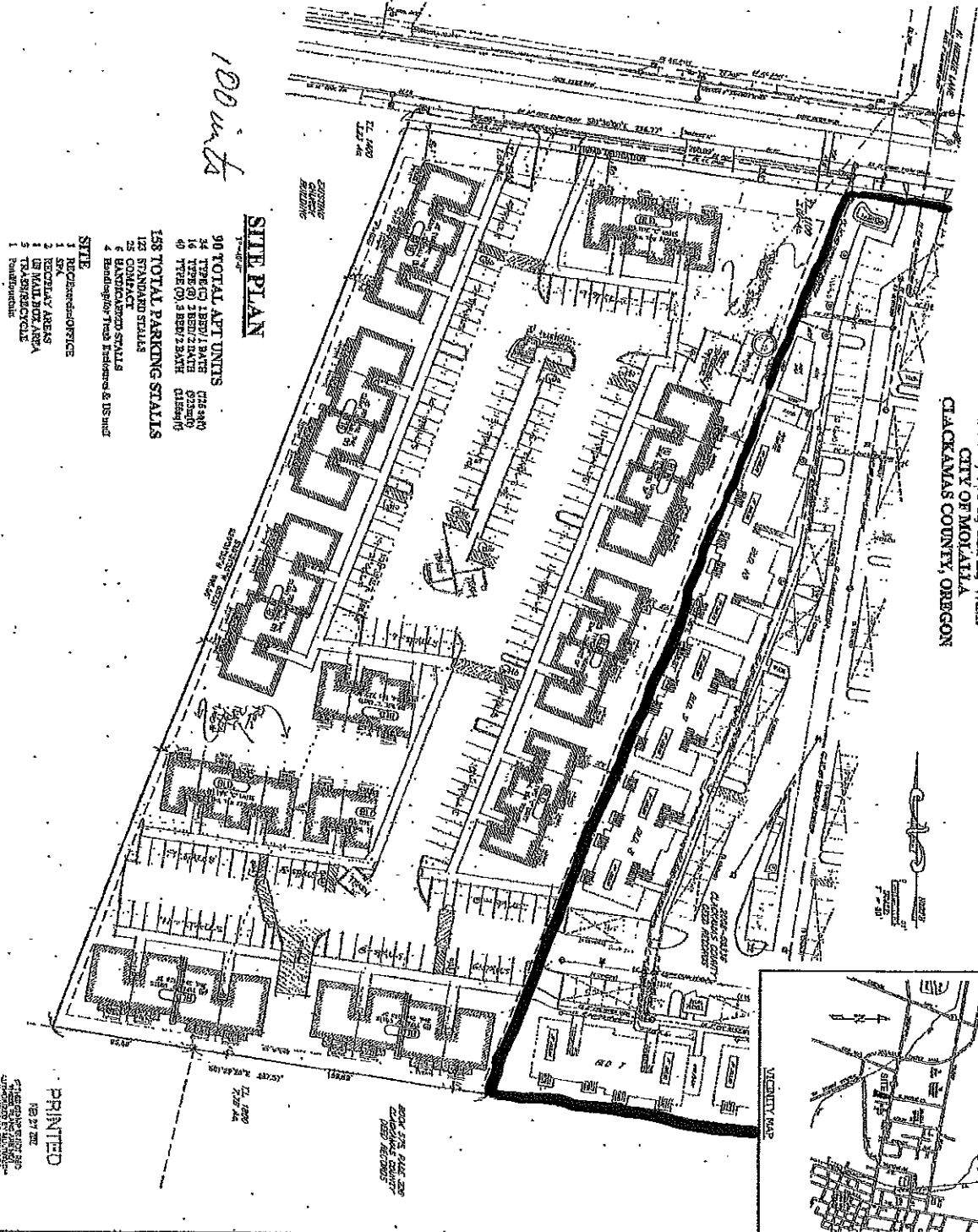
ATTEST:

  
\_\_\_\_\_  
Sadie Cramer, MMC  
City Recorder

PHASE 2  
DARK OUTLINED AREA

STONE PLACE WEST

SEC. 8, T. 5S., R. 3E., W. 4E.  
CITY OF MOLALLA  
CLACKAMAS COUNTY, OREGON



<p>PRINTED NO. 27 200 CLACKAMAS COUNTY CLACKAMAS COUNTY</p>	<p>1 OF 1</p>	<p>NO CHANGES, MODIFICATIONS OR REVISIONS TO THE PLAN THAT WOULD AFFECT THE PROPOSED PROJECT DATE: JUN 2000 SCALE: AS SHOWN AS SHOWN</p>	<p>PROPOSED: 90 UNIT APARTMENT COMPLEX "STONE PLACE WEST" MOLALLA, OR</p>	<p>LAYOUT</p>	<p>MULTI/TECH STATIONER/TECH SERVICES, LLC 1000 10th Ave NW, Suite 200, Seattle, WA 98107 Tel: 206-462-2200 Fax: 206-462-2201 www.multiphase.com</p>
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## **STAFF REPORT**

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** City Recorder, Sadie Cramer

**DATE:** April 10, 2013

**SUBJECT:** **A RESOLUTION AUTHORIZING MARC HOWATT PUBLIC WORKS DIRECTOR FOR THE CITY OF MOLALLA TO ACT AS THE NEW BUDGET OFFICER IN ABSENCE OF THE CITY MANAGER FOR FISCAL YEAR 2013-2014**

**ISSUES BEFORE THE COUNCIL:** Municipal Budgeting law requires the appointment of a Budget Officer to prepare and present the budget for the City of Molalla.

**STAFF RECOMMENDATION:** *Approve attached resolution.*

**EXECUTIVE SUMMARY:** On January 9, 2013 Council approved resolution 2013-01 appointing Interim City Manager, Mark Gervasi as the Budget Officer. This is an annual "house-keeping" item to comply with municipal budgeting laws. This item must be completed before the FY 2013-2014 budget can be prepared.

Mr. Gervasi announced to the Council on March 27, 2013 that his last day with the City of Molalla will be April 24, 2013. A new budget officer will need to be appointed to take his place. Council discussed filling the vacancy in a public forum and instructed staff to draft a resolution appointing Marc Howatt, Public Works Director for the City of Molalla to be appointed at the April 10, 2013 meeting.

**RESOLUTION 2013 - 08**

**A RESOLUTION AUTHORIZING MARC HOWATT PUBLIC WORKS DIRECTOR  
FOR THE CITY OF MOLALLA TO ACT AS THE NEW BUDGET OFFICER IN  
ABSENCE OF THE CITY MANAGER FOR FISCAL YEAR 2013-2014**

WHEREAS, Municipal Budgeting requires the appointment of a Budget Officer to prepare and present the budget for the City of Molalla; and

WHEREAS, the City of Molalla is initiating preparation of its fiscal year 2013-2014 budget; and

WHEREAS, on January 9, 2013 the Council resolved to appoint Interim City Manager Mark Gervasi as the budget officer; and

WHEREAS, on March 27, 2013 the Molalla City Council was notified by Mark Gervasi Interim City Manager and Budget Officer for the City of Molalla's last day will be April 24, 2013; and

WHEREAS, on March 27, 2013 the Molalla City Council discussed in a public forum who will fill the pending vacancy; and

WHEREAS, THE Molalla City Council instructed staff to draft a resolution appointing Marc Howatt, Public Works Director for the City of Molalla to fill the vacancy of Budget Officer for FY 2013/2014; and

THEREFORE, it is hereby resolved by the City Council of the City of Molalla to appoint Interim City Manager, Mark Gervasi as Budget Officer for fiscal year 2013-2014.

DULY APPOINTED, by the City Council and the City of Molalla on this 10th day of April 2013.

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Mayor Debbie Rogge

ATTEST this 10th day of April 2013:

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Sadie Cramer, City Recorder



## STAFF REPORT

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Mark J. Gervasi, City Manager

**FROM:** Joyce B Stahly and Sadie Cramer

**DATE:** April 10, 2013

**SUBJECT:** RESOLUTION ESTABLISHING A \$150.00 WATER METER  
TAMPERING FEE

**ISSUES BEFORE THE COUNCIL:** *To approve or not approve.*

**RECOMMENDATION:** *Approve the resolution.*

### **EXECUTIVE SUMMARY:**

This is for removal of a "zip-tie" that the City of Molalla puts on the water meters for those who have been shut off due to none payment or other allowable reasons. Also known as off and locking the meter.

City Staff is tasked to do daily checks of the "off and locked" meters to see if it has been tampered with. This fee helps deter people from tampering with the meter.

IF the deterrant is unsuccessful, the fee has and will be applied to the customers established water bill account on file at the time of the tampering if the tag is removed or damaged.

This non-city action forces the staff to remove the meter to prevent meter damage and mitigate any further theft of services. Reports are drafted, citations are issued which are then litigated in the Molalla Municipal Court as a misdemeanor.

**RESOLUTION 2013-09**  
**A RESOLUTION IMPLEMENTING A WATER METER TAMPERING**  
**FEE AND ACKNOWLEDGEMENT OF RETO-ACTIVATION FOR THE CITY**  
**OF MOLALLA**

The City Council of Molalla finds that:

Whereas, the Molalla Municipal Code specifies that the City Council shall establish fees for city services by resolution; and

Whereas, the Oregon Administrative Rules states that fees may be charged to reimburse the public entity of incurred expenses by furnishing services; and

Whereas, the Public Works Department and Water Utility incurs expenses when an occupant of a property that has water service turned “off and locked” due to non-payment or other allowable reasons by the City of Molalla; and

Whereas, when the account holder unlawfully removes the tag to turn water back on to the residence, this costs the City of Molalla to follow-up on theft of services and mitigate any further meter damage by having staff remove the water meter; and

Whereas, the tampering of the water meters places a burden on the staff, Public Works Services and Water Utility budget due to the tampering; and

Whereas, for efficiencies and relief of the undue burden on the budget be passed onto the account holder, a \$150.00 Water Meter Tampering Fee will be imposed by the City of Molalla and charged to the established water bill account holder on file at the time of the tampering; and

Now, therefore, based upon the above findings, be it resolved by the City Council of the City of Molalla, the fees listed for City Hall, City of Molalla, are hereby established as listed effective this 10<sup>th</sup>, day of April 2013.

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Mayor Debbie Rogge

ATTEST this 10th day of April, 2013:

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Sadie Cramer  
City Recorder

# **PROCLAMATION**

## **APRIL 2013 SHALL BE GRANGE MONTH IN Molalla**

**Whereas**, the National Grange of the Order of Patrons of Husbandry is celebrating 145 years of service to America and the Oregon State Grange will celebrate 140 years of service at their State Convention this June in Clackamas County; and

**Whereas**, Grange programs are family oriented, beginning with Junior Grange for children of ages 4 through 13 for the purpose of getting children involved with their community, with agriculture, and with good citizenship, and Grange membership includes full voting rights and the right to hold office at age 14; and

**Whereas**, the service through educational efforts of the Grange and its members have aided innumerable people, both in and out of the Order, to reach their full potential as leaders and people; and

**Whereas**, the service of non-partisan legislative advocacy of the Grange through the unified efforts of its membership have immeasurably benefited local communities and our nation as a whole; and

**Whereas**, the fellowship and family atmosphere of the Grange have served millions of Americans by strengthening the social connections through a multitude of activities; and

**Whereas**, Grangers are supportive of agriculture, rural America and American Values as these form the bedrock of American society; and

**Whereas**, the Grange continues to serve every American through our Hometown roots; Therefore be it

**Resolved** that, I, Debbie Rogge, Mayor of the City of Molalla, on behalf of the City Council and the citizens of Molalla, do hereby proclaim

**April 2013 as Grange Month**

**In Witness Whereof**, I have hereunto set my hand this 24<sup>th</sup> day of April 2013

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Sadie Cramer, City Recorder

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Mayor Debbie Rogge



**Planning activities week of March 18, 2013:**

12 telephone calls, various questions

2 counter contacts; one discussing possible new manufacturing facility at Shaver and 2<sup>nd</sup>. This is the third time I have talked with this person.

Planning Commission hearing: annexation ordinance; zone change, annexation request, design review for Stone Place West.

**Planning activities week of March 25, 2013:**

7 telephone calls, various questions

1 counter contact, new home.

Finished with summary, other materials for Council for April 10 hearing.