



Molalla City Council – Meeting Agenda
Meeting located at: Molalla Adult Center
315 Kennel Ave, Molalla, OR 97038
February 8, 2017

WORK SESSION BEFORE MEETING 6:45PM

Business meeting will begin at 7:00PM. The Council has adopted Public Participation Rules. Public comment cards are available at the entry desk. Request to speak must be turned into to the Mayor prior to the start of the regular Council meeting.

Executive Session : NONE

1. **CALL TO ORDER – 1,772nd Regular Meeting**
 - A. Call the meeting to order – Mayor Thompson
 - B. Flag Salute and Roll Call
2. **COMMUNICATIONS AND PUBLIC COMMENT**
 - A. Minutes: 01/25/17
 - B. Library Minutes
3. **PUBLIC HEARING**
 - A. Shirley Banks Hearing – Huff/Rodriguez
4. **CONTINUED BUSINESS**
5. **NEW BUSINESS**
 - A. Drive Zero Request – Palumbo
 - B. Second Friday Request – Thompson
 - C. Planning Commission Ap for Raceal Cain – Huff/Thompson
 - D. Recreational Immunity Resolution – Huff
6. **RESOLUTIONS**
 - A. Resolution 2017-02: Intergovernmental Agreement To Participate In The Managing Oregon Resources Efficiently (More) Program
 - B. Resolution 2017-03: A Resolution Adopting Adjusted Fees For The Administrative Fee Schedule For The City Of Molalla
7. **REPORTS AND ANNOUNCEMENTS**
 - A. Staff and Council:
 1. Molalla Avenue Street Construction – Fisher
8. **EXECUTIVE SESSION**
9. **ADJOURNMENT**

**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday January 25, 2017**

ATTENDANCE: Mayor Jimmy Thompson, Councilor Leota Childress, Councilor Glen Boreth, Councilor Elizabeth Klein, Councilor Keith Swigart, Councilor Delise Palumbo, Councilor Cindy Dragowsky.

STAFF IN ATTENDANCE: Dan Huff, City Manager, Present; Gerald Fisher, Public Works Director, Present; Sadie Cramer, City Recorder, Present; Diana Hadley, Library Director, Present; Rod Lucich, Police Chief, Present.

MINUTES

Councilor Childress made the motion to approve the presented amended minutes of January 11, 2017. Councilor Boreth seconded. Motion carried (7-0), all ayes.

NEW BUSINESS

• **APPOINTMENT OF A CITY COUNCIL PRESIDENT**

Mayor Thompson defined the responsibilities of the City Council President, including presiding at meeting that the Mayor is absent from. Councilor Dragowsky nominated Councilor Klein as the City Council President. Councilor Boreth seconded. Mayor Thompson requested to abstain from this vote so the decision belongs to the Council. Vote call to select Councilor Klein as president carried, (6-0), all ayes.

RESOLUTIONS

• **2017-01 – RESOLUTION APPOINTING THE CITY MANAGER AS BUDGET OFFICER FOR FISCAL YEAR 2017-2018**

Municipal Budgeting requires the appointment of a Budget Officer to prepare and present the budget for the City of Molalla; and the City of Molalla is initiating preparation of its fiscal year 2017/2017 budget; and appoints City Manager, Dan Huff as Budget Officer for fiscal year 2017/2018. Councilor Boreth made the motion to approve the appointment of the City Manager as the Budget Officer for the FY 2017/2018. Councilor Palumbo seconded. Motion carried (7-0), all ayes.

EXECUTIVE SESSION

The Molalla City Council will meet in executive session held pursuant to Oregon Public Record Law under ORS 192.660 (2)(E) Real Property Transactions to consider information and records that are exempt by law from public.

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday January 25, 2017

STAFF AND COUNCIL REPORTS

PWD Fisher gave an update of the Molalla Avenue project and the Long Park update of the bike pavilion. PGE installation of lights anticipated this week. In addition, PWD Fisher gave an update on the Bear Creek By-way Project and the punch list for completion.

CR Cramer noted a Council appointment pre-meeting for Council photos for the City Hall on February 8, 2017.

CM Huff invited all to attend the Bear Creek By-way grand opening on February 4, 2017. FD Seifried to hold a Budgeting 101 class, this will be a public meeting and open to all. Posed to Council topics for Town Hall meetings, what does the Council want to discuss with the community? Discussion ensued over a visioning meeting and goal setting and parameters/timelines for those meetings.

Councilor Dragowsky reported on her meeting with the CM/PC and tours of facilities. Encouraged all to do the same. In addition, she reported on the transition to the Library liaison.

Councilor Palumbo gave an update on the Drive to Zero program, a town hall on February 28 will happen to involve the community. Brochures provided to Council members.

Councilor Boreth encouraged anyone in the community interested in serving on the budget committee to please participate in the Budgeting 101 class.

Councilor Childress gave an update in the Ford Family Cohort 3 banner project update.

Mayor Thompson requested from staff a complete list of all vacancies on boards & commission for the Council to actively encourage community members to participate where there is a need. In addition, he appointed Councilor Childress to the model code committee. He requested that the Second Friday event, including a City sponsorship, be added to a future meeting, the Council agreed.

Motion to adjourn made by Councilor Childress. Councilor Klein seconded. Motion carried (7-0), all ayes at 8:15 pm.

Sadie Cramer, City Recorder

Jimmy Thompson, Mayor

Molalla Library Advisory Board

Meeting Date: 11-17-2016

Meeting brought to order by Sandy Nelson at 6:28 P.M.

Members Present: Mary Gilson; Kelly Andrews; Paula Beck; Sandy Nelson; Angela Patton

City Council Liaison: Elizabeth Klein

Staff present: Director Diana Hadley

The minutes from the October meeting were approved as read.

- Director's Report: (See Diana if you didn't receive one.)
 - 1) So far about \$3,000 of fines have been taken care of through the canned foods drive.
 - 2) Lots of people bring extra food to help others with their fines.
 - 3) Irene goes to Head Start at Mulino Grade School for Story Time. This is all in Spanish.
 - 4) Michelle and Devon are planning ahead for all the different reading programs, e.g., Summer Reading Program.
- Old Business:
 - 1) Since the school bond did not pass, Diana now needs to talk to the city about the library building. Does the school district need it back?
- New Business:
 - 1) With three new councilors coming on, there will be conversations about community envisioning. Elizabeth, Diana and Michelle met with the Oregon City librarian about building a new library. Fund raising and grants are important.
 - 2) Some professionals could be hired to put us on a path in the right direction.
 - 3) 2023 is the year our lease on the library is up.
 - 4) Demographics are changing in Molalla.

The meeting was adjourned at 7:23 P.M. The next meeting will be held on January 19th, 2017.

Submitted by Mary Gilson, Secretary



Planning & Community Dev.
117 N Molalla Avenue
PO Box 248
Molalla, Oregon 97038
Phone: (503) 759-0219
communityplanner@cityofmolalla.com

Staff Report – Appeal

File No.: P45-2016

Legal Description: Township 5 South, Range 2 East, Section 09 DA, Tax Lot 0200

Address: 14999 S HWY 211

Appellant: Oregon Department of Transportation (ODOT)

Owner: STAFFORD HOMES & LAND LLC

Appeal: ODOT's appeal is **limited to** a community design standard regarding pedestrian access to S Highway 211 for the proposed Shirley Bank Subdivision.

1. Overview & Background

The City has received an appeal of a Planning Commission decision to approve an application for proposed subdivision at 14999 S Highway 211. The appeal is **limited to** a community design standard regarding pedestrian access to S Highway 211 identified as a condition of approval #7 by the Planning Commission. The condition of approval is as follows:

"The applicant shall not connect to Highway 211 from Coho Street with a bicycle or pedestrian walkway."

(Located on pg. 7 on Findings & Decisions)

ODOT is requesting that this condition be altered by Council to require an easement be secured to allow a connection to 211 when or if improvement to 211 occur.

The appeal will be reviewed based on criteria set forth by the Molalla Municipal Code, **Chapter 18: Community Design Standards**

1. **General Approval Criteria.** The City Council may approve, approve with conditions or deny the appeal based on the following criteria:
 - a. Section 18.16.030 (A)(2) states that pedestrian/bicycle access ways shall be provided in areas where full street connections are not possible.
 - b. Section 18.04.030 (B)(10)(b)(iii) states that "In residential, commercial and industrial districts access ways shall be included to provide reasonably direct connections from cul-de-sacs to the nearest available street or neighborhood activity center".

2. Public Notice

Notice was mailed on January 30, 2017 to all interested party members.

Notice was placed on the City of Molalla Website on February 2, 2017, and under the general news feed.

3. Attachments & Exhibits

Attachment 1. ODOT's Appeal

Attachment 2. October 5 Minutes

Attachment 3. November 2 Minutes

Exhibit A. Findings and Decision

Exhibit B. Map



Oregon

Kate Brown, Governor

Department of Transportation
Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

12/21/16

City of Molalla
117 N Molalla Avenue
Molalla, OR 97038

Subject: Notice of Appeal: P45-2016 (14999 S Highway 211-Shirley Bank Subdivision)

Dear Molalla City Council,

This letter serves as the Oregon Department of Transportation's (ODOT) notice of appeal of the Shirley Bank Subdivision Decision (P45-2015). ODOT is committed to providing a safe and efficient transportation system that supports livable communities for all modes of travel. The intent of this appeal is regarding the Conditions of Approval, specifically Condition #7, which does not require a pedestrian and bicycle connection (i.e. accessway) to OR 211 as stipulated in the City's adopted Transportation System Plan (TSP) and Municipal Code. The information required for the notice of appeal, as established in §19.04.040(H), is set forth below:

A. City planning file number and date the decision was issued:
P45-2015, December 8, 2016

B. Name, mailing address and daytime telephone number of the appellant:

Jon Makler, AICP
Region 1 Planning Manager
123 NW Flanders St
Portland, OR 97209
(503) 731 - 4753

C. Statement of how appellant participated in the proceedings before the Planning Commission:

ODOT provided a comment letter to the Planning Commission for their consideration at the December 7, 2016 meeting.

D. Statement of the basis for appeal:

In our previous comment letter, ODOT recommended that the City require pedestrian access from Coho Street to OR 211 consistent with the City Municipal Code and with Planning Commission Findings. The *Chapter 18.16* section of those findings states:

"An access way for pedestrians and bicycles is proposed to provide (a) multi-modal connection to 211 that doesn't violate any intersection spacing standards. This connection includes a 5' sidewalk that shall be lit and landscaped pursuant to City standards".

More specifically, Section 18.16.030(A)(2) of the Municipal Code states that pedestrian/bicycle accessways shall be provided in areas where full street connections are not possible. In addition, Section 18.04.030(B)(10)(b)(iii) states that "In residential, commercial and industrial districts accessways shall be included to provide reasonably direct connections from cul-de-sacs to the nearest available street or neighborhood activity center". Despite the clear intention within the code to provide pedestrian connectivity, Condition of Approval #7 explicitly instructs the applicant not to make this connection.

In ODOT's opinion the only applicable exception to this requirement is where the accessway terminates at the Urban Growth Boundary (UGB) (§18.16.030(A)(4)). The site plan in the Notice of Decision shows the UGB on the north side of OR 211; however, the actual UGB boundary is on the south side of the highway and only the City Limits boundary is on the north side. The exclusion of an accessway would be in conflict with established City regulations and visions to create a healthy, livable community. As the City continues to grow and develop, ODOT believes that this may create precedence in direct conflict with the community's vision and goals.

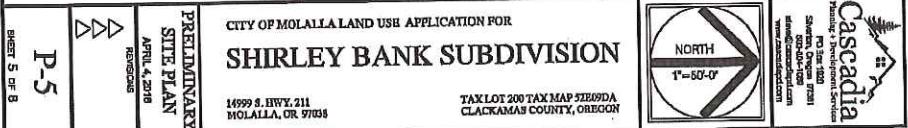
An alternative that the City may consider is to require the pedestrian/bicycle accessway to be accommodated if and when a project completes frontage improvements on the north side of the highway. In order to accommodate this connection ODOT recommends that the City either preserve the right of way or create an easement for this connection and place a gate or other temporary obstruction within the proposed wall that can be easily removed when sidewalk and bicycle facilities are constructed. Sidewalk should also be extended up to the state ROW in order to make this connection viable in the future as shown in the site plan below.

Please contact me if you have any questions regarding this appeal.

Sincerely,



Jon Makler, AICP
ODOT Region 1 Planning Manager





Planning Commission Meeting Minutes October 5, 2016

Meeting Location: Molalla Adult Center, 315 Kennel Avenue, Molalla, Oregon 97038

Planning Commission: Thomas Phay, present;
Rae-Lynn Botsford, present;
Dan Burck, present.

Staff Attendance: City Manager Dan Huff, present;
Public Works Director Gerald Fisher, present.

Public Attendance: Duane & Shannon Hann, Steve Kay, Susan Hansen, Tim & Jody Newland, Mike Simmons, Morgan Will, Marilyn Bloch, and Daniel Pearson (Molalla Pioneer).

Meeting called to order by Thomas Phay followed by a flag salute.

New business agenda item added:

Planning Commission appointment of a Chairperson. PC Member Phay opened the floor for nominations for a planning commission chair. PC Member Botsford nominated PC Member Phay, PC Member Burck seconded the motion. Call for discussion – none. Vote 2-0, motion carried. PC Member Burck, aye; PC member Botsford, aye; PC Member Phay, abstained.

PC Chairman Phay opened the meeting for general comment limited to three (3) minutes, speakers need to state name, and address or organization represented, and speak on items not identified on the agenda.

1. Daniel Webb, LRS Enterprises.

Comments directed at 10 acre parcel of land located in the 800 block of W. Main that is the largest remaining parcel zoned commercial in the City limits. Property owners have tasked Mr. Webb to identify the highest and best use of the property. Mr. Webb is seeking the planning commission's consideration as the development code is revised to add the addition mixed-use zoning designation. They believe this designation will maximize the property potential by creating a walkable community.

2. Susan Hansen, Bear Creek Recovery. Presented with five (5) issues:
 - a. False information from the August meeting regarding the planning commissioners' ability to interact with interested parties. Noted legislative path planning including UGB growth and urban reserves allows for commissions to interact freely with interested parties.
 - b. Bias was expressed to her by a commission member because of her address. She noted State and other agency guidelines and how PC decisions affect those outside of the City.
 - c. Noted buildable land inventory guidelines and the DLCD relayed to her that there is enough land without an UGB expansion.
 - d. Cities under 10,000 in population are not under the same legal mandates and she cautioned the PC to use the DLCD for information rather than expensive consultants.
 - e. PC meeting minutes not available tonight and she feels they should be so the public can follow what is happening.

PC Chairman Phay called for any others to comment, with none, they closed the public comment portion of the meeting.

Public hearing for P45-2016 Shirley Bank Subdivision. PC asked a series of ethics questions, all answers allow for full participation from the entire commission. Instructions then presented to audience and those with a financial stake with the results of the commission decision.

1. Public comment section opened: CM Huff presented a list of attendees from the September 7, 2016 meeting including written comments and comments received since the meeting. Comments presented to PC available as an exhibit at the Molalla City Hall. All members noted in the list of attendees and the sign in sheet from October 5, 2016 were granted party status.
2. CM Huff presented the staff report for the application for a low density single family subdivision located in the NE section of Molalla bounded by Highway 211 and Molalla River Estates abutting Shirley Street. The applicant is proposing seven lots in this subdivision all 7000+ sq. ft. R-1 zone similar to the Molalla River Estates. The staff report prepared by former planner Nicolas Lennartz examines each criteria and specific conditions, available online at www.cityofmolalla.com on the October 7, 2016 agenda. PWD Fisher is available at the meeting for any technical questions.
3. PC Botsford verified that condition to not extend the vehicle access to Highway 211, rather to provide a pedestrian/bicycle access with still the plan and ODOT was in agreement. PWD Fisher confirmed, he noted a recent speed study by ODOT resulting in a reduction of speed order for the area and the distance the Shirley Street/Highway 211 intersection would not support an additional access point at the sub-development location.
 - a. Discussion about criteria of traffic studies and how it relates to the area.
4. PC Chairman Phay asked applicant for any additional comments. Steve Kay representing Cascadia Planning and Development Services representing the applicant. Thanked City staff for the report, Mr. Kay wants the PC to know they are meeting all standards and

setbacks, in addition the City of Molalla is requiring some transportation standard that they are in agreement with to have the development match the Coho street profile.

- a. On October 6, 2016 the applicant held a neighborhood meeting to discuss the project and hear neighborhood concerns. As a result of that meeting the applicant would like to present some proposed modifications in an effort to be responsive to the concerns raised.
 - b. Gordon Root, Stafford Land Company, modification request to shorten up the public right away to be consistent with current roadway and ensure that no availability of future connection to Highway 211.
 - c. Gordon Root, Stafford Land Company, modification request to eliminate the pedestrian/bicycle access to Highway 211 and extend the existing fence.
 - d. Gordon Root, Stafford Land Company, modification request to add a stop sign at the intersection of Chinook and Coho.
 - e. Gordon Root, Stafford Land Company, modification request to be allowed to dedicate the land for the Highway improvement but not have to complete the Highway frontage improvement.
5. Jody Newland, representative and resident of Molalla River Estates, made three (3) requests;
 - a. Moratorium on building in the City until the school. PC Chairman responded that was not a function of this body and not a part of this discussion.
 - b. The neighborhood does not want any access of any kind onto Highway 211. They are in agreement with Stafford Land Developments plans to eliminate the pedestrian/bicycle access.
 - c. Concerns about Highway 211 speed limits and would like the aesthetics of the current neighborhood wall/fencing to match existing.
6. Tim Newland, representative and resident of Molalla River Estates, proposed an alternate 211 access point, in addition wants the alley roadway to be a full street. Also, overflow parking a concern with narrower roadway.
7. PC Chairman Phay closed the public hearing. Commissioners allowed to question staff – none.
8. P45-2016 PC Deliberations:
 - a. PC Botsford would like to see the modification requests from Stafford Land Company in writing and would like to see the warrant study for the Chinook/Coho stop sign process initiated. To be ready by next meeting. PC Chairman Phay notes that if no decision is made tonight then the entire process begins again. They can make a decision with conditions tonight and the modifications and study can be a noted condition. PC Botsford agreed.
 - b. PWD Fisher asked the PC to have each modification motioned and voted on separately.
 - c. Confirmation from PC that all in receipt and full review of all written comments.
 - d. Review of staff report and conditions specified meeting State, local, and neighborhood requirements and needs. Review PWD Fisher lists of conditions (a-k on page 6), mostly compliance issues with City water and sewer requirements.

9. P45-2016 PC Decision:

- a. PC Botsford made Motion to Approve P45-2016 Shirley Bank Subdivision and accept staff findings and conditions with the following modifications:
 - i. Modify (h) to remove the sidewalk connection between Coho and Highway 211;
 - ii. Modify (l) adjust right of way at the end of Coho to eliminate right of way connection to Highway 211;
 - iii. Modify (n) construct fence and a wall to match the exiting Molalla River Estate aesthetic wall along Highway 211
 - iv. Revise public works condition 1.A.2 to a waiver of remonstrance for frontage improvements for Highway 211.
 - v. Require the developer to perform a warrant analysis for a stop sign at Chinook and Coho.

Seconded by PC Burck, opened for discussion, none, motion carried (3-0, Phay, aye; Burck, aye; Botsford, aye).

Urban Growth - Winterbrook Planning. Jesse Winterowd provided an update to the City and planning commission about the materials provided discussing their private work regarding existing zone conflicts. Industrial conflicts, and public/semi-public conflicts.

PC Botsford made a motion to adjourn, PC Burck seconded. Motion carried (3-0, Phay, aye; Burck, aye; Botsford, aye).

Next meeting tentatively scheduled for Wednesday November 2, 2016 at 6:30pm at the Molalla Adult Center.



Planning Commission Meeting Minutes November 2, 2016

Meeting Location: Molalla Adult Center, 315 Kennel Avenue, Molalla, Oregon 97038

Planning Commission: Thomas Phay, present;
Rae-Lynn Botsford, present;
Dan Burck, present;
Jaime Hinkle, present.

Staff Attendance: City Manager Dan Huff, present;
Public Works Director Gerald Fisher, present.

Public Attendance: Susan Hansen (Bear Creek Recovery), Conner Williams (Molalla Pioneer), Mike Simmons.

Meeting called to order by Thomas Phay followed by a flag salute.

Minutes: August 3, 2016
September 7, 2016
October 5, 2016

PC Botsford confirmed all members received and reviewed minutes. Chairman Phay called for any amendments, seeing none he called for a motion. PC Botsford made a motion to accept the minutes from August, September, and October, PC Burck seconded. Motion carried (4-0), all ayes.

Public Comment

1. Susan Hansen, Bear Creek Recovery.
 - a. Alarmed at the PC for allowing staff to advocate for the developer and have an out of order insertion without re-opening the public hearing for potential rebuttal public comment. Chastised the PC for not understanding the rules and guidelines. Presented issue of ODOT conditions not being followed and she has been in contact with ODOT and a letter is coming.
 - b. She has issue with the training or lack of with the PC and urges them to go to Canby and other cities to view a more seasoned PC and how they function.
 - c. She has issue that again the PC has a meeting with no name plates to let citizen participant know who they are.

PC Chairman Phay called for any others to comment, with none, they closed the public comment portion of the meeting.

Findings of Fact P45-2016 Shirley Bank Subdivision.

CM Huff spoke regarding the neutrality of staff. The PC may speak to or ask questions of the staff at any time. Staff does not represent the applicant, the developer, or the home owners in the area. Staff represents the community and the current City codes and standards in play. At the October meeting the public works director went into great detail about the City conditions, up to and including the walking path connecting Highway 211 to the development. That walking path is strongly opposed by the developer and all homeowners in attendance at the October meeting.

CM Huff described the possible course of actions that they may take at this meeting and how to procedurally continue with each of the different possibilities. He also noted that ODOT was aware of this meeting and as of 5pm there was no correspondence on the staff reports and decisions from the October 5 meeting. The PC was given instruction on how to proceed if ODOT comments later.

CM Huff explains to the PC that the Findings of Fact and Decision report before them tonight contains the conditions that they deliberated and amended/add to the staff report from October 5; warrant study and potential stop sign placement, permanent wall matching existing Molalla River estates current wall, pedestrian access to Highway 211.

PC Chair Phay opened the Findings of Fact to the PC for discussion. Active discussion about the potential possibilities of how to move forward. PC Botsford wants to wait for response from ODOT so when the PC does act and move forward they do so with a complete report.

PC Botsford made a motion to table P45-2016 until the December meeting to wait for response from ODOT, PC Hinkle seconded. Motion carried (4-0), all ayes.

Discussion Items

CM Huff expressed gratitude to the PC members for stepping up to serve the community. This committee is a vital component to the City operations. There are training opportunities available through the Department of Land Conservation (DLCD) and the City is more than willing to help you attend those trainings. The DLCD at times will come to the cities. Having continuity and sticking with it is very important and the PC has specific guidelines/rules/laws and it can be difficult when the public comes with opinions off topic and difficult to swallow. How can the City help with training?

PC Botsford requested some online training opportunities. PC Chair Phay has an online listing of all online training opportunities given to him by the DLCD, he will forward this to the committee.

Group discussion ensued regarding the existing codes, previous history, current obstacles, and how to move forward in a positive manner and procedurally correct.

CM Huff announced the City has hired a community planner with possible attendance at the December meeting. PC Chair Phay reported to the PC that he spent a few hours with PWD Fisher and took a tour of the City and the City facilities. He reports this was very helpful and challenges the rest

of the PC to do the same. In addition, he discussed his successes with moving through the model code and offered what he has learned to the PC.

PWD Fisher wanted to address Susan Hansen's comments regarding that 'City staff should not advocate for the developer'. I do not advocate for the developers! I work for the City Manager, the City Council, the Planning Commission and I represent the community. I do not represent Susan Hansen and I do not represent the developers. My job is to protect the community and her comments are inaccurate. The PC unanimously agreed. CM Huff reiterated that City staff is neutral between all parties and available for questions or comments from all.

Reports & Announcements

None

PC Botsford made a motion to adjourn, PC Burck seconded. Motion carried (4-0), all ayes.
Meeting closed 19:26.

Next meeting tentatively scheduled for Wednesday December 7, 2016 at
6:30pm at the Molalla Adult Center.



Planning & Community Dev.
117 N Molalla Avenue
PO Box 248
Molalla, Oregon 97038
Phone: (503) 759-0219
communityplanner@cityofmolalla.com

Findings & Decision – Proposed Subdivision

File No.: P45-2016

Legal Description: Township 5 South, Range 2 East, Section 09 DA, Tax Lot 0200

Address: 14999 S Highway 211

Applicant: STAFFORD DEVELOPMENT COMPANY LLC

Owner: STAFFORD DEVELOPMENT COMPANY LLC

Proposal: 7-lot Subdivision

Current Use: One single-family structure, accessory structures

1. Overview, Background & Procedures

This Findings of Fact and Decision Document is in response to an application for a 7-lot subdivision located in the very northeastern corner of the City. Planning & Land Use Application P45-2016 proposes to construct 7 residential lots on a parcel lying between State Highway 211 and Coho St. in Northeast Molalla. The subject parcel is 1.52 acres in size, and adequate infrastructure exists nearby to facilitate the expansion of the existing subdivision to the west, Molalla River Estates.

This application was reviewed by the Molalla Planning Commission using a type III (quasi-judicial) review process as directed by the Molalla Municipal Code (MMC). The applicant (Stafford Development Company LLC) has proposed a 7-lot Subdivision which requires Planning Commission review in conjunction with a Public Hearing. The Planning Commission held a public hearing for this matter on October 5, 2016.

After reviewing items submitted by the applicant, testimony provided by the applicant as well as testimony from interested individuals, the Planning Commission voted to approve application P45-2016 pursuant to conditions as identified in the decision section of this document. The Planning Commission found that each criterion for approval was or could be met through certain conditions.

2. Public Notice

Notice was sent August 4th, 2016 all landowners within 500 feet of the parcel. Notice was placed in the Molalla Pioneer under general public notices as well as the City of Molalla Website. The first evidentiary

hearing was scheduled for September 7, 2016 and was postponed to October 5, 2016 for the evidentiary hearing where a decision was rendered.

Planning Commission finds that the notification throughout has been adequate.

3. Attachments & Exhibits

The applicant submission in its entirety is inherently referenced throughout this report. This includes all documents, maps, figures, narratives and reports.

Exhibit 1. Copy of Notice sent to local landowners, interested parties and posted on the City website.

Exhibit 2. Molalla Comprehensive Plan, Volume I; Amended 2014

Exhibit 3. Application and Exhibit submittals

Exhibit 4. Public Works Conditions of Approval

Exhibit 5. Comments from Oregon Department of Transportation (ODOT)

Exhibit 6. Public Comments

4. Party Status & Public Comments:

The following individuals were granted party status at the first evidentiary hearing:

- | | |
|------------------------------|---------------------------|
| • Tim and Jody Newland | 321 Chinook Street |
| • Heather and Chris Phillips | 1021 Coho Street |
| • Pam Ward/Mario McCray | 311 Chinook Street |
| • Robin Eastlick | 1011 Coho Street |
| • Patricia Torsen | 104 S. Hezzie Lane |
| • Susan Hansen | 33381 S. Sawtell Road |
| • Joan Zuber | 44731 S. Elk Prairie Road |
| • Marylyn Bloch | 206 Berkley Avenue |
| • Shirley Inman | 32745 S. Mathias Road |

Media Molalla Pioneer Conner Williams

5. Procedural Findings:

This application is reviewed using a type III procedure pursuant to section 19.04.040 of the Molalla Municipal Code. Approval criteria for Preliminary Plat approval (in italics), and Commission findings, are as follows:

19.12.080 Approval criteria.

1. ***General Approval Criteria.*** *The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*
 - a. *The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this title, and the applicable chapters of Title 17 (Land Use Districts) and Title 18 (Design Standards) apply. Where a variance, annexation, or zone change is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Title 20;*

Planning Commission Findings: Title 17 - The proposal includes 7 lots which all exceed the 7,000 ft² minimum size (and after excluding the area reserved for flag poles of flag lots), and meet the dimensional requirements for depth and width (80 and 60 ft respectively). Density standards in the R1 zone are between 4 and 8 units per net buildable acre. Net buildable acres were found to be at 1.23 acres (1.52 – gross area for flag poles, public right of ways = 1.23 acres), requiring between 5 and 10 dwellings to be developed on this parcel. Setback standards are not reviewed at this time as only the lots are being created, and do not include on-site development. The remaining standards provided by Title 17 are only enforced at the time these lots are developed.

Title 18 – Chapter 18.04 ACCESS AND CIRCULATION. Each lot has been provided legal access to a public right of way, either thru an adjacent extended right of way or a flag lot driveway extension. These two lots (lots 2 and 3 on the preliminary plat) have a designated shared access way at a width of 20' (10' on each side of the access way). A joint maintenance agreement will need to be created for shared ownership of the flag pole access.

At the time of development, the applicant will be required to obtain access permits for each lot development, and construct a driveway apron to City standards. As a result of this development, the existing access point for the subject parcel shall be discontinued (the access off of 211). Comments from the local Fire authority are forthcoming, however, based on staff's understanding of Oregon Fire Code standards the proposal meets the minimum requirements. Lots 2 and 3 are the only lots of concern for fire code compliance as they are recessed from the ROW on a flag pole, yet the length of the access way is under the 150' standard, and provides a hammerhead turnaround easement for firetruck access. Parking will be prohibited along this access way in perpetuity.

Chapter 18.08 LANDSCAPING, STREET TREES, FENCES AND WALLS. A site survey revealed no significant protected water features, such as wetlands or drainage areas. Vegetation removal on-site is mostly non-native blackberry, with several significant trees (as defined by our code) that shall be replaced when development occurs. Street trees, although required by our street section for local streets, were discussed at the pre-application meeting held on March 2, 2016. At the meeting, staff and the applicant discussed the merits of adding street trees, or planter strips, to the extension of Coho. It was decided, however, that it was best to simply match the existing street section from the original Molalla River Estates subdivision which does not have any street trees. However, trees shall be incorporated into the development after the lots are created. City staff shall work with the developer at the time to determine the best position to place the trees, which will be difficult due to the 10' PUE, but a solution will be found.

Chapter 18.12 PARKING AND LOADING. Adequate access has been provided by the preliminary plat proposal to facilitate parking and loading standards to be met when development occurs on the property.

Chapter 18.16 PUBLIC FACILITIES. All lots have been provided adequate access to a public right of way, either through extension of right of way or through easements that meet dimensional requirements. The indicated extension of Coho street meets dimensional standards for a local street per the Molalla Transportation System Plan (50' width). The applicant also indicates the dedication of adequate right of way to the Oregon Department of Transportation to meet arterial street section standards along the frontage of Highway 211. No intersection has been proposed with Highway 211 due to intersection spacing standards. No traffic study was required of the proposal as the anticipated low traffic volume doesn't warrant additional research into potential public improvements. All engineered specifications

shall be required to meet the City of Molalla Public Works Design Standards. When development occurs, there is adequate width of parcels 1, 2 and 7 to allow 15' setbacks (either interior/side or rear depending on home orientation on lot 2) to create a buffer between the residences and Highway 211. A vegetative buffer of some kind will likely be required, along with the standard 15' setback, at the time of development. An access way for pedestrians and bicycles is proposed to provide a multi-modal connection to 211 that doesn't violate any intersection spacing standards. This connection includes a 5' sidewalk that shall be lit and landscaped pursuant to City standards.

The applicant is proposing a fee-in-lieu for improvements to the State Highway 211. This is due to safety concerns of a partially-improved right of way encouraging use of substandard facilities. Planning staff understands this and shall defer authority for determining fee-in-lieu procedures to Public Works staff and ODOT staff.

Parks requirements set the need for 1.25 acres of park land for every 100 estimated residents. It is assumed that each residence contains 2.84 individuals.

$(7 \text{ dwellings} \times 2.84) = 19.88 \text{ estimated residents}$

$(19.88/100) \times 1.25 = .25 \text{ acres}$

Staff recognizes that dedicating park land at this rate with the subject parcel isn't feasible, and purchasing a small portion of a property elsewhere doesn't align with our goals for parks development. As such, Parks SDC's shall be paid at the time of development that will recoup the cost of the City to mitigate impacts of additional residents.

Adequate assurances shall be required for all public improvements.

All other standards in this section are met, or do not apply.

Chapter 18.20 SURFACE WATER MANAGEMENT. Future homeowners within the subdivision will be required to maintain all non-public storm drainage facilities in accordance with this section. Lots 4 and 5 contain detention pipes that shall connect to the existing storm system in Coho St.

Chapter 18.28 SENSITIVE LANDS. No water resources overlay zone has been impacted by this proposal, and no historic sites are within or adjacent to the site.

* Stormwater and sewer infrastructure improvements shall be reviewed by Public Works and Engineering Staff. Please see *Exhibit A* for a detailed review.

- b. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

Planning Commission Finding: The name is unique, however, this criterion will be reviewed by the recording body at Clackamas County.

- c. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

Planning Commission Finding: The proposal meets this criterion. See above, and reference *Exhibit A*, for a more detailed review.

- d. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;*

Planning Commission Finding: There are no proposed private common areas.

- e. Evidence that any required state and federal permits have been obtained, or shall be obtained before approval of the final plat;*

Planning Commission Finding: This shall be a criterion for approval.

- f. Meet the requirements of Section [19.04.260](#), Traffic Studies;*

Planning Commission Finding: No traffic study was required as a result of this proposal.

- g. Evidence that improvements or conditions required by the City, road authority, Clackamas County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

Planning Commission Finding: It is anticipated that all conditions of approval can be met by the applicant within reason.

- h. If any part of the site is located within a Specific Area Plan District, Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

Planning Commission Finding: No overlay zones exist within or adjacent to the subject site.

- 2. *Layout and Design of Streets, Blocks and Lots.*** All proposed blocks (i.e., 1 or more lots bound by public streets), lots and parcels conform to the specific requirements below:
 - a. All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Title 17), and the standards of Section [18.04.020](#), Street Connectivity and Formation of Blocks.*

Planning Commission Finding: All proposed lots meet City standards as illustrated above.

- b. Setbacks shall be as required by the applicable land use district (Title 17).*

Planning Commission Finding: Setbacks pursuant to section 17.08.020 shall be administered at the time of development.

- c. Each lot shall conform to the standards of Chapter [18.04](#), Access and Circulation.*

Planning Commission Finding: All lots meet City standards. Please see above for a more detailed review.

- d. Landscape or other screening may be required to maintain privacy for abutting uses. See Title 17, Land Use Districts, and Chapter [18.08](#), Landscaping.*

Planning Commission Finding: At the time of development, houses shall be screened properly in accordance with the code.

- e. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See Chapter 18.04, Access and Circulation.*

Planning Commission Finding: Comments from the local fire authority are forthcoming, however, the proposal includes a 20' access for the two flag lots that lie recessed from the public right of way. It is anticipated that the proposal will meet uniform fire code standards.

- f. *Where a common drive is to be provided to serve more than 1 lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

Planning Commission Finding: This shall be included as a condition of approval.

- g. *All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.*

Planning Commission Finding: Prior to Final Plat approval, all public infrastructure shall be implemented in accordance with City standards and approved by the City.

1. An administrative, quasi-judicial and legislative (Types II-IV) review application was received by the City of Molalla, and a review process pursuant to the following sections were followed:
 - a. 19.04.030 Type II procedure (administrative)
 - i. 19.12.190 Property line adjustments
 - b. 19.04.040 Type III procedure (quasi-judicial); 19.04.050 Type IV procedure (legislative)
 - i. 19.20.030 Review and approvals process (MASTER PLANNED DEVELOPMENTS AND PLANNED UNIT DEVELOPMENTS)
2. The Planning Commission found that notice was mailed to all local land owners within 500 feet of the subject parcel on October 26th, 2015. Subsequently, notice was placed on the City website as well as in the local newspaper with multiple run dates (weekly newspaper).
3. The City of Molalla received 2 letters of written testimony or correspondence from local landowners regarding the proposed expansion.
4. This matter came before the Planning Commission for consideration on two occasions:
 - a. November 18th, 2015 (Re-zone)
 - b. January 20th, 2016 (P.U.D)

Conclusion: The procedural findings noted above are adequate to support the Planning Commission's decision on the proposed development.

6. Decision

Based upon the submitted materials and the findings of this report, the City of Molalla Planning Commission **APPROVES** application P45-2016 pursuant to the following conditions:

1. The applicant acquire any necessary permits from Clackamas County. These are including, but not limited to: building, electrical, structural and plumbing permits.
2. The applicant pay the current rate of all applicable system development charges to the City of Molalla prior to the issuance of building permits.
3. The applicant acquire a grading permit from the City of Molalla prior to building permit issuance, and abide by the conditions of the permit.
4. Lots 2 and 3 as shown on the preliminary plat shall be required to record a joint maintenance agreement for the shared ownership of the driveway (flag pole) access. (area of access = 101.82' x 20').
5. The applicant shall acquire written approval from the local fire marshal regarding compliance with Oregon Fire Code prior to Final Plat approval.
6. The applicant shall ensure that, recorded with the deeds to all parcels created, is the requirement to match the existing number of trees on the property averaged across all 7 new lots.
7. The applicant shall not connect to Highway 211 from Coho Street with a bicycle or pedestrian walkway.
8. The developer shall pay current-rate SDC's for parks at the time of development on each individual lot.
9. The applicant shall provide adequate performance guarantees pursuant to *18.16.140 Construction plan approval and assurances*.
10. The applicant shall be required to acquire any State or Federal permits prior to the approval of the Final Plat.
11. A perimeter wall matching the existing perimeter wall for Molalla River Estates shall be provided.
12. The applicant shall install stop signs at the corner of Coho and Chinook if a warrant exists for placement of said sign. Applicant shall provide a warrant analysis from a professional traffic operation engineer licensed in the State of Oregon.

13. Specific Requirements To This Site:

A. Street:

1. The 7 lot subdivision proposal will not require a traffic impact analysis update. The proposed development will add a total of 67 trips and the threshold for a traffic impact analysis is 300 trips.
2. State Hwy 211: State Hwy 211 Street is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Current right-of-way width is 60 feet and approximate pavement width is 30 feet. Arterial streets (w/travel lanes, w/median, w/bike lanes, w/sidewalks, w/o parking) require 64 feet of right-of-way and 50 feet of pavement for areas with 6' wide curb tight sidewalk. Applicant will be required to dedicate 2.5 feet of right-of-way and at a minimum sign a consent and waiver of remonstrance to form a Local Improvement District to construct road improvements to State standards for 25 feet of pavement (CL to face of curb), curb and gutter, and 6 foot curb tight sidewalk. If required during design review by ODOT, additional striping and pavement tapers may be necessary to allow for pavement transitions and striping.
3. Proposed Extension of Coho Street: Applicant proposes to dedicate 50 feet of right-of-way and construct a street improvements in accordance with the TSP. Improvements consist of two 12 foot travel lanes, two 8 foot parking stalls, and 5.5 feet of curb and sidewalk. Roadway ends with a fire department turn around area. Dimensions will be

required to meet fire department requirements and parking will be prohibited within the areas designated for fire access and turn around. Street shall be signed no parking in these areas and applicant will be required to post a "No Outlet" sign per City standards at the southeast corner of Coho and Chinook. A landscaped treatment and wall matching the existing wall surrounding Molalla River Estates to prohibit traffic, pedestrians and bicycles from accessing the state highway will be required along Highway 211 frontage.

4. Access to public streets shall be limited to the locations shown on the proposed plan Sheet P-5. The proposed width of accesses shall meet the Public Works Standards.
5. Transportation SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated based on single family dwelling unit in accordance with the SDC methodology.

B. Storm:

1. Coho Street: A 12-inch storm main exists approximately at the end of Coho Street. The development will be required to connect into the storm system and detain on site utilizing an underground facility within the public right of way or a surface facility on one of the proposed parcels.
2. HWY 211: Storm improvements shall meet ODOT requirements.
3. Stormwater SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated based on single family dwelling unit in accordance with the SDC methodology.

C. Sanitary:

1. Coho Street: An 8-inch sanitary main exists on Coho Street. The development will be required to connect into the sanitary sewer system.
2. Sanitary SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges. SDC's shall be calculated based on the water meter size in accordance with the SDC methodology.

D. Water:

1. Coho Street: An 8-inch water main exists on Coho Street. The development will be required to connect into the water system.
2. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then applicants engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements. Fire hydrant placement shall be per City Public Works Standards and Fire Department approvals.
3. Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated based on the water meter size in accordance with the SDC methodology.

E. Parks:

1. Parks SDC's – In accordance with SMC 13.14 this residential development is not exempt from parks SDC charges. SDC's shall be calculated based on single family dwelling unit in accordance with the SDC methodology.

F. Franchise Utility Services:

1. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

14. DESIGN REQUIREMENTS & POLICIES

- A. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
- B. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- C. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- D. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards.
- E. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- F. Plans submitted for review shall meet the requirements described in Section 1 of the Public Works Standards.
- G. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. All wells shall be properly abandoned in conformance with State standards. A copy of the well abandonment form shall be provided to the City.
- H. Waterline designs require review by Oregon Drinking Water Program and sanitary sewer designs require review by Oregon Department of Environmental Quality. Applicant shall be responsible for submission of plans to state agencies and all associated fees.
- I. All public improvement designs shall meet the requirements of the Public Works Standards as amended by the Public Works Director.
- J. General Easements – A 10-foot wide public utility easement shall be dedicated to the City adjacent to all public right-of-way and no structures are allowed to encroach into the easement. Applicant shall be required to submit subdivision plat or a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record

easements with the County Recorder's Office and return a copy to the City of the recorded document prior to final occupancy.

- K. General Erosion Control – The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.

15. The unobstructed width will still need to remain at 20 feet as per OFC 503.2.1.

16. No parking signs will be required on the flag lot access as per OFC D103.6.

15. If this is to be a private drive and not a public access, a maintenance agreement will need to be signed by the property owners of the flag lots in order to keep the access road clear at all times. When complete, please forward copies to Molalla Fire.

16. Provide documentation that the current hydrant spacing meets the requirements of table C105.1. Please make sure to read footnotes. Provide this documentation on the plans and resubmit. This measurement should be taken center line of the access roads/streets.

17. Coho will be required to meet 20 foot width and turning radius as per OFC D102.

18. Compliance with the attached ODOT conditions.

DATED this _____ Day of November, 2016.

Tom Phay
Chair

Dan Huff
City Manager





City of Molalla
Application for Appointment to Citizen Committee

Date: 1/19/17

Board/Committee of Interest:

Name:

Address:

State/Province

Zip/Postal Code:

Home Phone:

Work Phone:

*E-Mail

Rachel Cain

General Delivery

OR, 97038

(971) 240-9727

(503) 877-2106

Years of Residence Inside City

1 year

Current or Previous Community Affiliations or Activities:

Regular Attending Member of Foothills Community Church, Molalla, OR

Molalla Fire Department Rehab and CERT Volunteer Candidate

Intervention Work With Gang Unit

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

I would be honored to be a member of the Molalla Planning Commission. I, along with you all, am very proud of our town and its endearing and enduring historic qualities that draw such wonderful people and talent to our growing community. I am presenting my application today in hopes to receive your blessing and be appointed to our Molalla Planning Commission. I come from a ranching background. (please continue on page 2)

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:

Rachel Cain

117 Molalla Ave/PO Box 248 Molalla Oregon 97038
Ph: 503.829.6855 Fax: 503.829.3676 www.cityofmolalla.com

RESOLUTION NO. ____
A RESOLUTION OF THE (Insert Name of Agency)
(Insert Governing body title, e.g Board of Directors, City Council)
RECOMMENDING RESTORING RECREATIONAL IMMUNITY RIGHTS

WHEREAS, in 1995, the Legislative Assembly declared it to be the public policy of the State of Oregon to encourage landowners to make their land available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes, and;

WHEREAS, recreations purposes includes, but are not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, outdoor educational activities, water sports, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project, including the above aforementioned activities, as well as: gardening, woodcutting and for the harvest of special forest products, and;

WHEREAS, the Public Use of Lands Act has increased the availability of land for free recreation by citizens and visitors alike by limiting liability to cities, counties, park districts, irrigation districts, schools and private landowners, including property-owner associations, farmers and timber companies that, by virtue of this act, allow members of the public to use or traverse their lands at no charge for recreation purposes, and;

WHEREAS, for twenty years, the Public Use of Lands Act has been broadly interpreted to extend this immunity from liability to apply not only to landowners but also to the landowner's employees agents, and volunteers, and;

WHEREAS, in *Johnson v. Gibson*, the Oregon Supreme Court held that when the Legislature passed the Public Use of Lands Act, it intended to immunize only the landowner, otherwise the Legislative Assembly would have included employees, agents and volunteers in the Act, and;

WHEREAS, this ruling effectively undermines a landowner's recreational immunity from tort liability under the Act because public employers are statutorily required to represent and indemnify their employees and most, if not all, landowners who allow access to their lands free of charge will ultimately be responsible for the negligence of their employees that results in injury to a member of the public or property, and;

WHEREAS, landowners will likely face substantially increased insurance premiums for this new risk exposure and/or have to close their property or amenities to Oregonians trying to recreate due to the result of this decision.

NOW, THEREFORE, let it be known that the **(Insert Name of Agency)** supports legislation in the 2017 Oregon Legislative Assembly promulgated to restore recreational

immunity to landowners and their officers, employees, agents or volunteers who are acting within the scope of their employment or duties so to allow Oregonians to access their lands for recreational use and enjoyment.

ADOPTED by the Board of Directors of the **(insert Name of Agency)** on **(Insert Date)**.

(Insert Name), (Insert Title)

Attest:

(Insert Name), (Insert Title)

City Of Molalla

City Council Meeting



Agenda Category: New Business

Subject: Resolution 2017-~~XX~~: A Resolution Authorizing The City Manager To Execute An Intergovernmental Agreement To Participate In The Managing Oregon Resources Efficiently (MORE) Program

Recommendation: Council Approval

Date of Meeting to be Presented: September 14, 2016

Fiscal Impact: None

Background:

Attached is an overview of the MORE program and the intergovernmental agreement (Exhibit B) that will allow the City of Molalla to participate in the MORE program and utilize equipment, materials, and services from other participating agencies on an as needed basis.

SUBMITTED BY: Gerald Fisher, Public Works Director
APPROVED BY: Dan Huff, City Manager

RESOLUTION 2017- 02

A RESOLUTION OF THE CITY OF MOLALLA AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT TO PARTICIPATE IN THE MANAGING OREGON RESOURCES EFFICIENTLY (MORE) PROGRAM.

WHEREAS, agencies participating in the MORE program have equipment, materials, and services that could be beneficial to the City of Molalla; and

WHEREAS, executing the intergovernmental agreement is a requirement to participate in the program; and

WHEREAS, participation in the program can expedite the assistance of other agencies during a City emergency.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Molalla as follows:

1. Authorizes the City Manager to enter into the intergovernmental agreement on behalf of the City.

DULY ADOPTED AND EFFECTIVE the 8th day of February, 2017, by a

vote of _____ ayes and _____ nays.

Mayor Jimmy Thompson

ATTEST this ____ day of _____, 2017:

City Recorder, Sadie Cramer

Oregon's **MORE-IGA**



Doing **MORE** with Less!

Doing **MORE** Yes!

www.MOREoregon.com

www.MOREoregon.com

Oregon's **MORE**-IGA

www.MOREoregon.com

MORE = **M**anaging **O**regon **R**esources **E**ffectively

IGA = Intergovernmental
Agreement

www.MOREoregon.com



What is the **MORE-IGA** ?

**Multi agency IGA that allows
Oregon's public agencies
exchange invoices,
therefore services
and resources**

Oregon Revised Statutes #190

www.MOREoregon.com



Who is part of the **MORE-IGA** ?

Currently **50+** public agencies *(and counting)*

- **20** of Oregon's 36 counties
- **25** cities
- Others include: transit, service districts, schools / colleges, 911-center, etc.

www.MOREoregon.com



Oregon's **MORE-IGA**

MANAGING OREGON RESOURCES EFFICIENTLY {**MORE**}

INTERGOVERNMENTAL AGREEMENT for resources and services

This Agreement is made between the SIGNED PARTIES pursuant to the authority provided by ORS Chapter 190 and shall be referred to the **MORE-IGA** {Managing Oregon Resources Efficiently Intergovernmental Agreement} (“**AGREEMENT**”).

WHEREAS:

1. Each **PARTY** owns certain equipment and materials, and provides services that may be useful to another **PARTY** for public works, municipal, transportation, engineering, survey, construction, operations, maintenance, service districts, emergency management and related activities; and
2. The **PARTIES** agree that sharing equipment, materials, and services promotes the cost-effective and efficient use of public resources; and
3. The **PARTIES** desire to enter into this **AGREEMENT** to establish procedures for sharing equipment, materials, resources, and services, and defining legal relationships and responsibilities. Therefore, in consideration of the mutual covenants herein, it is

AGREED:

*The **Breath** of the **MORE-IGA** ?*

“Each **PARTY** owns certain
equipment and **materials**,
and provides **services**
that may be useful to another **PARTY**
for
public works, **municipal**,
transportation, **engineering**, **survey**,
construction, **operations**,
maintenance, **service districts**,
emergency management
and **related activities**”

*Many, many
disciplines*

www.MOREoregon.com



Why the **MORE-IGA** ?

- **Generic – no lead agency**
- **No expiration date**
- **No financial caps**
- **Web-based – self serve**
- **Short / Very Brief – 2 pages**
- **Attorneys Agree!**
- **Open-ended for a wide span of work or activities**



When use the **MORE-IGA** ?

- **Any time !**
- **Daily**
- **Emergencies** (i.e. FEMA)

Empowerment!

www.MOREoregon.com



How to join the **MORE-IGA** ?

Must be a Oregon Public Agency

Simple as 1 - 2 - 3:

- 1. Print two agency signature sheets**
- 2. Sign and mail one to me**
- 3. We web-post for the other agency members**

www.MOREoregon.com



***What Else* of the MORE-IGA ?**

- ***We truly collaborate!***
- **We have a Web Bulletin Board**
- **We have *optional* twice a year lunch meetings and just chat**
- **We broadcast members' e-mail inquires...**
- **Great reduction of Agencies' IGAs to maintain**



MORE-IGA's Success!

many,

many,

many!

Over 20-years!

www.MOREoregon.com



How do we know where **MORE-IGA** resources are?

Institutional and Staff Knowledge



MuniRent

www.MOREoregon.com



www.MOREoregon.com

Doing MORE with Less !

Doing MORE Yes !

Don Newell

MORE-IGA contract administrator
Marion County, OR

Contact information on the web:

www.MOREoregon.com



MANAGING OREGON RESOURCES EFFICIENTLY {**MORE**}

INTERGOVERNMENTAL AGREEMENT for resources and services

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1. Each **PARTY** owns certain equipment and materials, and provides services that may be useful to another **PARTY** for public works, municipal, transportation, engineering, construction, operations, maintenance, service districts, emergency management and related activities; and
2. The **PARTIES** agree that sharing equipment, materials, and services promotes the cost-effective and efficient use of public resources; and
3. The **PARTIES** desire to enter into this **AGREEMENT** to establish procedures for sharing equipment, materials, resources, and services, and defining legal relationships and responsibilities. Therefore, in consideration of the mutual covenants herein, it is

AGREED:

1. The **PARTIES** shall make available to each other vehicles, equipment, machinery, materials, related items ("**EQUIPMENT OR MATERIALS**") and/or services in the manner and on the terms and conditions provided herein. The **PARTY** supplying the services or the **EQUIPMENT OR MATERIALS** shall be designated as the "**PROVIDER**" herein. The **PARTY** receiving the services or assuming the use of **EQUIPMENT OR MATERIALS** shall be designated as the "**USER**" herein.
2. A cost estimate for specific services will be supplied by the **PROVIDER** at the request of the **USER**. Service **PROVIDERS** shall maintain an accurate cost accounting system, track expenditures and provide monthly billing to **USER**. Unless other arrangements are agreed upon by the **PARTIES**, **PROVIDER'S** invoices will be paid by **USERS** in full within thirty (30) days of billing.
3. **EQUIPMENT OR MATERIALS** and/or services shall be provided upon reasonable request at mutually convenient times and locations. The **PROVIDER** retains the right to refuse to honor a request if the **EQUIPMENT OR MATERIALS** are needed for other purposes, if providing the **EQUIPMENT OR MATERIALS** would be unduly inconvenient, or if for any other reason, the **PROVIDER** determines in good faith that it is not in its best interest to provide a particular item at the requested time. **EQUIPMENT OR MATERIALS** shall be returned immediately at **PROVIDER'S** request.
4. The **USER** receiving the **EQUIPMENT OR MATERIALS** shall take proper precaution in its operation, storage and maintenance. **EQUIPMENT OR MATERIALS** shall be used only for its intended purpose. The **USER** shall permit the **EQUIPMENT OR MATERIALS** to be used only by properly trained, properly licensed, and supervised operators. The **USER** shall be responsible for **EQUIPMENT OR MATERIALS** repairs necessitated by misuse or negligent operation and for the maintenance and/or replacement of high wear items (i.e., milling machine teeth, etc.). The **USER** shall not be responsible for scheduled preventive maintenance (**P.M.**) unless **EQUIPMENT OR MATERIALS** hours used exceeds the **P.M.** schedule periods and has been agreed by the **PROVIDER**. The **USER** shall perform and document required written maintenance checks prior to and after use and shall provide routine daily maintenance of **EQUIPMENT OR MATERIALS** (i.e., fluid checks, lubricating, etc.) during the period in which the **EQUIPMENT OR MATERIALS** is in **USER'S** possession.
5. **PROVIDER** shall endeavor to provide **EQUIPMENT OR MATERIALS** in good working order and to inform **USER** of any information reasonably necessary for the proper operation of the **EQUIPMENT OR MATERIALS**. The **EQUIPMENT OR MATERIALS** are provided "as is", with no representation or warranties as to its condition or its fitness for a particular purpose. **USER** shall be solely responsible for selecting the proper **EQUIPMENT OR MATERIALS** for its needs and inspecting **EQUIPMENT OR MATERIALS** prior to use. It is acknowledged by the **PARTIES** that the **PROVIDER** is not in the

business of selling, leasing, renting or otherwise providing EQUIPMENT OR MATERIALS to others, and that the PARTIES are acting only for their mutual convenience and efficiency.

6. The PARTIES shall provide EQUIPMENT OR MATERIALS storage to each other, at no charge, upon request when mutually convenient. It is recognized that such storage is for the benefit of the PARTY requesting it. The PARTY storing the EQUIPMENT OR MATERIALS shall be responsible for providing a reasonably safe and secure area and not responsible nor liable for theft or damage.
7. The PROVIDER may require, in its sole discretion, that only PROVIDER'S personnel operate EQUIPMENT OR MATERIALS. In so doing, PROVIDER shall be deemed an independent contractor and PROVIDER'S employees shall not be deemed employees of USER. The PROVIDER'S operator shall perform under the general direction and control of the USER, but shall retain full control over the manner and means of using the EQUIPMENT OR MATERIALS.
8. For the purposes of this AGREEMENT, the PARTIES are independent contractors. Nothing herein shall alter the employment status of any workers providing services under this AGREEMENT. Such workers shall at all times continue to be subject to all standards of performance, disciplinary rules and other terms and conditions of their employer. No USER shall be responsible for the direct payment of any salaries, wages, compensation or benefits for PROVIDER'S workers performing services to USERS under this AGREEMENT.
9. Each PARTY shall be solely responsible for its own acts and those of its employees and officers under this AGREEMENT. No PARTY shall be responsible or liable for consequential damages to another PARTY arising out of providing or using EQUIPMENT OR MATERIALS or services under this AGREEMENT. PROVIDERS requiring that their personnel operate EQUIPMENT OR MATERIALS shall, within limits of the Oregon Constitution and the Oregon Tort Claims Act, hold harmless, indemnify and defend the USER, its officer, agents and employees from all claims arising solely by reason of any negligent act by persons designated by PROVIDER to operate EQUIPMENT OR MATERIALS. Notwithstanding the above, the USER shall bear sole responsibility for ensuring that it has the authority to request the work, for its designs and for any representations made to the PROVIDER regarding site conditions or other aspects of the project. The PROVIDERS of the EQUIPMENT OR MATERIALS shall adequately insure the EQUIPMENT OR MATERIALS or provide self-insurance coverage.
10. Any PARTY may terminate its participation by providing thirty (30) days written notice to the other PARTIES. Any amounts due and owing by a terminating PARTY shall be paid within thirty (30) days of termination.
11. Nothing herein shall be deemed to restrict authority of any of the PARTIES to enter into separate agreements governing the terms and conditions for providing EQUIPMENT OR MATERIALS or services on terms different than specified herein.
12. Any **OREGON PUBLIC ENTITY** may become a PARTY to this AGREEMENT. Each PARTY in accordance with the applicable procedures of that PARTY shall approve this AGREEMENT. This AGREEMENT will be executed separately by each PARTY and shall be effective as to each PARTY and binding among all the PARTIES that have signed this AGREEMENT on the date of execution and sending a copy of the signed AGREEMENT to the **CONTRACT ADMINISTRATOR**. The current CONTRACT ADMINISTRATOR is:

Don Newell, Marion County Public Works, 5155 Silverton Road NE, Salem, Oregon 97305

Telephone: 503.365.3129, e-mail: DNewell@co.Marion.or.us

A new CONTRACT ADMINISTRATOR may be named at any time with the approval of a majority of the PARTIES.

13. This AGREEMENT may be amended by written amendment signed by all of the PARTIES.

- end of the AGREEMENT narrative -

*Final MORE-IGA narrative revision date: **March 5, 2013** (no changes or additions are allowed to the above)*

MORE-IGA SIGNATURE PAGE

(MANAGING OREGON RESOURCES EFFICIENTLY INTERGOVERNMENTAL AGREEMENT)

IN THE WITNESS WHEREOF, the PUBLIC ENTITY _____ (PARTY) has
caused this AGREEMENT to be executed by its duly authorized representatives as the date of their signatures below:

Signature of Officer

Date

Officer's title

Signature of Officer

Date

Officer's title

Signature of Counsel

Date

Counsel's title

Name & title of the
**AGENCY'S IGA
OVERSEER:** _____

Address: _____

Office Phone: _____

Cell Phone: _____

E-mail: _____

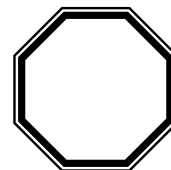
Optional: Name &
title of Agency's
2nd Contact: _____

Office Phone: _____

Cell Phone: _____

E-mail: _____

1. Mail the **original signed MORE-IGA SIGNATURE PAGE** (this page – *actual hard copy page*) to:
Don Newell, CONTRACT ADMINISTRATOR for distribution to member agencies.
Marion County, 5155 Silverton Road NE, Salem, Oregon 97305 e-mail: DNewell@co.Marion.or.us
Telephone: 503.365.3129 MORE-IGA web site: <http://www.MOREoregon.com>
2. Retain a 2nd **original signed MORE-IGA SIGNATURE PAGE** for your records (a total of 2-sets are required).
3. Send additional agency staff contacts' e-mail addresses to the above CONTRACT ADMINISTRATOR.
4. Copy other PARTIES' **MORE-IGA SIGNATURE PAGES** for your agency's records from the above MORE-IGA web site.



INSTRUCTIONS FOR THE MORE-IGA

(MANAGING OREGON RESOURCES EFFICIENTLY INTERGOVERNMENTAL AGREEMENT)

*“Doing **MORE** with less!”*

The following is directed to officials of local and state governments that may want to participate in the accompanying **MORE-IGA** [AGREEMENT]. There are four pages to the MORE-IGA:

- The MORE-IGA narrative – pages 1-2
 - **MORE-IGA SIGNATURE PAGE** – page 3
 - **INSTRUCTIONS FOR THE MORE-IGA** (this page) – page 4
- a. The purpose of the MORE-IGA is for to exchange EQUIPMENT OR MATERIALS or services between OREGON PUBLIC ENTITIES.
 - b. All PARTIES, who sign the AGREEMENT, must honor the AGREEMENT entirely.
 - c. Each PUBLIC ENTITIES shall identify an AGENCY’S IGA OVERSEER which will process, file and will receive and maintain IGA documents.
 - d. Don Newell of Marion County has agreed to act as the CONTRACT ADMINISTRATOR. The CONTRACT ADMINISTRATOR will notify all the AGENCY’S IGA OVERSEERS for all PARTIES. The CONTRACT ADMINISTRATOR will not resolve any disputes of the AGREEMENT PARTIES, nor would Marion County or its employees be liable for any damages sought between any two other PARTIES.
 - e. Each new PARTY shall execute the **MORE-IGA SIGNATURE PAGE** in two original sets: One shall be filed with the CONTRACT ADMINISTRATOR for approval, filing and distribution, and the second for the PARTY entity’s records.
 - f. Each AGENCY’S IGA OVERSEER will receive digital copies of the **MORE-IGA SIGNATURE PAGE** from the web site: <http://www.MOREoregon.com> for their records. The CONTRACT ADMINISTRATOR will directly inform the AGENCY’S IGA OVERSEERS of new Agencies signers by e-mail.
 - g. After the signature and approval process is completed, any PARTY may directly approach any other PARTY for exchange of equipment, materials, resources, and services. There is no need to coordinate requests amongst other PARTIES or with the CONTRACT ADMINISTRATOR.
 - h. It is important to note paragraph 3 (page 1): “The PROVIDER retains the right to refuse to honor a request”.
 - i. The CONTRACT ADMINISTRATOR maintains two-e-mail lists: 1) Each PUBLIC ENTITIES’ AGENCY’S IGA OVERSEERS; 2) other PUBLIC ENTITIES’ staff that want to be informed of MORE members’ news, announcements, and activities. MORE members will schedule and host meetings 3-times a year to discuss joint issues.
 - j. An optional 2nd agency contact person can identify on the **MORE-IGA SIGNATURE PAGE** which will also receive direct ongoing correspondence of MORE’s activities or of its members.
 - k. The IGA, list of PUBLIC ENTITIES with agencies’ contacts, digital file copies of **MORE-IGA SIGNATURE PAGES**, meeting announcements, and members’ news are found on <http://www.MOREoregon.com>

Questions or concerns may be addressed to:

Don Newell, CONTRACT ADMINISTRATOR.

Marion County, 5155 Silverton Road NE, Salem, Oregon 97305

Telephone: 503.365.3129;

e-mail: DNewell@co.Marion.or.us

History: An original joint agency IGA for shared services was originally signed by Multnomah County, the City of Gresham and Oregon Department of Transportation in 1996. By the provision of a 1999 ADDENDUM, other parties agreed to sign the agreement. The IGA was revised in July 2002 and was named PMAT-IGA (PORTLAND METROPOLITAN AREA TRANSPORTATION CO-OPERATIVE INTERGOVERNMENTAL AGREEMENT) with 33-signing agencies. In February 2013 the MORE-IGA, with a more statewide focus, was crafted in tandem to eventually replaced PMAT-IGA.

A second ODOT IGA (OMAT), which allows agencies work with ODOT, can be obtained by contacting:

Rita Gill, OMAT Administrator, Oregon Department of Transportation, Region 1-Contracts & Agreements Unit;

123 NW Flanders Street, Portland, OR 97209-4012;

Telephone: 503-731-8548; e-mail: Syreeta.Gill@ODOT.state.or.us

City of Molalla

City Council Meeting

Agenda Category: Resolution

Subject: Resolution 2017-~~XX~~ – A Resolution Modifying Public Works Fees

Recommendation: Council Approval

Date of Meeting to be Presented: February 08, 2017

Fiscal Impact: Minor increase in water use revenues. No impact to permit revenue.

Bulk Water Fee – Based on the water fees passed under Resolution 2016-08, the fee for 1000 gallons of water (133.681 cubic feet) has been adjusted to match the use rate.

Plan Review/Permit Fees – The administrative fees for Public Works were modified in 2016 to include outsourcing of plan review to the on-call engineering consultant and to pass the costs on to the applicant. It is in the City's interest to perform the plan review functions utilizing existing staff. An average for plan review and construction inspection fees for surrounding communities was determined the revised fee is in line with those communities.

SUBMITTED BY: Gerald Fisher, Public Works Director

APPROVED BY: Dan Huff, City Manager

RESOLUTION 2017-03

A RESOLUTION ADOPTING ADJUSTED FEES FOR THE ADMINISTRATIVE FEE
SCHEDULE 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 administrative services; and

WHEREAS s, the City Hall offices incurs expenses in administrative areas as attached, which costs the City of Molalla to supply these services and have placed a burden on the administrative budget; and

WHEREAS, existing administrative services and proposed fees for such services are hereby listed as the attachment to this Resolution; and

WHEREAS, that for administrative efficiencies, the fees, and fines imposed by the City of Molalla be collectively established.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the City Council of the City of Molalla as follow the fees listed for the departments for the City of Molalla, are hereby established as listed effective this 8th day of February, 2017.

DULY ADOPTED AND EFFECTIVE the 8th day of February, 2017, by a
vote of _____ ayes and _____ nays.

Mayor Jimmy Thompson

ATTEST this ____ day of _____, 2017:

Sadie R. Cramer, City Recorder

City of Molalla Administrative Fees	RESO #
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Public Works

<u>Overnight parking</u>	\$5.00/night	\$25.00/week	\$100.00/mo.	\$1000/yr	RES 2013-17
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Molalla Water, Sewer, Street, Storm, & Parks SDC's

NOTE: All SDC's subject to yearly inflation index. Check with Public Works Director for current fee values.

	Meter Factor	Water SDC	Sewer SDC	
<u>¾" Meter</u>	<u>1</u>	<u>\$ 3,818</u>	<u>\$ 4,794</u>	RES 2016-21
<u>1" Meter</u>	<u>1.67</u>	<u>\$ 6,364</u>	<u>\$ 7,991</u>	RES 2016-21
<u>1.5" Meter</u>	<u>3.33</u>	<u>\$ 12,728</u>	<u>\$ 15,981</u>	RES 2016-21
<u>2" Meter</u>	<u>5.33</u>	<u>\$ 20,364</u>	<u>\$ 25,569</u>	RES 2016-21
<u>3" Meter</u>	<u>10.67</u>	<u>\$ 40,725</u>	<u>\$ 51,137</u>	RES 2016-21
<u>4" Meter</u>	<u>16.67</u>	<u>\$ 63,632</u>	<u>\$ 79,901</u>	RES 2016-21
<u>Street SDC</u>		<u>\$ 4,000</u>		RES 2016-21
<u>Storm SDC</u>		<u>\$ 891</u>		RES 2016-21
<u>Park SDC</u>		<u>\$ 7,368</u>		RES 2016-21

Typical Single Family Dwelling Charges with ¾" Meter

	<u>Fee</u>	<u>Unit</u>	
<u>Water Hook Up Fee</u>	<u>\$600.00</u>		RES 2014-03
<u>Sewer Hook Up Fee</u>	<u>\$600.00</u>		RES 2014-03
<u>Water SDC</u>	<u>\$ 3,818</u>		RES 2016-21
<u>Sewer SDC</u>	<u>\$ 4,794</u>		RES 2016-21
<u>Street SDC</u>	<u>\$ 4,000</u>		RES 2016-21
<u>Storm SDC</u>	<u>\$ 891</u>		RES 2016-21
<u>Park SDC</u>	<u>\$ 7,368</u>		RES 2016-21
<u>Development Fee</u>	<u>\$25.00</u>		RES 2014-03
<u>Total</u>	<u>\$22,096.44</u>		RES 2014-03

Water Base

NOTE: All rates subject to yearly inflationary index on July 01 based on Portland-Salem (CPI-U).

INSIDE CITY

<u>Water - ¾" Meter</u>	<u>\$12.80</u>		RES 2016-08
<u>Water - 1" Meter</u>	<u>\$21.45</u>		RES 2016-08
<u>Water - 1.5" Meter</u>	<u>\$42.67</u>		RES 2016-08
<u>Water - 2" Meter</u>	<u>\$68.57</u>		RES 2016-08
<u>Water - 3" Meter</u>	<u>\$149.33</u>		RES 2016-08
<u>Water - 4" Meter</u>	<u>\$255.99</u>		RES 2016-08
<u>Water - 6" Meter</u>	<u>\$533.31</u>		RES 2016-08
<u>Water - 8" Meter</u>	<u>\$767.97</u>		RES 2016-08
<u>Water Usage</u>	<u>\$2.81</u>	<u>per 100 CF</u>	RES 2016-08
<u>Bulk Water (1000 gal = 133.681 CF)</u>	<u>\$3.76</u>	<u>per 1000 gal</u>	RES 2017-

Public Works (Cont.)**Water Base**

NOTE: All rates subject to yearly inflationary index on July 01 based on Portland-Salem (CPI-U).

OUTSIDE CITY

<u>Water - 3/4" Meter</u>	<u>\$19.20</u>	RES 2016-08
<u>Water - 1" Meter</u>	<u>\$32.18</u>	RES 2016-08
<u>Water - 1.5" Meter</u>	<u>\$64.01</u>	RES 2016-08
<u>Water - 2" Meter</u>	<u>\$102.86</u>	RES 2016-08
<u>Water - 3" Meter</u>	<u>\$224.00</u>	RES 2016-08
<u>Water - 4" Meter</u>	<u>\$383.99</u>	RES 2016-08
<u>Water - 6" Meter</u>	<u>\$799.97</u>	RES 2016-08
<u>Water - 8" Meter</u>	<u>\$1,151.96</u>	RES 2016-08
<u>Water Usage</u>	<u>\$4.22 per 100 CF</u>	RES 2016-08

<u>Water Service Installation Fee:</u>	<u>*Actual Cost</u>	RES 2016-07
*Labor, Materials, Equipment & Admin. (3%)		
<u>Service Shutoff Fee</u>	<u>\$50.00</u>	RES 2016-07
<u>Door Hanger Fee</u>	<u>\$25.00</u>	RES 2016-07
<u>Late Fee</u>	<u>\$5.00</u>	RES 2007-11

<u>Utility Service Deposits</u>	<u>Residential & Commercial</u>	<u>\$100.00</u>	RES 2007-11
	<u>Hydrant Customers</u>	<u>\$700.00</u>	RES 2016-07

Sewer Base

NOTE: All rates subject to yearly inflationary index on July 01 based on Portland-Salem (CPI-U).

INSIDE CITY

<u>Sewer Base</u>	<u>\$33.36</u>	RES 2015-13
<u>Charges based on water usage from winter months</u>	<u>\$3.30 per 100 C.F.</u>	RES 2015-13

Sewer Base

NOTE: All rates subject to yearly inflationary index on July 01 based on Portland-Salem (CPI-U).

OUTSIDE CITY

<u>Sewer Base</u>	<u>\$50.04</u>	RES 2015-13
<u>Charges based on water usage from winter months</u>	<u>\$4.95 per 100 C.F.</u>	RES 2015-13

<u>Storm Drain Fee</u>	<u>\$3.00</u>	RES 2016-07
<u>Street Maintenance Fee</u>	<u>No Fee Adopted To Date</u>	Not Assigned

Public Works (Cont.)

Plan Review Fee

<u>Engineering Design Review Fee</u>	<u>*1.5% but not less than \$580.00</u>	RES 2017-
* 1.5% of the total the Engineer's Estimate of the public improvements		

Permit Fee

<u>Hydrant Permit Fee</u>	<u>\$25.00</u>		RES 2016-07
<u>Blulk Water Permit Fee</u>	<u>\$25.00</u>		RES 2016-07
<u>Right-Of-Way Permit Fee (non-franchise)</u>	<u>\$125.00</u>		RES 2016-07
<u>Right-Of-Way Permit Fee (non-franchise) - with Street Cut</u>	<u>\$150.00</u>	<u>ea. Cut</u>	RES 2016-07
<u>Reinspection - Right-Of-Way Permit Fee (non-franchise)</u>	<u>\$75.00</u>		RES 2016-07
<u>Right-Of-Way Permit Fee (franchise)</u>	<u>\$0.00</u>		RES 2016-07
<u>Right-Of-Way Permit Fee (franchise) - with Street Cut</u>	<u>\$0.00</u>	<u>ea. Cut</u>	RES 2016-07
<u>Driveway, Sidewalk, and/or Curb & Gutter Const Permit Fee</u>	<u>\$95.00</u>		RES 2016-07
<u>Reinspection - Driveway, Sidewalk, and/or Curb & Gutter Const Permit Fee</u>	<u>\$47.00</u>		RES 2016-07
<u>Construction Permit Fee</u>	<u>*3.5% but not less than \$525.00</u>		RES 2017-
* 3.5% of the total the Engineer's Estimate of the public improvements			
Construction Reinspection After 2 Failed Inspections	<u>\$64.00</u>	<u>ea additional</u>	RES 2016-07
<u>Park & recreation fee</u>	<u>\$5.00</u>	<u>Repealed</u>	RES 2007-09