



Molalla City Council

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

June 25, 2014

Regular Meeting Agenda

No Work Session

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.

1. CALL TO ORDER – 1,037th Regular Meeting

- A. Call the meeting to order
- B. Flag Salute
- C. Roll Call

2. COMMUNICATIONS AND PUBLIC COMMENT

- A. Minutes: May 28, 2014 – Next Meeting w/Revisions
- B. Minutes: June 11, 2014 - Motion to Approve
- C. Minutes: Planning Commission Minutes – Informational Only

3. AWARDS & RECOGNITIONS

4. PROCLAMATIONS

5. PUBLIC HEARINGS

6. CONTINUING BUSINESS

7. NEW BUSINESS

- A. OLCC Application Longbranch Bar & Grill – Council Discussion with possible approval
- B. ODOT Work Letter Agreement: HWY 213: Mulino Road to Blackmans Corner – Authorize CM to Sign

8. RESOLUTIONS

9. ORDINANCES

10. REPORTS AND ANNOUNCEMENTS

- A. City Manager/Staff Reports – Dan Huff

11. EXECUTIVE SESSION

The City Council of the City of Molalla will now meet in executive session held pursuant to Oregon Public Record Law under ORS. 192.660 (2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing and under 192.660 (2) (h), To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

12. ADJOURNMENT

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday June 11, 2014

ATTENDANCE: Mayor Rogge, Present; Councilor Pottle, Present; Councilor Clark, Present; Councilor Thompson, Present; Councilor Griswold, Present; Councilor Boreth, Present; Councilor Cook, Present.

STAFF IN ATTENDANCE: City Manager Dan Huff, Present; City Recorder Sadie Cramer, Present; Finance Director Heather Penni, Present.

COMMUNICATIONS AND PUBLIC COMMENT:

A. Minutes – May 21, 2014

Councilor Boreth made a recommendation to table the minutes from the May 21, 2014 until corrections have been made.

B. Minutes – Library Board

Information only

AWARDS & RECOGNITIONS

A. Glenda Treibwasser, Library Director – 19 years of service/retirement

CM Huff presented a plaque to Glenda Treibwasser and thanked her for her dedicated service to the City of Molalla.

Glenda stated that she has enjoyed her time spent at the Molalla Library and she will miss it but is looking forward to starting a new chapter in her life.

Speaker 1 – Lucy Allison Persley, 701 N. Molalla Ave – Gave an update on the Friends of the Pool. She stated that their goal is to build a sustainable plan, to keep the pool open and maximize it as an asset to Molalla area residents, offer increased operating hours and programs and reducing the financial burden on the City of Molalla. She stated that the approach is to increase awareness, increase patronage,

expand funding sources and support the pool and City staff. She asked if one or two city councilors would be liaisons to the Friends of the Pool.

Councilor Pottle asked how many meetings have the group had. He was advised that there have been 2 meetings with approx. 25-30 people in attendance.

PUBLIC HEARINGS

Councilor Pottle made a motion to open public hearing. Councilor Griswold seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

There were no public comments.

Councilor Clark made a motion to close public hearing. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

Councilor Thompson made a motion to open public hearing declaring the City's election to receive state revenues. Councilor Clark seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

There were no public comments.

Councilor Thompson made a motion to close public hearing. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

CONTINUING BUSINESS

Mayor Rogge stated that several contractors have come to council asking for the SDC increase be waived or partially waived on projects that were in construction at the time of the SDC increase.

Councilor Thompson stated that the SDC rates have been discussed and have been on the agendas since the fall of 2013 and is not in favor of a waiver.

Councilor Pottle asked that if the contractors could supply proof that they had a signed contract they could have the additional SDC's waived.

Councilor Clark asked how many developments would fall under this criteria. He was informed that the city did not have an amount.

Councilor Griswold is not in favor of the waiver.

Councilor Boreth asked if the SDC increase was approved with an emergency clause. He was informed there was not an emergency clause. Councilor Boreth stated that if there was no emergency clause the rates were not affected for 30 days. Since there was proper notice of the increase then he is not in favor of the waiver.

Councilor Cook stated that because the notification process was followed, he is not in favor of the waiver.

Councilor Pottle stated that the waiver would allow the contractors to move forward with the SDC's that were in place at the time of their original contract.

Councilor Cook stated that he would like to know how many contracts are affected and what the financial impact would be.

Councilor Pottle made a motion to direct staff to investigate the contracts that would be affected by a waiver. No second. Motion fails

NEW BUSINESS

A. Excavator Purchase

CM huff stated that this is a small excavator to be used by the Public Works Department. There are four bids for this purchase.

Councilor Thompson stated that he feels confident purchasing equipment from Pape', they have a good reputation.

Councilor Thompson made a motion to approve the purchase, up to \$50,000.00. Councilor Griswold Seconded. Motion approved (7-0) Mayor Rogge, Aye;

Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

B. Stowers Road, Heintz Street & Grange Ave Cost Estimates

CM Huff passed out an IGA with ODOT on the flex funds. This project is in the budget. The task order is to have the engineer begin the design so we can get it out to bid.

Councilor Pottle made a motion to approve the agreement. Councilor Thompson Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

C. Rodeo Walk of Fame

CM huff stated that the City applied for a grant from Clackamas County to promote the Rodeo Walk of Fame. This project will have a tree and starting point in front of City Hall and add some street trees, it also includes geo-caching. He stated that the City's cost is \$3,000.00. Councilor Thompson asked what the cost would be do sidewalk. He was informed approx. \$12,000.00.

RESOLUTIONS

A. 2014-04 – Eligibility for State Shared Revenues per ORS 221.760

Councilor Pottle made a motion to approve Resolution 2014-04. Councilor Clark seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

B. 2014-05 – City Election to Receive State Revenues

Councilor Boreth made a motion to approve Resolution 2014-05. Councilor Griswold seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

C. 2014-06 – Adopting the City of Molalla Budget for the FY 14/15, Making Appropriations, Categorizing and Levying Ad Valorem Taxes

Councilor Pottle made a motion to approve 2014-06. Councilor Clark seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

REPORTS & ANNOUNCEMENT

CM Huff stated that he met with the school board, Councilor Clark (filling in for Councilor Thompson), Councilor Cook and Council President Pottle were also in attendance. There was discussion on formally appointing Councilor Clark, Councilor Cook and Council President Pottle to the committee with negotiating authority.

Mayor Rogge made a motion to allow Councilor Thompson, Councilor Cook and Council President Pottle and Councilor Clark as an alternate, to have authority to make decisions that will create a final advisory function to council for final vote. Councilor Boreth Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

Councilor Griswold stated that he would have a conflict of interest since he is employed by the School District.

CM Huff stated that the finishing touches done on the parking lot work done at City Hall was done by the Public Works crew.

CM huff stated that there would be a Chamber luncheon tomorrow to discuss the parade.

CM Huff advised July 8-11 will be attending the Oregon City Manager's conference.

FD Penni stated that the adopted budget document will be available by June 30.

Councilor Boreth stated that last week, Councilor Cook, Councilor Pottle, CM Huff and he went to the C4 meeting on Clackamas County roads and funding for

them. He stated that in August, 2014 there may be a tax or surcharge imposed to help make up for the lack of State funding.

Councilor Clark thanked the budget committee and city staff for their hard work on the budget.

Councilor Pottle thanked city staff for stepping up and taking care of business. He also stated that working with the school board is promising.

Mayor Rogge stated that the League of Oregon Cities sent a letter outlining what will be going to legislation. The LOC is asking each city to choose their top 4 issues that need the most attention.

ADJOURNMENT

Councilor Thompson made a motion to adjourn. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

Sadie Cramer, City Recorder

Mayor Debbie Rogge

Minutes of the Molalla Planning Commission
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday June 4, 2014

ATTENDANCE: Jake Burroughs, Present; Jerome Beattie, Present; Mary Lynn Jacob, Present; Joseph Harrison, Present; Laura Ferris, Present; Penny Welty, Present; Patricia Torsen, Present; Grant Sharp, Present; Rhonda Ruppel, Absent.

STAFF IN ATTENDANCE: City Manager Dan Huff, Present; Finance Director Heather Penni, Present; HR Coordinator Peggy Johnson, Present.

COMMUNICATIONS AND PUBLIC COMMENT:

Jake Burroughs explained that this meeting is to allow public testimony. He asked if any of the Planning Commissioners had a financial interest, do any commissioners stand to gain or lose any financial benefit as a result of the annexation. Commissioner Torsen stated that she has property that would be affected and will abstain. Mr. Burroughs asked if any of the commissioners have discussed actions with any property owners or other interested parties. He asked if any commissioners have met as a group to discuss these matters prior to the hearing. Do any members wish to disclose any facts that might create an appearance of a conflict. Commissioner Ferris stated that her husband is employed by one of the affected property owners and after consulting with the city attorney was told there would be no conflict of interest.

Jake Burroughs asked for all parties wishing to be recognized with party status to do so.

Party status was granted to the following property owners:

Pat Torsen
Carol Maloy
Attorney Jon Henricksen for Harry Russell
Curtis Cruikshank
Pam Fleskes
Randy Burley
Cedric Hansen

Dale Newcomb
John Hekala
Nancy Miller

CM Huff presented a staff report. He explained that the Planning Commissions role in an annexation process is to determine:

1. Does this proposal comply with the Statewide Planning Goals?
2. Can properties affected by this proposal be adequately served by urban services?
3. Does this proposal comply with the Comprehensive Plan?
4. Does this proposal comply with applicable Oregon Administrative Rules?

CM Huff stated that City Council will ultimately make the policy decision to annex these properties or not.

CM Huff stated that this proposed annexation complies with Statewide Planning Goals, properties can adequately be served by urban services, does comply with the Comprehensive Plan and does comply with Oregon Administrative Rules, and therefore, staff recommendation is that the Planning Commission provide a recommendation to City Council for further consideration.

Grant Sharp asked if the city had read the incorporation information from 1913 to see if any of these properties are grandfathered and exempted from this process. He was advised that the city did not.

First Speaker – Attorney Jon Henricksen, representing Harry Russell, 13053 S. Hwy 211. – Mr. Henricksen is objecting to Goal 11 and Mr. Russell’s land being included because of a hardship.

Second Speaker – Susan Hansen, 33381 S. Sawtell Rd, Read a letter that she recently had published in the Molalla Pioneer (See exhibit A)

Third Speaker – Dale Newcomb, 12843 S. Hwy 211 – Stated that he has not been notified of any annexation plans. He asked why the properties can’t be annexed when they are sold instead of right now.

Fourth Speaker – Cedric Hansen, 13325 S. Hwy 211 – Stated that it was noted that property values could be lowered. He was advised that the city is required by State law to note that in the public notice. He asked if he would be required to hook up to city services. He was advised that eventually that will be a requirement.

Fifth Speaker – Curtis Cruikshank, 13303 S. Hwy 211 – Stated that he has a septic and well. He stated that hooking up to water & sewer would cause a financial hardship on him.

Sixth Speaker – Carol Maloy, 14550 S. Claim Rd – Stated that she supports the city's decision. She stated that the island properties are getting the city services and not paying the city taxes.

Seventh Speaker – Alan Deardorff, 12561 S. Hwy 211 – Stated that he thought he was already in the city. He asked if there was an alternative. He asked if the zoning would change and was advised that his zoning would not change.

Eighth Speaker – Gayla Hansen, 38973 S. Sawtell Rd. – Advised the Planning Commission that several property owners received a letter from the City a few years ago stating that they were going to be charged for services and improvements that were done at the Stone Place Apartment Complex.

Ninth Speaker – Randy Burley, 12751 S. Crompton Lane – Stated that he lives on a private drive that he built, his father owned the property before him. He stated that he has been dealing with this since 2004.

Tenth Speaker – John Hekala, 12754 S. Hwy 211 – Asked if there were plans on changing the zoning of his property. He was advised that his property will be zoned C-2. He asked if he would have to put in a sidewalk, he was advised that the sidewalk and frontage improvements would be the responsibility of the future developer.

Eleventh Speaker – Pam Fleskes, 725 W. Main St – Asked if the property across the street from her, where she keeps her horses, will have a grandfather clause to allow the horses to stay. She was advised that this would possibly be pre-existing, non-conforming which would allow her to keep her horses there.

Twelfth Speaker – Jim Taylor, 29480 S. Holt Rd – Asked if there was any consideration to the SDC fees for citizens that are required to hook-up to city services. He asked if the Planning Commission could send a recommendation to City Council advising them of the hardship this may cause on the people that currently have no services and would be required to pay for SDC fees and hook-up fees.

Thirteenth Speaker – Nancy Miller, 133 NW Trinity, Portland – Asked how to receive future notices. She was advised that since she asked for party status she would receive all future notices.

PUBLIC HEARING

A. P-6-14 Island Annexation and Zone Change.

Commissioner Sharp asked when the annexation change would be in effect. He was advised that it would be August, possibly September. The property would not be on Molalla's tax role until 2015.

Commissioner Harrison asked what happens when people cannot afford to hook-up to city services. He was advised that that would be a policy decision that City Council would have to make.

Commissioner Beatie stated that the information for the meeting has been on the website for anyone to read.

Commissioner Jacob asked if Molalla can currently enforce blighted property conditions on properties that are not in the city limits. She was advised that the enforcement is the responsibility of Clackamas County.

Commissioner Sharp made a motion to accept the annexation of properties as stated in the staff report but modify it to delay annexation for 3 calendar years from the time of acceptance for the residential properties that are occupied. There was no second.

Commissioner Harrison made a motion to table for future discussion. There was no second.

Commissioner Beatie made a motion to approve as presented by staff and suggest to City Council to extend service hook-up for 2 years. There was no second.

Commissioner Jacob made a motion to approve P-6-14 as presented but suggest to City Council to allow the 16 properties that do not have water or sewer be exempt from hook-up for 10 years and allow a 10 year ramp up for property taxes.

Commissioner Ferris seconded. Motion carried (6-0) Commissioner Burroughs,

Aye; Commissioner Beattie, Aye; Commissioner Jacob, Aye; Commissioner Harrison, Aye; Commissioner Ferris, Aye; Commissioner Welty, Aye.

Commissioner Harrison made a motion to amend the previous motion to suggest to City Council to allow properties that have partial services also be exempt from hook-up for 10 year. Commissioner Beattie seconded. Motion carried (6-0) Commissioner Burroughs, Aye; Commissioner Beattie, Aye; Commissioner Jacob, Aye; Commissioner Harrison, Aye; Commissioner Ferris, Aye; Commissioner Welty, Aye.

Commissioner Ferris made a motion to authorize Commissioner Burroughs to sign the findings, facts and decision document, with recommendations. Commissioner Harrison seconded. Motion carried (6-0) Commissioner Burroughs, Aye; Commissioner Beattie, Aye; Commissioner Jacob, Aye; Commissioner Harrison, Aye; Commissioner Ferris, Aye; Commissioner Welty, Aye.

CM Huff requested that the Planning Commission schedule a work study session to review the comp plan with Clackamas County Planner Martha Fritzie. Based on consensus the Planning Commission agreed to June 23rd.

ADJOURNMENT

Commissioner Harrison made a motion to adjourn. Commissioner Ferris seconded. Motion carried (6-0) Commissioner Burroughs, Aye; Commissioner Beattie, Aye; Commissioner Jacob, Aye; Commissioner Harrison, Aye; Commissioner Ferris, Aye; Commissioner Welty, Aye.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

503-890-7992

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
 - Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

L# 199228
P# 2639

90-DAY AUTHORITY

by June 25th

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: 6.6.14

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: M. Olson

Date: 5/28/14

90-day authority: Yes No Not yet

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

- ① MATTHEW KIELING ③ SARAH OLIVER
- ② Quikie Corp ④ _____

2. Trade Name (dba): LONGBRANCH ~~FAVORIT~~ BAR & GRILL

3. Business Location: 110 S Molalla MOLALLA CLACK OR 97038
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 110 S Molalla MOLALLA OR 97038
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-600-0500
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: LYNN KRATZBERGER Type of License: FULL

8. Former Business Name: LONGBRANCH TAVERN

9. Will you have a manager? Yes No Name: Matthew Kieling
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? MOLALLA
(name of city or county)

11. Contact person for this application: MATTHEW KIELING 503-890-7992
(name) (phone number(s))
8895 S HEINZ RD CANBY OR 97013
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

- ① Matthew Kieling Date 5/27/14 ③ _____ Date _____
- ② Sarah Oliver Date 5/29/14 ④ _____ Date _____

BL processed + Rec'd

Pd \$105 - 5/29/14
Waiting for Olcc
Approval



City of Molalla Business License Application

City of Molalla
Business License Division
117 N. Molalla Avenue
PO Box 248
Molalla, Oregon 97038
503-829-6855
Fax 503-829-3676

<input checked="" type="radio"/> New	_____ Receipt No.
<input type="radio"/> Renewal	_____ Date Paid
<input checked="" type="radio"/> Change of Ownership	_____ Amount Paid
<input type="radio"/> Business Relocation	

Please Print or Type:

Business License # 679

Business Name: LONG BRANCH ~~TAPES~~ BAR & GRILL Date: 5/27/14

Business Address: 140 S MOLALLA MOLALLA OR 97038

Mailing Address: 8895 S HEINZ RD

City: CANBY State: OR Zip: 97013 Business Phone: 503-890-7992

Nature of business: BAR & GRILL Federal Tax ID#: _____

Do you have employees? Yes ___ No Are you self-employed? Yes ___ No

Have you ever had a Molalla Business License? NO When & License #: _____

Owner / Manager Name: MATTHEW KIELING
SARAH QUIER Owner Contact Phone: 503-890-7992

Owner / Manager Address: 8895 S HEINZ RD

City: CANBY State: OR Zip: 97013

Is your business located within the Molalla city limits? ___ No Yes

Is your business a home occupancy? No ___ Yes

Are you a contractor or sub-contractor? No ___ Yes

Do you have an alarm? ___ No ___ Yes

Business Emergency Contact and Phone Number: 503-890-7992

Departmental Reviews:

Planning _____ Building Official _____ Police Dept _____

Fire Department _____ Public Works _____

(Inspection may be required)



Oregon

John A. Kitzhaber, Governor

Department of Transportation
Right of Way Section
4040 Fairview Industrial Drive SE MS#2
Salem, OR 97302-1142
503-986-3600
Fax 503-986-3625

June 6, 2014

City of Molalla
Attn: Garrett Edmunds
117 N Molalla Ave
Molalla OR 97038

SUBJECT: Add Work Letter Agreement
PROJECT: OR213: MULINO RD - BLACKMANS CORNER
KEY#: 18696

Dear Mr. Edmunds:

This letter serves as an agreement between the City of Molalla and the Oregon Department of Transportation (ODOT) for utility relocation work that is to be added to the above titled Oregon Transportation Commission project. This agreement sets forth the provisions for including utility work into the ODOT project.

For the utility work to be included in the above mentioned project, the City of Molalla will be responsible for paying 100% of the relocation/installation costs. The City of Molalla requested to add the work to the contract in an email dated, May 29, 2014.

The estimated cost to accommodate the City of Molalla relocation work is shown below:

Item Description	Item Code	Unit	Quantity	Estimated Unit Price	Cost
MINOR ADJUSTMENT OF MANHOLES	0490-0120000E	EACH	4	\$750.00	\$3,000.00
ADJUSTING BOXES	0490.0100000E	EACH	20	\$500.00	\$10,000.00
Total					\$13,000.00

With regard to the payment of funds, the Oregon Constitution states that the revenue collected from taxes on motor vehicle use and fuel are used exclusively for highway purposes. Highway trust funds cannot be utilized for non-highway purposes, i.e., non-reimbursable utility work. Therefore, funds covering the cost of non-highway construction must be deposited with the agency administering the highway construction contract in advance of the actual construction. Since ODOT will administer the contract for this project, the City of Molalla will be required to make a deposit of monies to ODOT for the non-reimbursable work included in the contract.

All work added to the project will comply with Buy America requirements as described in Section 00160.20 of the Oregon Standard Specifications for Construction http://www.oregon.gov/ODOT/HWY/SPECS/docs/08book/08_00100.pdf. Should the City of Molalla supply materials to the ODOT contractor, those materials will also comply with Buy America requirements.

At this time, no payment of funds is due. A letter will be sent by our Active Transportation Section, prior to the bid opening, requesting the above stated payment. Please note that the bid costs could vary substantially from the estimated costs. **You should be advised that the execution of this agreement means that the non-reimbursable**

utility work cannot be removed from ODOT's construction contract, even if the cost of the bid items exceeds the estimate. The City of Molalla will be responsible for paying its entire share of the charges for the above work.

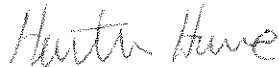
When construction has been completed, verification will be made of the expenditures involved in the ODOT contract. The City of Molalla will be billed for any costs that exceed the bid amount or a refund will be issued for any excess funds that were collected.

The City of Molalla is required to pay actual costs as per 23 CFR 645.117 (Code of Federal Regulations). To view the awarded contract bid prices, precede to

http://www.oregon.gov/ODOT/CS/CONSTRUCTION/Bid_Award.shtml.

If the terms set forth above are acceptable to the City of Molalla, please sign in the space provided on the following page and **return the original to this office by June 20, 2014**. If you have any questions, please do not hesitate to contact me at 503-986-3658.

Sincerely,



Heather Howe
State Utility Liaison
4040 Fairview Industrial Dr SE MS#2
Salem, OR 97302-1142

Cc: Stephanie Turner, Utility Coordinator
Marge West, Project Manager

By signing this letter agreement, you agree to the conditions of the letter and acknowledge that the City of Molalla is responsible for the cost of the non-reimbursable utility work. The City of Molalla will compensate ODOT for that portion of non-reimbursable utility work added to ODOT's contract, including any administrative costs ODOT incurs that are associated with the work.

Print name and title of the authorized City of Molalla representative then sign and date as provided below.

APPROVED:

Name _____

Signature _____

Title _____

Date _____

Molalla Schedule of Events

4th of July Celebration

2014

Saturday June 28th

Molalla Buckeroo Kick-Off Celebration Molalla Buckeroo Grounds.
Gates open at 4pm—Music starts at 5pm

Sunday June 29th

Molalla Buckeroo Annual Poker Trail Ride Molalla Buckeroo
Grounds - Registration at 7:00am.

Wednesday July 2nd

Molalla Kiwanis/Molalla Fire Dept./Country Christian Key Club
Buckeroo Kiddie's Parade 6pm - Theme: "Freedom on Parade"

July 2nd - July 5th

Molalla Buckeroo Rodeo - Molalla Buckeroo Grounds - 8pm -
(in addition, on July 4th there is also a 1:30pm performance)

July 3rd-4th

VFW Pancake Breakfast

Long Park (next to the fire station) Starts 10pm on July 3rd and will
serve until noon on July 4th - \$7.50 Adults and \$5.50 Children

July 4th

Molalla Running Club's Freedom 5K Fun Run - 9:20am
Heckard Field

July 4th

Molalla Giant Street Parade - 9:30am -

This year's theme: "Symbols of Freedom"