



AGENDA
****REVISED****

MOLALLA CITY COUNCIL MEETING
June 24, 2020
7:15 PM
Molalla Adult Center
315 Kennel Ave, Molalla, OR 97038

Mayor Keith Swigart

Council President Leota Childress
Councilor Elizabeth Klein
Councilor DeLise Palumbo

Councilor Terry Shankle
Councilor Jody Newland
Councilor Crystal Robles

PLEASE NOTE: The Molalla City Council meeting will immediately follow adjournment of the Molalla Urban Renewal Agency Meeting.

MEETING NOTICE: Due to health concerns of COVID-19, this City Council Meeting will be held in accordance to Governor Brown’s Executive Order 20-25. Council Chambers is limited to 25 people. All meetings are live-streamed via Facebook “Molalla City Council Meetings – LIVE”.

1. CALL TO ORDER AND ROLL CALL

2. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

3. PUBLIC COMMENT

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

4. APPROVAL OF THE AGENDA

5. CONSENT AGENDA

- A. Meeting Minutes – June 10, 2020.....Pg. 3
- B. TMDL Annual Report (Fisher).....Pg. 7
- C. Resolution No. 2020-14: Establishing Water Rates and Annual Inflation Adjustments Thereafter as Approved by Molalla Municipal Code Chapter 13.04... Pg. 16

6. PUBLIC HEARINGS

- A. Ordinance No. 2020-07: Creating a Temporary Declaration of Candidacy Process for the Election of City Officials Due to the COVID-19 Pandemic and Making This Action Temporary – Second Reading (Huff).....Pg. 18
- B. Resolution No. 2020-11: Declaring the City’s Election to Receive State Revenue Sharing.....Pg. 21
- C. Resolution No. 2020-13: Adopting City of Molalla Budget FY 2020/21(Seifried).....Pg. 25

7. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2020-12: Certifying All Requirements to Receive State Shared Revenues Have Been Met (Seifried).....**Pg. 23**
- B. Resolution No. 2020-15: Authorizing the Transfer of Re-Appropriated Funds Within FY 2019-20 Budget (Seifried).....**Pg. 33**

8. GENERAL BUSINESS

9. REPORTS

- A. City Manager and Staff
- B. City Councilors
- C. Mayor

10. ADJOURN

Agenda posted at City Hall, Library, and the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855.



Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center
315 Kennel Ave., Molalla, OR 97038
June 10, 2020

1. CALL TO ORDER AND FLAG SALUTE

The Molalla City Council Regular Meeting of June 10, 2020 was called to order by Mayor Keith Swigart at 7:00pm.

2. ROLL CALL

COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present
Councilor Leota Childress – Present
Councilor Elizabeth Klein – Present
Councilor DeLise Palumbo – Present
Councilor Terry Shankle – Present
Councilor Jody Newland - Absent
Councilor Crystal Robles - Present

STAFF IN ATTENDANCE

Dan Huff, City Manager - Present
Christie DeSantis, City Recorder - Present
Chaunee Seifried, Finance Director - Present

3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

None.

4. PUBLIC COMMENT

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

None.

5. APPROVAL OF THE AGENDA

There were no requested changes to the agenda, therefore it was approved as presented.

6. CONSENT AGEND

A. Meeting Minutes – May 27, 2020

***A motion wa made by Councilor Childress to approve the Consent Agenda, seconded by Councilor Shankle.
Vote passed 6-0.***

7. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2020-07: An Ordinance Creating a Temporary Declaration of Candidacy Process for the 2020 General Election of City Officials Due to COVID-19 and Making This Action Temporary (Huff)

A Public Hearing for Ordinance Number 2020-07 was opened at 7:04pm. As there were no public comments, the Public Hearing was closed at 7:05pm.

A motion was made by Councilor Childress to approved Ordinance Number 2020-07, seconded by Councilor Shankle. Vote passed 5-1.

***Voting Aye: Mayor Swigart, Councilor Childress, Councilor Klein, Councilor Palumbo, Councilor Shankle
Voting Nay: Councilor Robles***

8. GENERAL BUSINESS

None.

9. REPORTS

A. City Manager and Staff

City Recorder DeSantis invited the public to pick up Candidate Election Packets at City Hall if they are interested in running for office. Candidates have a choice between collecting petitions or signing the Declaration of Candidacy via Ordinance Number 2020-07.

Finance Director Seifried had nothing to report.

City Manager Huff shared a Certificate of Appreciate that was awarded to Public Works Director, Gerald Fisher for 35 years of membership with the Oregon Association of Water Utilities. This is one of many, including the American Society of Civil Engineers (22 yrs), American Public Works Association (19 yrs), Water Environment Federation (2 yrs), Oregon Association of Clean Water Agencies (2 yrs) and American Association of State Highway and Transportation Officials (new).

B. Mayor

Mayor Swigart felt that the Peaceful Protest that occurred earlier in the week was handled very well by the community and Molalla Police Department.

C. City Councilors

Councilor Klein has been attending the White House briefing each week. This week the focus was the Paycheck Protection Program. Timelines are being extended and she encouraged people to look into funding opportunities.

Councilor Childress thanked the Police Department for their hard work and commitment to our community.

“The Bulletin” has been resurrected by the Welcome to Molalla group. Locals Ken Feters, Robert Thompson, Dean Blades, are heading up this publication. Donation cans are set next to the Bulletin stands. All monies are donated each quarter to local service organizations.

Councilor Palumbo had nothing to report.

Councilor Shankle had nothing to report.

Councilor Robles had nothing to report.

10. RECESS INTO EXECUTIVE SESSION

Held pursuant to Oregon Public Record Law, ORS 192.660(2):

City of Molalla

1985 - 2020



In Appreciation of your support

35

Years of Membership



Oregon Association of Water Utilities

City Of Molalla

City Council Meeting



Agenda Category: New Business

Subject: 2019-2020 Total Maximum Daily Load (TMDL) Report for Stormwater

Recommendation: No Action Required.

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: None

Background:

Included in the packet is a copy of the 2019-2020 TMDL Report for City Council's information. Each year the City submits a TMDL report to DEQ related to stormwater activities on or before June 30th. In addition to the yearly reports, every five years agencies must submit a summary report looking back five years and the program going forward for the next five years.

No action is required by City Council and staff will submit the report to DEQ prior to June 30th.

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



Public Works Department

117 N Molalla Avenue

PO Box 248

Molalla, Oregon 97038

Phone: (503) 829-6855

Fax: (503) 829-3676

June 25, 2020

Kristi Asplund, Basin Coordinator
Oregon DEQ
700 NE Multnomah St #600,
Portland, OR 97232
Asplund.kristi@deq.state.or.us
Phone: 503-229-6254

RE: 2019/20 TMDL Report for City of Molalla

Dear Ms. Asplund,

Attached is the 2019/20 TMDL Temperature and Bacteria Report Matrix for the City of Molalla.

The City is proud of its efforts toward State TMDL goals this past year. Over 340,000 lbs of debris were removed from streets by sweeping; a new Industrial Pretreatment Program was put in place which included updated protections for Storm-sewers; and all development over the past year including storm facility design and construction to ensure a pre-developed hydrology from all sites. Included in the "status" column are updates to the implementations made since last year's submittal. Some parts of the plan have also been reworked to mirror the actual efforts being made as the City implements the Adaptive Management Measures.

Please let me know if you need any additional information.

Sincerely,

Andy Peters, Operations Supervisor

Cc: Gerald Fisher, Public Works Director
Dan Huff, City Manager

POLLUTANT: Temperature		City of Molalla: TMDL Implementation Tracking Matrix						
SOURCE <i>What sources of this pollutant are under your jurisdiction?</i>	STRATEGY <i>What is being done, or what will you do, to reduce and/or control pollution from this source?</i>	HOW <i>Specifically, how will this be done?</i>	FISCAL ANALYSIS <i>What is the expected resource need? Are there existing resources budgeted? If not, where will the resources come from?</i>	MEASURE <i>How will you quantitatively or qualitatively demonstrate successful implementation or completion of this strategy?</i>	TIMELINE <i>When do you expect it to be completed?</i>	MILESTONE <i>What intermediate goals do you expect to achieve, and by when, to know progress is being made?</i>	ADAPTIVE MANAGEMENT APPLIED <i>Indicate how strategies have changed with annual review reports.</i>	STATUS <i>Include summary and date.</i>
Lack of shading in riparian areas	Protect and enhance existing vegetation in riparian areas.	Enforce existing Municipal Code 17-2.4.030 for new development: 50 ft. riparian and wetland setback and protection of native vegetation.	Code enforcement staffing; 0.20 FTE is currently funded.	Track enforcement actions and violations as well as development plan review. Record square footage of riparian area protected with all development.	On-going	Retain all existing riparian vegetation on developments planned through 2020, as required by Municipal Code 17-2.4.030. Report areas protected in annual TMDL review report.	No changes made to code or application of code.	Protection of riparian areas adhered to with development of Sawyer's Trucking (18-05); Hix Tractor Supply (18-16); Cascade Center Commercial Development (19-04); Ridings Terrace Storm Connection; Colima Apartments (20-01)

Lack of shading in riparian areas	Protect and enhance existing vegetation in riparian areas.	Removal of creosote-treated railroad-tie bridge over Bear Creek on Molalla Forrest Road (19-07)	\$90,000	Railroad ties can leach creosote into soil and water systems. The removal is being done in accordance with approvals from DEQ, DSL, SHPO and US Army Corps of Engineers	1 year	Annual review of budget for possible implementation or private development. Report funding status in annual TMDL review report.	This project replaces the Bear Creek Greenway Project which was completed last year.	Contract is awarded, construction scheduled for July 2019
Lack of shading in riparian areas	Protect and enhance existing vegetation in riparian areas.	Conduct public education on protection of riparian areas.	Staffing to conduct educational effort; 0.20 FTE currently funded.	Number of Pre-application Meetings, which include public education	On-going	Educational outreach once per year through 2021. Provide outreach details in annual TMDL review report.	No change.	Continued education of development community and property owners during pre-application meetings.
Lack of shading in riparian areas	Protect and enhance existing vegetation	Tree protection as required by City Code 17-3.4.030.	Staffing as required for plan review and enforcement.	Track enforcement actions and violations as well as number of existing trees retained with each development.	On-going	Maintain all existing trees, where possible, on new development as required by Municipal Code 17-3.4.030.	No changes made to code or application of code.	Community Planner continued enforcement of development code on all projects.

Lack of shading in riparian areas	Partner with watershed groups and Clackamas County SWCD	Establish working relationships, Partner on riparian restoration projects, and public outreach opportunities	Volunteer staffing as required	Number of meetings attended, and projects collaborated on	5 Years	Attend at least one meeting annually 2020	The City has exceeded its goals in this area, 3 lines updated to match the new strategy.	The City Council assigned Operations Supervisor to represent the community on the Pudding River Watershed Council
Lack of shading in riparian areas	Tree planting	Enforce tree planting and landscaping by way of Municipal Code 17.3.4.	In City budget for Code enforcement staffing.	Number of trees planted and Area landscaped.	On-going	Establish list of projects that provided new trees and landscape areas through 2020 and include in annual TMDL review.	No changes made to code or application of code.	Public Works planted or replaced 4 Poplar and 3 Ulmus Americana 'Valley Forge' trees and during the 2019-2020
Stormwater	City Council overview and acknowledgement .	Review TMDL Plan, annual reports and five year review with City Council.	None	Track number of times TMDL reports are covered in City Council meeting minutes.	On-going	City Council approval of TMDL Plan and review reports.	No change.	Council reviewed draft TMDL Report as part of 06/24/20 meeting.
Reduced stream flow in Molalla River and tributaries	Reduce municipal water diversion.	Water conservation efforts driven primarily by public education.	Staffing to conduct educational effort; 0.15 FTE currently funded.	Records of Public Leak detection and notifications. Monitor total water use.	On-going	Leak notification and educational outreach through 2020. Water use reported annually in TMDL report.	Changed measurement to include the concrete actions being taken	2019 Water Quality Report completed and posted to the website Spring 2019. (See attached). Customer leak notifications ongoing.

Wastewater treatment plant discharge	Maintain low effluent temperatures .	Maintain compliance with NPDES permit requirements.	Wastewater treatment staff; funded positions.	Molalla River temperature monitoring.	Continuous temperature measurement ; monthly permit reporting.	Report instream temperature monitoring with annual TMDL report review.	No change.	See attached DMR's. Monitoring stopped in May with transition to land application.
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POLLUTANT: Bacteria, Mercury, and Legacy Pesticides								
City of Molalla: TMDL Implementation Tracking Matrix								
SOURCE <i>What sources of this pollutant are under your jurisdiction?</i>	STRATEGY <i>What is being done, or what will you do, to reduce and/or control pollution from this source?</i>	HOW <i>Specifically, how will this be done?</i>	FISCAL ANALYSIS <i>What is the expected resource need? Are there existing resources budgeted?</i>	MEASURE <i>How will you quantitatively or qualitatively demonstrate successful implementation or completion of this strategy?</i>	TIMELINE <i>When do you expect it to be completed ?</i>	MILESTONE <i>What intermediate goals do you expect to achieve, and by when, to know progress is being made?</i>	ADAPTIVE MANAGEMENT APPLIED <i>Indicate how strategies have changed with annual reports.</i>	STATUS <i>Include summary and date.</i>
Stormwater	Promote Low Impact Development and on-site stormwater treatment.	Encourage green street standards – at least half street improvements with new development. Meet pre-development hydrology requirements per Municipal Code 17-3.6 and Public Works Design Standards Section 3.2.	Currently in Public Works budget.	Percent of green street standards for each project. For each project, stormwater quantity calculations to meet pre-development hydrology and water quality requirements per PW Standards.	On-going	All new development plans incorporate green street standards where practical and include pre-development hydrology. Report applicable improvements in annual TMDL review report.	No change.	Dev review of Sawyer's Trucking (18-05); Hix Tractor Supply (18-16); Cascade Center Commercial Development (19-04); Ridings Terrace Storm Connection; Colima Apartments (20-01)

Stormwater	Promote Low Impact Development and on-site stormwater treatment.	Incorporate stormwater treatment with transportation projects	Included in city budget according to capital improvement plan.	Project that include installed of stormwater treatment features	20 21	Hwy 211 sidewalk project; City Shops site improvement project (16-07)	Listed most current projects.	One large water quality swale incorporated into design, bringing sites to pre-development hydrology conditions.
Stormwater	Promote Low Impact Development and on-site stormwater treatment.	Encourage use of drainage swales that settle, infiltrate, and treat turbid runoff. Current Public Works Design Standards Section 3.5 provides design specifications for drainage swales.	Currently in City planning budget for plan review.	Track number of projects that incorporate drainage swales.	On-going	Add drainage swales installed to GIS Stormwater map by end of 2020. Report number of water quality facilities constructed in annual TMDL review report.	No change.	Two water quality swales incorporated into Fenton design. GIS work scheduled.
Stormwater	Reduce pet waste in stormwater runoff.	Install waste bags in parks and common dog-walking locations. Citizen education about improper pet waste management.	Currently in Parks budget.	Track waste bag usage within the City.	On-going	Report bag use in annual TMDL review report.	No change.	Supplied 3283 bags in City Parks in 2019/2020, up from 3026 the previous year.
Stormwater	Educate developers and the public about stormwater and hydrology in the City of Molalla.	Make Stormwater Master Plan and Public Works Design Standards available to public via City website.	None	Number of private development that meet stormwater standards.	On-going	All Private development projects meet stormwater detention and water quality requirements.	No change.	Dev review of Sawyer's Trucking (18-05); Hix Tractor Supply (18-16); Cascade Center Commercial Development (19-04); Ridings Terrace Storm Connection; Colima Apartments (20-01)

Stormwater	Prevent erosion from construction sites.	Conduct grading inspections per Municipal Code 21.70 to ensure protection against erosion.	Currently in Public Works budget.	Percent of sites that comply voluntarily.	Ongoing	Report permitted excavation projects that complied with Municipal Code 21.70 in annual TMDL review report.	No change.	Dev review of Sawyer's Trucking (18-05); Hix Tractor Supply (18-16); Cascade Center
Stormwater	Prevent erosion from construction sites.	Cooperate with DEQ to enforce erosion control through 1200C permits as required by Municipal Code - Chapter 17 and Public Works Design Standards 1.18.4.	Currently in Public Works budget.	Keep track of 1200C permits within City boundaries.	On-going	Report projects that complied with 1200C permits in annual TMDL review report.	No change.	Commercial Development (19-04); Ridings Terrace Storm Connection; Colima Apartments (20-01)
Stormwater	Reduce runoff and sediment load from impervious areas: roads, vacant lots.	Maintain weekly street sweeping schedule.	Currently in Public Works budget.	Using street sweeping log, track frequency of areas cleaned.	On-going	Report volume estimate of street sweepings in annual TMDL review report.	No change.	Approximately 378 CY (340,000 lbs) between 6/1/19-6/1/20
Stormwater	Maintenance Program for stormwater collection system.	Maintain storm system components including; catch basins, manholes and pipes.	Currently in Public Works budget. System Development Charges in place for storm drainage	Track maintenance projects that improve stormwater system. Construct Decant Facility as funding allows.	On-going	Indicate number and type of maintenance projects in annual TMDL review report. Provide funding status for Decant facility in annual	No change.	Decant Facility budgeted for FY 20-21

Combined storm and sanitary sewers, and Inflow/Infiltration	Increase effectiveness and efficiency of wastewater treatment.	Eliminate illicit discharge and infiltration issues in downtown core.	To be determined.	Average daily flow to treatment plant before and after cross connect issues addressed.	5 years	Report completion of planned inflow/infiltration projects in annual TMDL review report. Include annual review of budget for inflow/infiltration projects.	No change.	Completion of two sewer projects on Fenton Ave. Design of Patrol Street sewer replacement. Total influent at the WWTP measurably reduced, see annual I/I report, Feb 2020.
Combined storm and sanitary sewers, and Inflow/Infiltration	Decommission Septic Systems per Municipal Code 13.08.300 – Upon Availability of Public Sewer – Abandonment of Private Systems.	Administer 30 day notice to connect to city sewer where public sewer is made available.	Planning staff, full time.	Number of new connections made annually as a result of annexations, violations discovered.	On-going	Connect all residential, commercial, industrial properties within city limits to city sewer and report in annual TMDL review report.	No change.	Planning of the new Colima apartments includes stub outs for 3 unconnected lots, which will be brought onto the system in late 2020.
Illegal Discharge and Industrial Pretreatment Program	Code enforcement of Municipal Code 13.08.840 – Discharge Into Storm Drains. Establishment Pretreatment code: 13.13.530	Provide code enforcement form to citizens. Update Industrial Pretreatment Survey.	Currently in City budget for Operations Supervisor.	Track number of complaints and issues.	On-going	Code enforcement form has been made available on the City of Molalla website. Report number of complaints received and corrective actions taken in annual TMDL review report.	No change.	The City established a complete Pretreatment Program under MCC 13.13.530 and conducted a new City-wide Industrial User Survey.



RESOLUTION No. 2020 – 14

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON
ESTABLISHING WATER RATES AND ANNUAL INFLATION
ADJUSTMENTS THEREAFTER AS APPROVED BY MOLALLA
MUNCIPAL CODE CHAPTER 13.04**

WHEREAS, The Molalla Municipal Code Section 13.04.160 provides that fees for water service be established by resolution of the City Council; and

WHEREAS, the City desires to regularly review the costs of operating, maintaining and improving the water system; and

WHEREAS, the City has prepared a fee rate study which has identified water system costs, rate structure alternatives, and equitable cost recovery methods; and

WHEREAS, the City completed a 5-year water capital improvement plan and rate study to revise the fees based on the updated plan; and

WHEREAS, the City Council desires to implement the average annual rate increase of 2.86% as identified in the July 2017 Utilities Rate Study but based on available revenues has decided to maintain the existing water rates through June 30, 2021.

WHEREAS, the City desires to establish within its water rate structure both incentives for water conservation and the ability for the City to recover the costs of providing water services; and

WHEREAS, the City desires to establish within its water rate structure an annual increase to address inflation based on the Bureau of Labor Statistics Portland-Salem for All Urban Consumers (CPI-U), service provision and maintenance.

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

Section 1. Resolution No. 2018-21 is repealed upon the effective date of this Resolution.

Section 2. The Water Rates and Fees are established:

**Rate Schedule thru June 30, 2020 – Water
(All Residential, Commercial, and Industrial inside the City)**

Meter Size (inches)	Rate	Use Charge (per 100 cubic feet)
3/4	\$13.82	\$3.03
1	\$23.17	\$3.03
1-1/2	\$46.10	\$3.03
2	\$74.07	\$3.03
3	\$161.32	\$3.03

4	\$276.54	\$3.03
6	\$576.10	\$3.03
8	\$829.60	\$3.03

**Rate Schedule Effective July 01, 2020 – Water
(All Residential, Commercial, and Industrial inside the City)**

Meter Size (inches)	Rate	Use Charge (per 100 cubic feet)
3/4	\$13.82	\$3.03
1	\$23.17	\$3.03
1-1/2	\$46.10	\$3.03
2	\$74.07	\$3.03
3	\$161.32	\$3.03
4	\$276.54	\$3.03
6	\$576.10	\$3.03
8	\$829.60	\$3.03

All Fire Line Rates are set at \$0.00 per month.

Section 3. Rates for all services outside of the City limits shall be 150% of the rate schedule shown above.

Section 4. Annual inflationary adjustments for all water users shall be effective automatically each year on July 1 based on the published values by the Bureau of Labor Statistics Portland-Salem for All Urban Consumers (CPI-U).

Section 5. The rate for bulk water shall be equal to the Use Charge times 1.33681 and measured as cost in dollars per 1,000 gallons used.

Section 6. This Resolution is and shall be effective upon adoption and all rates and charges established herein for water customers shall go into effect as of such date.

Duly adopted by Molalla City Council the 24th day of June 2020.

Keith Swigart, Mayor

ATTEST the 24th day of June 2020

Christie DeSantis, City Recorder

City of Molalla

City Council Meeting



Agenda Category:

Public Hearings, Ordinances, and Resolutions

Subject: Ordinance 2020-7, Temporary Declaration of Candidacy

Recommendation: Discussion/Adoption

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: None

Background:

Because Ordinance 2020-7 did not pass unanimously during the June 10, 2020 Council meeting this Ordinance is before you for a 2nd reading (City Charter Section 17).

Again, the Ordinance eliminates requirements to gather signatures as part of submitting a City Council candidacy application due to COVID-19. The Ordinance includes an emergency clause and will be effective the moment the Ordinance is passed by Council.

SUBMITTED BY: Dan Huff, City Manager

APPROVED BY: Dan Huff, City Manager



ORDINANCE NUMBER 2020-07

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON CREATING A TEMPORARY DECLARATION OF CANDIDACY PROCESS FOR THE ELECTION OF CITY OFFICIALS DUE TO THE COVID-19 PANDEMIC AND MAKING THIS ACTION TEMPORARY

WHEREAS, COVID-19 is a virus that can cause respiratory disease, with the potential for serious illness and loss of life; and

WHEREAS, on March 8, 2020, Governor Kate Brown issued Executive Order No. 20-12 enacted a public health law called “Stay Home, Save Lives” including restrictions of limitations on individual travel, social distancing requirements and enforcement measures for non-compliance; and

WHEREAS, Clackamas County was permitted to enter into Phase I on Friday, May 22, 2020 and is uncertain as to timeline of entering Phases II and III, and

WHEREAS, the City desires to abide by the Governors orders and do what it can to protect the health and safety of its residents,

Now, Therefore, the City of Molalla does ordain as follows:

Section 1. The City Council makes the following Findings:

- A. The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a council position (Resolution No. 2011-10)
- B. That because of the COVID-10 pandemic, the City Council finds that the temporary use of a Declaration of Candidacy process is better for the health of both City candidates and petition signers because under a Declaration of Candidacy process there is no legal requirement that a Nominating Petition be circulated.
- C. That by enactment of this Ordinance, it is the City Council’s intention to temporarily change the nomination process for candidates for the General Election of 2020 only.
- D. This Ordinance will expire May 1, 2021 and that Chapter VII Elections, Section 29 will return to process.
- E. That candidates may circulate petition forms as original Charter states if they so choose.

Section 2. A person, having the qualifications as provided in the Molalla Charter, may be nominated as a candidate for a City of Molalla elective office by filing a Declaration of Candidacy with the Elections Officer (City Recorder) in substantially the following form:

DECLARATION OF CANDIDACY

I, _____, hereby declare myself as a candidate for the office of _____ to serve for the ensuing term and certify that I possess the necessary qualifications as described in the Molalla Charter.

Section 3. Effective date.

This is an emergency Ordinance therefore will be adopted immediately upon approval of City Council. VOTE: _____ Aye _____ Nay

Signed by the Mayor on June 24, 2020.

Keith Swigart, Mayor

ATTEST:

Christie DeSantis, City Recorder

City of Molalla

City Council Meeting



Agenda Category:

Public Hearings, Ordinances and Resolutions

Subject: Resolution 2020-11 Declaring the City's election to receive State Revenue Sharing.

Recommendation: Adopt Resolution 2020-11

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: \$75,000

Background:

1. The State of Oregon established a State Revenue Sharing Program through the enactment of Senate Bill 11 by the 1977 Oregon Legislative Assembly.
2. The Legislature of the State of Oregon has provided for the apportionment of certain revenues to the cities of the State of Oregon.
3. Pursuant to ORS 221.770 the City must elect to receive the State Revenue Sharing Program and must notify the State of Oregon, Department of Administrative Services of said election.
4. For the City to participate in the sharing of certain State Revenues, we must express an election to receive such funds, which election must be made prior to July 31 of the fiscal year.
5. The City certifies that it published notice and held a public hearing before the Budget Committee on May 28, 2020 giving citizen's opportunity to comment on use of State Revenue Sharing.
6. The City published notice and held a public hearing before the City Council on June 24, 2020 giving citizens the opportunity to comment on use of State Revenue Sharing.
7. The City does hereby elect to receive its proportionate share of the revenues to be apportioned to the cities by the State of Oregon for fiscal year 2020-21.

Recommended Motion: Adopt Resolution 2020-11

SUBMITTED BY: Chaunee Seifried, Finance Director

APPROVED BY: Dan Huff, City Manager



RESOLUTION NUMBER 2020-11

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON,
DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE
SHARING.**

WHEREAS, the Legislature of the State of Oregon has provided for the apportionment of certain revenues to the cities of the State of Oregon; and

WHEREAS, such legislation provides that a city, in order to participate in the sharing of those certain revenues, must express an election to receive such funds, which election must be made prior to July 31 of the fiscal year; and

WHEREAS, Pursuant to ORS 221.770 the City must elect to receive the State Revenue Sharing Program

WHEREAS, the City of Molalla desires to receive portion of such funds; and

WHEREAS, the City certifies that it published notice and held a public hearing before the Budget Committee on May 28, 2020 giving citizen's opportunity to comment on use of State Revenue Sharing; and

WHEREAS, the City published notice and held a public hearing before the City Council on June 24, 2020 giving citizen's the opportunity to comment on use of Sate Revenue Sharing.

Now, Therefore, the City of Molalla resolves as follows: pursuant to ORS 221.770 does hereby elect to receive its proportionate share of the revenues to be apportioned to the cities by the State of Oregon for the fiscal year 2020-2021.

Section 1. This Resolution shall become effective immediately upon passage by Molalla City Council.

Adopted this 24th day of June 2020.

Mayor, Keith Swigart

ATTEST:

Christie DeSantis, City Recorder

City of Molalla

City Council Meeting



Agenda Category:

Public Hearings, Ordinances and Resolutions

Subject: Resolution 2020-12 Certifying Requirements to Receive State Shared Revenues

Recommendation: Adopt Resolution 2020-12

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: \$100,000

Background:

1. Cities located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:
 - a. Police Protection
 - b. Street Construction, maintenance, and lighting
 - c. Sanitary Sewer
 - d. Storm Sewer
 - e. Planning, zoning, and subdivision control
 - f. One or more utility services

2. The City Certifies that it provides 5 or more of the above services.

Recommended Motion: ADOPT RESOLUTION 2020-12

SUBMITTED BY: Chaunee Seifried, Finance Director
APPROVED BY: Dan Huff, City Manager



RESOLUTION NUMBER 2020 -12

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON,
CERTIFYING ALL REQUIREMENTS TO RECEIVE STATE SHARED
REVENUES HAVE BEEN MET**

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820, and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- 1) Police protection
- 2) Street construction, maintenance, and lighting
- 3) Sanitary sewer
- 4) Storm sewer
- 5) Planning, zoning, and subdivision control
- 6) One or more utility services; and

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now, therefore,

Be it resolved, that the City of Molalla hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

- 1) Police protection
- 2) Street construction, maintenance, and lighting
- 3) Sanitary sewer
- 4) Storm sewer
- 5) Planning, zoning, and subdivision control
- 6) One or more utility services

Approved by the City of Molalla this 24th day of June 2020.

Mayor, Keith Swigart

ATTEST:

Christie DeSantis, City Recorder

City of Molalla

City Council Meeting



Agenda Category:

Public Hearings, Ordinances, and Resolutions

Subject: Budget Resolution 2020-13

Recommendation: Adopt Resolution 2020-13

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: \$42,689,884

Background:

1. The Molalla Budget Committee has reviewed and acted on the proposed City Budget on May 28, 2020.
2. The Budget Committee has approved and recommended a balanced budget to the City Council for adoption.
3. The recommended budget is \$42,689,884 of which \$3,753,276 is reserved fund balance.
4. The City Council hereby imposes taxes provided for the adopted budget at a rate of \$5.3058 per \$1000 of assessed value for general operations; and that these taxes are hereby imposed and categorized for tax year 2020/2021 upon the assessed value of all taxable property withing the City of Molalla.

Recommended Motion: Adopt Budget Resolution 2020-13

SUBMITTED BY: Chaunee Seifried, Finance Director

APPROVED BY: Dan Huff, City Manager



RESOLUTION NUMBER 2020-13

A RESOLUTION ADOPTING THE CITY OF MOLALLA BUDGET FOR THE FISCAL YEAR 2020/2021; MAKING APPROPRIATIONS; AND CATEGORIZING AND LEVYING AD VALOREM TAXES

The City Council of the City of Molalla, Oregon, on the 24th day of June 2020 sat in regular session for the transaction of City business.

WHEREAS, the Molalla Budget Committee has reviewed and acted on the proposed City budget; and

WHEREAS, the Molalla Budget Committee approved and recommended a balanced budget to the City Council on May 28, 2020; and

WHEREAS, in accordance with State law, the Molalla City Council has held a public hearing on the budget as approved and recommended but the Molalla Budget Committee.

NOW, THEREFORE, THE CITY OF MOLALLA RESOLVES and hereby adopts the FY 2020/2021 budget approved by the Budget Committee on May 28, 2020, in the amount of **\$42,689,884**, of which **\$3,753,276** is Fund Balance - Reserved. Copies of said budget are on file at the Molalla City Hall, 117 N. Molalla Avenue, Molalla, Oregon, 97038.

THE CITY OF MOLALLA FURTHER RESOLVES as follows:

1. **THAT** the amounts for the purpose of operating the City of Molalla for the fiscal year 2020/2021 budget year be appropriated as follows, beginning July 1, 2020

GENERAL FUND

Administration	\$ 1,202,000
Police Service	\$ 2,998,600
Municipal Court	\$ 239,650
City Council	\$ 63,700
Parks Department	\$ 192,750
Planning Department	\$ 351,400
Transfers	\$ 377,900
Contingency	\$ 1,320,000

Fund Balance - Reserved	\$	200,000
TOTAL APPROPRIATED TO GENERAL FUND	\$	6,946,000

LIBRARY FUND

Library	\$	3,415,600
Contingency	\$	200,000
TOTAL APPROPRIATED TO LIBRARY	\$	3,615,600

STREET FUND

Streets	\$	978,300
Transfers	\$	5,469,800
Contingency	\$	228,116
TOTAL APPROPRIATED TO STREETS	\$	6,676,216

PD RESTRICTED REVENUE

PD Restricted	\$	27,284
Transfers	\$	50,000
TOTAL APPROPRIATED TO PD RESTRICTED	\$	77,284

SEWER FUND

Sewer	\$	996,525
Sewer Maintenance	\$	1,159,500
Sewer Operations	\$	865,800
Transfers	\$	1,539,222
Contingency	\$	455,014
TOTAL APPROPRIATED TO SEWER	\$	5,016,061

WATER FUND

Water	\$	738,500
Water Maintenance	\$	493,200
Water Operations	\$	183,500
Transfers	\$	940,200
Contingency	\$	841,000
Fund Balance – Reserved	\$	1,330,464
TOTAL APPROPRIATED TO WATER	\$	4,526,864

STORM WATER FUND

Storm Water	\$	253,300
Transfers	\$	67,900
Contingency	\$	57,262
TOTAL APPROPRIATED TO STORM	\$	378,462

SEWER DEBT RETIREMENT

Debt Service	\$	316,000
Fund Balance – Reserved	\$	315,600
TOTAL APPROPRIATED TO SEWER DEBT RETIREMENT	\$	631,600

CWSRF

Material & Service	\$	6,004
Debt Service	\$	198,614
Fund Balance - Reserved	\$	183,888
TOTAL APPROPRIATED TO CWSRF	\$	388,506

TRANSPORTATION SDC

Transfers	\$	657,488
TOTAL APPROPRIATED TO TRANSPORTATION SDC	\$	657,488

PARK SDC

Transfers	\$	1,000,000
Fund Balance – Reserved	\$	1,322,317
TOTAL APPROPRIATED TO PARK SDC	\$	2,322,317

SEWER SDC

Transfers	\$	143,991
Fund Balance - Reserved	\$	24,453
TOTAL APPROPRIATED TO SEWER SDC	\$	168,444

WATER SDC

Material & Service	\$	10,000
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Transfer	\$	502,900
Fund Balance - Reserved	\$	70,660
TOTAL APPROPRIATED TO WATER SDC	\$	583,560

STORM SDC

Transfer	\$	25,000
Fund Balance - Reserved	\$	78,474
TOTAL APPROPRIATED TO STORM SDC	\$	103,474

CAPITAL PROJECTS FUND

Capital Projects	\$	10,153,588
TOTAL APPROPRIATED TO CAPITAL PROJECTS	\$	10,153,588

FLEET REPLACEMENT FUND

Fleet Replacement	\$	217,000
Fund Balance – Reserved	\$	227,420
TOTAL APPROPRIATED TO FLEET REPLACEMENT	\$	444,420

TOTAL APPROPRIATIONS ALL FUNDS	\$	42,689,884
TOTAL FY 2019/2020 ADOPTED BUDGET	\$	42,689,884

2. **THAT** the Molalla City Council hereby imposes taxes provided for the adopted budget at the rate of \$5.3058 per \$1,000 of assessed value for general operations; and that these taxes are hereby imposed and categorized for tax year 2020/2021 upon the assessed value of all taxable property within the City of Molalla.

	General Government	Excluded from
Limitation		
Permanent Rate	\$5.3058 / \$1,000.00	

3. **THAT** the Budget Officer is authorized to prepare and submit any certifications of the taxes levied that may be deemed necessary by the Oregon Department of Revenue and Clackamas County Assessor.

Adopted by the Molalla City Council this 24th day of June 2020.

Keith Swigart, Mayor

ATTEST: _____
Christie DeSantis, City Recorder a

CITY OF MOLALLA BUDGET SUMMARY APPROVED FY 20-21

EXPENDITURES										REVENUES		
	Personal Services	Material & Services	Capital Outlay	Transfers	Contin-gency	Debt Service	Reserve	FB-not-allocated	Total Expenses	BFB	Revenues	Total Revenues
GENERAL FUND								500,000	0	2,500,000	4,946,000	7,446,000
Admin	796,900	370,100	35,000	0	1,320,000		200,000	0	2,722,000			
Police	2,374,600	624,000	0	370,000					3,368,600			
Court	154,850	84,800							239,650			
City Council		63,700							63,700			
Parks	110,200	82,550	0	7,900			0		200,650			
Planning	258,600	92,800							351,400			
TOTAL GENERAL FUND	3,695,150	1,317,950	35,000	377,900	1,320,000	0	200,000	0	6,946,000	2,500,000	4,946,000	7,446,000
SPECIAL REVENUE FUNDS												
Library	621,600	358,550	2,435,450	0	200,000				3,615,600	1,767,000	1,848,600	3,615,600
Street	412,900	563,700	1,700	5,469,800	228,116				6,676,216	434,216	6,242,000	6,676,216
PD Restricted		27,284	0	50,000					77,284	10,964	66,320	77,284
TOTAL SPECIAL REVENUE	1,034,500	949,534	2,437,150	5,519,800	428,116	0	0	0	10,369,100	2,212,180	8,156,920	10,369,100
CAPITAL PROJECT FUNDS												
Capital Projects			10,153,588						10,153,588	90,000	10,063,588	10,153,588
Fleet Replacement			217,000				227,420		444,420	245,095	199,325	444,420
TOTAL CAPITAL PROJECTS	0	0	10,370,588	0	0	0	227,420	0	10,598,008	335,095	10,262,913	10,598,008
DEBT SERVICE FUNDS												
Bonded Debt									0			0
Sewer Debt Retirement						316,000	315,600		631,600	349,000	282,600	631,600
Water Debt Retirement						0			0	0	0	0

CWSRF Debt Retirement		6,004				198,614	183,888		388,506	184,618	203,888	388,506
TOTAL DEBT SERVICE	0	6,004	0	0	0	514,614	499,488	0	1,020,106	533,618	486,488	1,020,106
SDC FUNDS												
Street SDC's				657,488			0	0	657,488	593,983	63,505	657,488
Park SDC's				1,000,000			1,322,317		2,322,317	2,309,567	12,750	2,322,317
Sewer SDC's				143,991			24,453		168,444	114,339	54,105	168,444
Water SDC's		10,000		502,900			70,660		583,560	563,750	19,810	583,560
Stormwater SDC's				25,000			78,474		103,474	98,814	4,660	103,474
TOTAL SDC FUNDS	0	10,000	0	2,329,379	0	0	1,495,904	0	3,835,283	3,680,453	154,830	3,835,283
ENTERPRISE FUNDS												
Sewer	907,300	2,025,300	89,225	1,539,222	455,014		0		5,016,061	672,280	4,343,781	5,016,061
Water	736,800	676,700	1,700	940,200	841,000		1,330,464		4,526,864	2,399,264	2,127,600	4,526,864
Stormwater	144,400	105,800	3,100	67,900	57,262				378,462	92,962	285,500	378,462
TOTAL ENTERPRISE	1,788,500	2,807,800	94,025	2,547,322	1,353,276	0	1,330,464	0	9,921,387	3,164,506	6,756,881	9,921,387
	6,518,150	5,091,288	12,936,763	10,774,401	3,101,392	514,614	3,753,276	500,000	42,689,884	12,425,852	30,764,032	43,189,884

URBAN RENEWAL	150,000	3,000,000		150,000	600,000	600,000	0	4,500,000	1,516,000	2,984,000	4,500,000	
TOTAL ALL FUNDS	6,518,150	5,241,288	15,936,763	10,774,401	3,251,392	1,114,614	4,353,276	500,000	47,189,884	13,941,852	33,748,032	47,689,884

City of Molalla

City Council Meeting



Agenda Category: Public Hearings, Ordinances, and Resolutions

Subject: Adopt FY 2019/20 Transfer Resolution 2020-15

Recommendation: Adopt Resolution 2020-15

Date of Meeting to be Presented: June 24, 2020

Fiscal Impact: \$ ZERO

Background:

This resolution adjusts the fiscal year 2019-20 budget to keep the City in compliance with Oregon Budget Law. The resolution adjusts the budget for unforeseen events including unanticipated costs or additional unanticipated revenue. Supplemental Budgets are common practice and are completed by all cities 1-3 times annually. As Council is aware, the budget process starts 18 months before the end of the fiscal year. Budgets are based on estimates using the best information available at the time.

Under Oregon Budget Law, there are three ways to change appropriations after the budget is adopted:

A transfer of appropriations which decreases an appropriation and increases another. This is the simplest budget change allowed under Oregon Budget law. This does not increase the overall budget. This is approved by a City Council resolution.

SUBMITTED BY: Chaunee Seifried, Finance Director
APPROVED BY: Dan Huff, City Manager



RESOLUTION NUMBER 2020-15

**RESOLUTION OF THE CITY OF MOLALLA, MOLALLA CITY COUNCIL
AUTHORIZING THE TRANSFER OF RE-APPROPRIATED FUNDS WITHIN
THE FY 2019/2020 BUDGET**

WHEREAS, on June 12, 2019 the City of Molalla budget for FY 2019/2020 was adopted and funds were appropriated by the Molalla City Council; and

WHEREAS, this resolution is prepared pursuant to ORS 294.463; and

WHEREAS, the purpose of the authorized expenditures is to appropriate additional funds for FY 2019/2020 for personnel service and for material service budget; and

WHEREAS, the transfers within the General Fund is needed. Planning department needs to transfer funds from contingency.

NOW, THEREFORE, BE IT RESOLVED:

That the FY 2019/2020 Budget appropriations be revised as follows:

FUND	Organizational Unit or Program	Existing Appropriations	Transfer In	Transfer Out	Revised Appropriations
General Fund :	Planning Department	\$312,750	\$50,000		\$362,750
	Contingency	\$778,000		(\$50,000)	\$728,000
Total		\$1,090,750	\$50,000	(\$50,000)	\$1,090,750

This resolution shall become effective immediately upon its passage by Council.

Adopted by the City Council of the City of Molalla at a regular meeting thereof this 24th day of June , 2020 by the following vote:

AYES: _____ **NAYS:** _____

Keith Swigart, Mayor

ATTEST:

Christie DeSantis, City Recorder