

RESOLUTION NUMBER 596

A RESOLUTION CREATING A TEMPORARY WATER FILTRATION SYSTEM FUND

WHEREAS, the City is involved in a project making various improvements to the Water Filtration System; and

WHEREAS, revenues and expenditures need to be specially identified and accounted for separately; and

WHEREAS, the most appropriate method to handle these revenues and expenditures is by the use of a temporary fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. A temporary fund is established for the revenues and expenditures related to Water Filtration System Project. The fund shall terminate when the project and accounting for the project is complete.

Section 2. The fund shall be named the Temporary Water Filtration System Project Fund.


ADOPTED by the Aurora City Council at a City Council meeting held on Tuesday, January 12, 2010. This resolution is effective January 12, 2010.

Dated this 12 day of January, 2010.



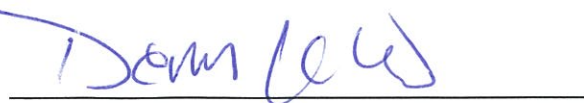
Jim Meirow, Mayor

ATTEST



Kelley Richardson
City Recorder

APPROVED AS TO FORM:



City Attorney

RESOLUTION NUMBER 597

A RESOLUTION CREATING A TEMPORARY MEMORIAL PARK RENOVATION FUND

WHEREAS, the City is involved in a project making various improvements to Memorial Park; and

WHEREAS, revenues and expenditures need to be specially identified and accounted for separately; and

WHEREAS, the most appropriate method to handle these revenues and expenditures is by the use of a temporary fund;

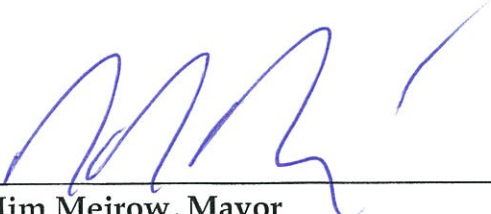
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. A temporary fund is established for the revenues and expenditures related to the renovation of Memorial Park. The fund shall terminate when renovation and accounting for the renovation is complete.

Section 2. The fund shall be named the Memorial Park Renovation Fund.


ADOPTED by the Aurora City Council at a City Council meeting held on Tuesday, January 12, 2010. This resolution is effective January 12, 2010.

Dated this 12 day of January, 2010.




Jim Meior, Mayor

ATTEST



Kelley Richardson
City Recorder

APPROVED AS TO FORM:



Dawn
City Attorney

**City of Aurora
Resolution No. 598**

**A Resolution Adopting the 2009-2010 Supplemental
Budget and Making Appropriations**

BE IT RESOLVED that the City Council of the City of Aurora hereby adopts the supplemental budget for fiscal year 2008-2009 now on file at City Hall.

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2009, for only those funds and purposes shown below are hereby re-appropriated as follows:

General Fund

Personal Services	\$310,031.00
Materials and Services	353,546.00
Capital Outlay	31,495.00
Contingency	<u>68,268.00</u>
Total	\$763,340.00

Street/Storm Fund

Personal Services	\$ 27,006.00
Materials and Services	59,333.00
Capital Outlay	166,795.00
Contingency	<u>26,680.00</u>
Total	\$279,814.00

Highway 99E Special Project

Materials and Services	45,072.00
Capital Outlay	391,395.00
City Funds	12,558.00
Arbitration	<u>31,387.00</u>
Total	\$480,412.00

Water Operating Fund

Personal Services	\$ 80,414.00
Materials and Services	\$119,692.00
Capital Outlay	100,887.00
Contingency	<u>49,009.00</u>
Total	\$350,002.00

Sewer Operating Fund

Personal Services	\$ 89,515.00
Materials and Services	183,677.00
Capital Outlay	26,562.00
Contingency	<u>81,056.00</u>
Total	\$380,810.00

TOTAL Re-appropriated funds **\$2,254,378.00**

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2009, making appropriations for newly created funds for the purposes shown below are hereby appropriated as follows:

Memorial Park Renovation Special Project

Project Management, design	18,600.00
Project Construction	223,200.00
City Funds (Self-help)	30,000.00
Project Contingency	<u>18,200.00</u>
Total	\$290,000.00

Water Filtration System Special Project

Engineering	112,900.00
Construction	494,200.00
Asset Management, City Funds	40,000.00
Construction Contingency	<u>29,525.00</u>
Total	\$676,625.00

TOTAL Appropriated New Funds **\$966,625.00**

ADOPTED by the Aurora City Council this 9th day of March, 2010.



James Meirow, Mayor

ATTEST:



Kelly A. Richardson, City Recorder

RESOLUTION NUMBER 599

A RESOLUTION RELATING TO THE COLLECTION OF DELINQUENT ACCOUNTS:

WHEREAS, the City currently uses Valley Credit Service, Inc. to assist in the collection of delinquent accounts owed to the City;

WHEREAS, the Oregon Legislature passed HB 2055 which authorizes public bodies to add a collection agency's commission rate to the principal of the account assigned for collection; and

WHEREAS, use of this new authority may lead to being able to more fully collect amounts owed it;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. The City of Aurora authorizes Valley Credit Service, Inc. to add their commission of 25% to the principal of accounts assigned to it for collection after July 1, 2010.


Section 2. The City shall notify those responsible for payment of accounts of this change in accordance with ORS 697.105, 697.115, and 293.231.

Section 3. The City Recorder is authorized to execute the HB2055 - AGREEMENT with Valley Credit Services, Inc.

ADOPTED by the Aurora City Council at a City Council meeting held on Tuesday, May 11, 2010. This resolution is effective May 11, 2010.

Dated this 11 day of May, 2010.

APPROVED AS TO FORM:




City Attorney



Jim Meirow, Mayor

ATTEST



City Recorder

697.105 Fee for collection of debt owed public body; notice to debtor; amount. (1) Except as provided in ORS 1.202 and 293.231, if a public body, as defined in ORS 174.109, uses a private collection agency to collect a debt owed to the public body, the public body may add a reasonable fee to the amount of the debt, payable by the debtor, to compensate the public body, in whole or in part, for the collection agency fee incurred or to be incurred.

(2) A fee may not be added under subsection (1) of this section unless the public body has provided notice to the debtor:

- (a) Of the existence of the debt;
- (b) That the debt may be assigned to a private collection agency for collection; and
- (c) Of the amount of the fee that may be added to the debt under subsection (1) of this section.

(3) Except as provided by federal law, the public body may not add a fee under this section that exceeds the collection fee of the private collection agency. [2003 c.66 §1; 2007 c.204 §1]

697.110 [Repealed by 1959 c.525 §36]

697.111 [1959 c.525 §12; 1961 c.686 §2; 1963 c.558 §15; 1974 c.25 §5; 1975 c.364 §11; repealed by 1981 c.85 §17]

697.115 Fee for collection of commercial debt; amount; limit. (1) As used in this section, "commercial debt" means any obligation for payment of money or thing of value arising out of an agreement or contract, express or implied, in which the transaction that is the subject of the agreement or contract is not primarily for personal, family or household purposes.

(2) A person using a private collection agency to collect a commercial debt owed to the person may add a reasonable fee to the amount of the commercial debt, payable by the debtor, to compensate the person, in whole or in part, for the collection agency fee incurred or to be incurred. A person may not add a fee under this section that:

- (a) Exceeds the collection fee of the private collection agency; or
- (b) Was not authorized in the agreement or contract creating the commercial debt. [2003 c.66 §2; 2007 c.204 §2]

293.231 Collection of liquidated and delinquent accounts by private collection agency or Department of Revenue; rules; fee added to debt. (1) Except as provided in subsections (4) to (9) of this section, a state agency, unless otherwise prohibited by law, shall offer for assignment every liquidated and delinquent account to a private collection agency or to the Department of Revenue as provided in ORS 293.250 not later than:

(a) Ninety days from the date the account was liquidated if no payment has been received on the account within the 90-day period; or

(b) Ninety days from the date of receipt of the most recent payment on the account.

(2) Nothing in subsection (1) of this section prohibits a state agency from offering for assignment a liquidated and delinquent account to a private collection agency at any time within the 90-day period.

(3) If, after a reasonable time, the private collection agency is unable to collect the account, the private collection agency shall notify the state agency that assigned the account that it has been unable to collect the account and shall relinquish the account to the state agency. A private collection agency that collects an account under this section shall be held to the same standard of confidentiality, service and courtesy imposed on the state agency that assigned the account.

(4) If a state agency assigns a liquidated and delinquent account to the Department of Revenue as provided in ORS 293.250, the department shall have six months from the date of assignment to collect a payment. If the department does not collect a payment within that six-month period or if six months have elapsed since the date of receipt of the most recent payment on the account, the department shall notify the state agency. The state agency shall then immediately offer for assignment the debt to a private collection agency.

(5) The provisions of subsection (1) of this section do not apply to a liquidated and delinquent account that is prohibited by state or federal law or regulation from assignment or collection.

(6) The Oregon Department of Administrative Services may adopt rules exempting specified kinds of liquidated and delinquent accounts from the time periods established in subsections (1), (2) and (4) of this section.

(7) The Oregon Department of Administrative Services shall adopt rules exempting liquidated and delinquent accounts that originate in the Department of Revenue or the Employment Department from the time periods established in subsections (1), (2) and (4) of this section.

(8) A liquidated and delinquent account that is subject to assignment under this section shall be assigned to a private collection agency if more than one year has elapsed without a payment on the account.

(9) Notwithstanding subsection (1) of this section, a state agency may, at its discretion, choose not to offer for assignment to a private collection agency a liquidated and delinquent account that:

(a) Is secured by a consensual security interest in real or personal property;

(b) Is a court-ordered judgment that includes restitution or a payment to the Department of Justice Crime Victims' Assistance Section;

(c) Is in litigation, including bankruptcy, arbitration and mediation;

(d) Is a student loan owed by a student who is attending school;

(e) Is owed to a state agency by a local or state government or by the federal government;

(f) Is owed by a debtor who is hospitalized in a state hospital as defined in ORS 162.135 or who is on public assistance as defined in ORS 411.010;

(g) Is owed by a debtor who is imprisoned;

(h) Is less than \$100, including penalties; or

(i) Would result in loss of federal funding if assigned.

(10) Nothing in this section prohibits a state agency from collecting a tax offset after a liquidated and delinquent account is assigned to a private collection agency.

(11) For the purposes of this section, a state agency shall be deemed to have offered for assignment an account if:

(a) The terms of the offer are of a type generally acceptable within the collections industry for the type of account offered for assignment; and

(b) The offer is made to a private collection agency that engages in collecting on accounts of the type sought to be assigned or is made generally available to private collection agencies through a bid or request for proposal process.

(12) A state agency that retains a private collection agency under this section may add a fee to the amount of the liquidated and delinquent account as provided in ORS 697.105. A fee may not be added under this subsection unless the state agency has provided notice to the debtor:

(a) Of the existence of the debt;

(b) That the debt may be assigned to a private collection agency for collection; and

(c) Of the amount of the fee that may be added to the debt under this subsection.

(13) Except as provided by federal law, the state agency may not add a fee under subsection (12) of this section that exceeds the collection fee of the private collection agency. [1999 c.1092 §3; 2001 c.218 §1; 2001 c.233 §1; 2003 c.66 §3; 2003 c.805 §1]

Note: See note under 293.227.

RESOLUTION NUMBER 600

A RESOLUTION RELATING TO THE CONSENT DECREE IN THE CLEAN WATER ACT SUIT:

WHEREAS, the City is the defendant in a suit under the Clean Water Act as a result of the operation of the sewage treatment plant;

WHEREAS, the City and the Plaintiffs have negotiated in good faith to achieve a resolution of the suit without the expense and uncertainty of a trial; and

WHEREAS, the City and the Plaintiffs have tentatively agreed to the terms of a Consent Decree which would terminate the suit and resolve the issues between the parties;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. The City of Aurora agrees to the terms of the Consent Decree which is attached to this Resolution.

Section 2. The City Council authorizes the Mayor to sign the agreement on behalf of the City and to take any other related actions necessary to the court's approval of the decree.

ADOPTED by the Aurora City Council at a City Council meeting held on Tuesday, June 8, 2010. This resolution is effective June 8, 2010.

Dated this 8 day of June, 2010.

APPROVED AS TO FORM:



City Attorney



Jim Meirow, Mayor

ATTEST



City Recorder

RESOLUTION NUMBER 601

A RESOLUTION RE-ESTABLISHING THE STREET RESERVE FUND

WHEREAS, the City has determined there is a need for funds to maintain, repair, and/or upgrade the city streets; and

WHEREAS, these revenues and expenditures need to be specially identified and accounted for separately; and

WHEREAS, the most appropriate method to handle these revenues and expenditures is by the use of the Street Reserve Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. The Street Reserve Fund is activated and re-established in the City's accounting records. This fund is re-activated for the revenues that will accumulate for expenditures related to improvements on the City's streets.

ADOPTED by the Aurora City Council at a regular City Council meeting on June 8, 2010. This resolution is effective June 8, 2010.

Dated this 8 day of June, 2010.



Jim Meiorow, Mayor

ATTEST



Kelly A. Richardson, City Recorder

RESOLUTION NUMBER 602

A RESOLUTION ADOPTING BASE FINES UNDER THE AURORA TRAFFIC CODE:

WHEREAS, the City anticipates adopting the Oregon State Traffic Code and related regulations by city ordinance;

WHEREAS, the ordinance provides that the City shall adopt a schedule of fines by resolution; and

WHEREAS, the City currently has authority to adopt local assessments for convictions in Municipal Court to be assessed in addition to base fines provided for in the Oregon State Traffic Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. The City of Aurora adopts the attached fine schedule for convictions in Municipal Court to be imposed when convictions occur under city ordinance.

Section 2. The City of Aurora adopts the attached local assessment for convictions in Municipal Court to be imposed when convictions occur under state statute.

Section 3. The City Council authorizes the City Attorney to coordinate the implementation of this resolution and the Aurora Traffic Code with the Municipal Court.

Section 4. Revenue from the increase (\$25.00 for infractions and \$100.00 for misdemeanors) in base fines shall be dedicated to the City Hall Building Fund.

ADOPTED by the Aurora City Council at a City Council meeting held on Tuesday, June 8, 2010. This resolution is effective July 1, 2010.

Dated this 8 day of June, 2010.


APPROVED AS TO FORM:

City Attorney



Jim Meirow, Mayor

ATTEST



City Recorder

Resolution Number 602
A Resolution Adopting Base Fines Under the Aurora Traffic Code
City Council Meeting
June 8, 2010

THE MUNICIPAL COURT OF THE CITY OF
AURORA, STATE OF OREGON


IN THE MATTER OF THE ADOPTION OF A)
UNIFORM MINIMUM BASE FINE SCEDHULE TO)
ESTABLISH A CITY HALL BUILDING FUND FROM)
TRAFFIC OFFENSES, AND OTHER OFFENSES)
AND OTHER OFFENSES SUBJECT TO THE)
SUPREME COURT MINIMUM BAIL AND SECURITY)
SCHEDULE)

ORDER

Pursuant to and purposes of ORS 153.142, the Municipal Court of the City of Aurora orders the following:

1. The attached Uniform Base Fine Schedule, which may be cited as UBS is hereby adopted. The UBS is a schedule of the amounts a citing officer shall enter on the front of the citation in the place designated for "base fine" when the officer charges a person with an offense described in the schedule by issuing a citation.
2. The UBS adopted by this Order first applies to offenses committed on and after JULY 01, 2010. On that date the UBS established by this Order IS IN ADDITION TO October 1, 2009 Police training fund all previous base fine and security schedules for offenses described.

DATED THIS 1st day of JULY, 2010.


JANICE D. ZYRVANOFF
JUDGE
AURORA MUNICIPAL COURT

CITY OF AUORORA

BASE FINE SCHEDULE

Effective July 01, 2010 and until further order of this Court, the following schedule of base fines is ordered:

ORS 811.100.105	Violation of Basic Rule-Speed
ORS 811.110	Exceed Federal Maximum Speed
ORS 811.111 (1)(b)	Add \$42.00 for Commercial Vehicle over 10 MPH
ORS 811.112	Exceed Rural Interstate Speed
ORS 811.115	Exceed Truck/Passenger Transport Vehicle Speed
ORS 811.123	Urban Speed

In Excess of Posted Speed

Class D ---- 1-10 Miles Over	\$ 172.00
Class C ---- 11-20 Miles Over	\$ 220.00
Class B ---- 21-30 Miles Over	\$ 317.00
Class A ---- Over 30 Miles	\$ 502.00
Seatbelt.	\$ 172.00
Endangering Child Passenger.	\$ 172.00

ORS #	DESCRIPTION	BASE FINE
Class A Infractions		
811.135 (2)	Careless Driving (Involving an Accident)	\$544.00
811.155	Failure to Stop for (School) Bus Safety Lights	\$502.00
811.015	Failure to Obey Traffic Patrol Member	\$502.00
811.232	Refusing to Obey Flagger	\$502.00
811.125	Speed Racing	\$502.00
810.240	Unlawful Interference With TCD/Railroad Sign	\$502.00
811.175	Violation Driving While Suspended or Revoked	\$502.00

Class B Infractions

819.100	Abandoning a Vehicle	\$317.00
811.565	Dangerous Movement of Stopped, Standing Or Parked Vehicle	\$317.00
811.135	Careless Driving (No Accident)	\$317.00
811.205	Carrying Minor on External Part of Vehicle	\$317.00
811.350	Dangerous Left Turn	\$317.00
811.305	Driving on Left on Curve/Grade/Intersection/RRC	\$317.00
811.430	Driving on Highway Divider; Exceptions	\$317.00
814.320	Driving Moped/Motorcycle Without Lights	\$317.00
811.030	Driving Trough/Or Within A Safety Zone	\$317.00
806.010	Driving Uninsured	\$317.00
811.330	Driving Wrong Way Around Traffic Island	\$317.00
807.130	Expired Operators License	\$317.00
811.285	Failure Of Merging Driver To Yield Right of Way	\$317.00
806.012	Failure to Carry Proof Of Financial Responsibility	\$317.00
811.515 (6a)	Failure to Dim Lights	\$317.00
811.295	Failure to Drive On Right	\$317.00
811.320	Failure to Drive To Right On Divided Highway	\$317.00
811.370	Failure to Drive Within Lane	\$317.00
811.460	Failure to Follow Rail Crossing Procedures For High-Risk Vehicles	\$317.00
811.265	Failure to Obey Traffic Control Device	\$317.00
811.535	Failure to Obey a Police Officer	\$317.00
811.270	Failure to Obey One-Way Designation	\$317.00
811.715	Failure to Perform Duties Of Witness To Accident	\$317.00
811.710	Failure to Perform Duties/When Animal Is Injured	\$317.00
811.530	Failure to Post Warnings For Disabled Vehicle	\$317.00
811.725	Failure to Report an Accident/Driver	\$317.00
811.730	Failure to Report an Accident/Owner	\$317.00

811.010	Failure to Stop And Remain Stopped For Pedestrian In Crosswalk	\$317.00
811.165	Failure to Stop for Passenger Loading of Public Transit Vehicle	\$317.00
811.455	Failure to Stop For Railroad Signal	\$317.00
811.505	Failure to Stop When Emerging From Alley, Driveway Or Building	\$317.00
811.400	Failure to Use Appropriate Signal for Turn, Lane Change, Stop Or Exit From Roundabout	\$317.00
811.345	Failure to Use Special Left Turn Lane	\$317.00
811.055	Failure to Yield to Bicyclist on Sidewalk	\$317.00
811.145	Failure to Yield/Emergency Vehicle/Ambulance	\$317.00
811.025	Failure to Yield to Pedestrian on Sidewalk	\$317.00
811.050	Failure to Yield to Rider on Bicycle Lane	\$317.00
811.275	Failure to Yield Right-of-Way At Uncontrolled Intersection	\$317.00
811.280	Failure to Yield R-O-W When Entering Roadway	\$317.00
811.485	Following to Closely	\$317.00
807.550	Holding Multiple Licenses	\$317.00
803.550	Illegal Alteration Or Display of Plates	\$317.00
820.160	Illegal Display of School Bus Markings	\$317.00
820.320	Illegal Operations of Emergency Vehicle	\$317.00
811.365	Illegal U-Turn w/Accident B traffic violation	\$504.00
815.222	Illegal Window Tinting	\$317.00
815.315	Improper DEQ Certification	\$317.00
811.470	Improper Movement Of Heavy Equipment Across R/R Crossing	\$317.00
811.360	Improper Turn At Stop Light	\$317.00
811.380	Improper Use of Center Lane on Three Lane Rd.	\$317.00
811.340	Improperly Executed Left Turn	\$317.00
811.355	Improperly Executed Right Turn	\$317.00
811.150	Interfering W/Emergency Vehicle Or Ambulance	\$317.00
471.430	Minor In Possession (Alcohol)	\$317.00
811.346	Misuse of Special Left Turn Lane	\$317.00
814.220	Motorcyclist Clinging to Another Vehicle	\$317.00

811.475	Obstructing Railroad Crossing	\$317.00
811.170	Open Container (Alcoholic Beverage)	\$317.00
811.435	Operation Of Motor Vehicle On Bicycle Ln/Path	\$317.00
815.020	Operation Of Unsafe Vehicle	\$317.00
818.300	Operating With Sifting Or Leaking Load	\$317.00
807.010	Operating Vehicle Without Driving Privileges	\$317.00
807.010(2)	Operating Vehicle In Violation Of DL Restriction	\$317.00
811.420	Passing In A No Passing Zone	\$317.00
811.255	Permitting Unlawful Operation of Motor Vehicle	\$317.00
811.315	Slow Driver Fail to Drive on Right	\$317.00
811.425	Slow Driver Fail to Yield To Overtaking Vehicle	\$317.00
811.325	Truck/Camper /Trailer Fail to Drive In Right Lane	\$317.00
814.325	Unlawful Carrying Of A Passenger On A Motorcycle	\$317.00
814.200	Unlawful Operation of Motorcycle/Moped	\$317.00
821.190	Unlawful Operation of Snowmobile or All-Terrain Vehicle on Highway or Railroad	\$317.00
810.230	Unlawful Sign Display	\$317.00
811.500	Unlawful Stop or Deceleration	\$317.00
815.240	Unlawful Use Of Vehicle Television Equipment	\$317.00
811.520	Unlawful Use or Failure to Use Lights	\$317.00
811.410	Unsafe Passing on Left	\$317.00
811.415	Unsafe Passing on Right	\$317.00
820.180	Unsafe School Vehicle Operation	\$317.00
822.045	Vehicle Dealer Offenses	\$317.00
815.245	Vehicle Too Low	\$317.00
818.160	Violating Towing Safety Requirements	\$317.00
811.450	Violation Of Posted Truck Routes	\$317.00

	CLASS C INFRACTIONS	
815.100	Defective Equipment	\$220.00
815.235	Defective Or No Rearview Mirror	\$220.00
815.260	Driving A Recreational Vehicle With Unsealed Disposal System	\$220.00
815.255	Driving A Vehicle for Hire Without Speedometer	\$220.00
816.300	Driving With Nonstandard Lighting Equipment	\$220.00
815.250	Driving Without Proper Exhaust System	\$220.00
815.185	Driving Without Proper Fenders Or Mudguards	\$220.00
816.330	Driving Without Required Lighting Equipment - No Headlights, No Taillights, No Registration Plate Light, No Brake Lights, No Turn Signal Lights, No Reflectors (For Trucks) – Clearance Lights/ID Lights/Side Marker Lights	\$220.00
814.260	Failure To Wear Helmet - Moped Operator	\$220.00
814.269	Failure To Wear Helmet – Motorcycle Operator	\$220.00
814.275	Failure To Wear Helmet – Motorcycle Passenger	\$220.00
815.285	Failure To Carry Roadside Vehicle Warning Devices (Flares, Flags Etc.) For Vehicles Subject To The Requirements Under 811.530	\$220.00
803.545	Failure To Display Out of State Plates	\$220.00
815.215	Failure To Have Windshield Wipers	\$220.00
811.225	Failure To Maintain Seat Belts in Working Order	\$220.00
815.275	Failure To Mark Load With Light Or Flag	\$220.00
815.140	Failure to Use Vehicle Traction Tires Or Chains	\$220.00
820.360	Illegal Ambulance Lighting Equipment	\$220.00
820.380	Illegal Ambulance or Emergency Vehicle Sirens	\$220.00
811.365	Illegal U-turn class C traffic violation	\$220.00
815.130	Improper Brakes	\$220.00
815.225	Improper Use OF Horn, Sirens Etc.	\$220.00
815.115	No Slow-Moving Vehicle Emblem	\$220.00

CITY OF AURORA

BASE FINE SCHEDULE (IN CLASS INFRACTION ORDER)

July 01, 2010

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164.805	Offensive Littering	\$220.00
815.170	Operation of Vehicle Without Pneumatic Tires	\$220.00
814.130	Passenger Obstruction of Driver	\$220.00
816.180	Reflectors Violation – Motor Vehicle	\$220.00
815.160	Unlawful Use Of Metal Objects On Tires (Studs)	\$220.00
816.360	Use of Prohibited Lighting Equipment	\$220.00
815.230	Violation Of Sound Equipment Requirements (No Horn)	\$220.00
	CLASS D INFRACTION	
814.480	Bicycle/Coaster/Roller Skates Clinging To M-V	\$172.00
811.200	Carrying Dog on External Part of Vehicle	\$172.00
814.330	Carrying Passenger On Moped	\$172.00
818.320	Dragging Objects On Highway	\$172.00
811.2101	Endangering Child Passenger	\$172.00
814.280	Endangering Motorcycle Passenger	\$172.00
803.505	Failure to Carry Vehicle Registration Card	\$172.00
807.420	Failure to Change Name Or Address on ID Card	\$172.00
807.560	Failure to Change Name Or Address On DL	\$172.00
803.220	Failure to Change Name Or Address on Motor Vehicle Registration	\$172.00
811.515 (3) (4) (13) (17)	Failure to Display Parking Lights/Hazard Lights/Failure to Dim Lights-Parked Vehicle	\$172.00
803.540	Failure to Display Plates	\$172.00
814.030	Failure to Obey Bridge or R-R Signal – Pedestrian	\$172.00
814.020	Failure to Obey Traffic Control Device-Pedestrian	\$172.00
819.410	Failure to Obtain Vehicle Identification Number	\$172.00
803.315	Failure to Pay Registration Fee	\$172.00
803.325	Failure to Register Out Of State Vehicle	\$172.00
803.300	Failure to Register Vehicle	\$172.00
822.225	Failure to Remove Injurious Material (Glass) --	\$172.00

	Tow Truck Driver	
803.455	Failure to Renew/Expired Motor Vehicle Registration	\$172.00
811.585	Failure to Secure Motor Vehicle	\$172.00
814.440	Failure to Signal Turn – Bicycle	\$172.00
811.405	Failure to Signal With Lights	\$172.00
807.540	Failure to Surrender Prior License	\$172.00
803.105	Failure to Transfer Title	\$172.00
814.420	Failure to Use Bicycle Lane or Path	\$172.00
811.520 (1c)	Failure to Use Low Beam Headlights During Funeral Procession	\$172.00
814.070	Failure to Use Sidewalk	\$172.00
811.210	Failure to Wear Seat Belt	\$172.00
814.260	Failure to Wear Helmet – Moped Operator	\$172.00
814.269	Failure to Wear Helmet – Motorcycle Driver	\$172.00
814.275	Failure to Wear Helmet – Motorcycle Passenger	\$172.00
814.040	Failure to Yield to Motor Vehicle – Pedestrian	\$172.00
811.802	Failure to Yield R-O-Way To Funeral Procession	\$172.00
811.810	Funeral Procession Disrupt	\$172.00
811.806	Funeral Procession, Exceed Maximum Speed	\$172.00
811.800	Funeral Vehicle With Improper Lights	\$172.00
811.195	Having Passenger in Trailer	\$172.00
811.480	Illegal Backing	\$172.00
811.130	Impeding Traffic	\$172.00
818.110	Improper Combination of Vehicles	\$172.00
803.655	Improper Display of Permit	\$172.00
803.560	Improper Display of Stickers	\$172.00
811.490	Improper Opening or Leaving Open Vehicle Door	\$172.00
811.570	Improper Parallel Parking	\$ 45.00
814.430	Improper Use of Lanes – Bicycle	\$172.00
803.635	Improper Use of Temporary Registration Permit	\$172.00

CITY OF AURORA

BASE FINE SCHEDULE (IN CLASS INFRACTION ORDER)

July 01, 2010

Page 7 of 9

814.230	Moped Operator Or Rider Clinging To Vehicle	\$172.00
822.300	No Transport Permit	\$172.00
811.290	Obstructing Cross Traffic	\$172.00
815.220	Obstruction Of Vehicle Windows	\$172.00
811.190	Operation Of Vehicle With Obstructing Passenger	\$172.00
807.610	Providing Vehicle to Unqualified (No DL) Driver	\$172.00
811.445	Prohibited Use Of Throughway	\$172.00
811.495	Unlawful Coasting on Downgrade	\$172.00
814.080	Unlawful Hitchhiking	\$172.00
814.460	Unlawful Passengers on Bicycle	\$172.00
811.375	Unlawful or Unsignaled Lane Change	\$172.00
811.335	Unlawful or Unsignaled Turn	\$172.00
811.390	Unlawful Use of Lights to Signal for Passing	\$172.00
815.025	Unreasonable Noise with a Motor Vehicle	\$172.00
815.232	Unreasonable Sound Amplification from Vehicle	\$172.00
814.410	Unsafe Operation Of Bicycle On Sidewalk	\$172.00
815.280	Violation of Bicycle Equipment Requirements	\$172.00
818.130	Violation of Posted Limits on Use	\$172.00
811.575	Violation of Posted Parking Restrictions on Hwy.	\$ 45.00
815.200	Violation Of Visible Emission Limits	\$172.00

NOTE: State Assessment included in the listed base fine. Property damage accident add \$100.00 to the listed base fine. Visible Personal Injury accident add \$200.00 to base fine listed.

IF SPECIFIC FINE NOT LISTED, REFER TO CLASS FINES BELOW:

CLASS A - \$477.00---\$502.00

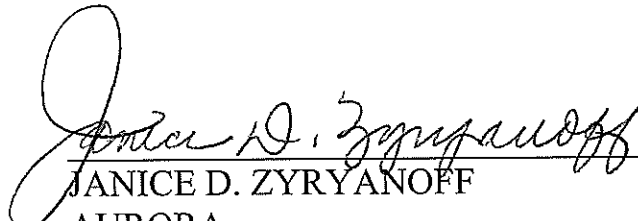
CLASS B - \$292.00---\$317.00

CLASS C - \$195.00---\$220.00

CLASS D - \$147.00---\$172.00

In addition to the Class A, B, C, D fines there is an enhancement fee of \$25.00 for infractions.

By Order of the Court this 1st day of July, 2010.



JANICE D. ZYRYANOFF
AURORA
MUNICIPAL COURT JUDGE

City of Aurora
Resolution No. 603

**A Resolution Adopting the Second Supplemental
Budget for FY 2009-2010, and Making Appropriations**

BE IT RESOLVED that the City Council of the City of Aurora hereby adopts the SECOND supplemental budget for fiscal year 2009-2010 now on file at City Hall.

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2009, for only those funds and purposes shown below are hereby re-appropriated as follows:

General Fund

Personal Services	\$310,769.00
Materials and Services	353,546.00
Capital Outlay	30,095.00
Transfer to other funds	3,500.00
Contingency	<u>65,830.00</u>
Total	\$763,740.00

Park Renovation Project

Park Construction Grant	\$160,000.00
Project Self-help	25,000.00
Project Design, Management	19,000.00
Project contingency	<u>17,358.00</u>
Total	\$204,000.00

Street/Storm Fund

Personal Services	\$ 27,065.00
Materials and Services	58,163.00
Capital Outlay	153,380.00
Transfer to Street Reserve	10,550.00
Contingency	<u>27,791.00</u>
Total	\$276,949.00

Highway 99E Special Project

Materials and Services	45,072.00
Capital Outlay	391,395.00
City Funds	12,558.00
Settlement payment	<u>28,000.00</u>
Total	\$477,025.00

Water Operating Fund

Personal Services	\$ 80,592.00
Materials and Services	\$119,692.00
Capital Outlay	100,887.00
Contingency	<u>48,831.00</u>
Total	\$350,002.00

Water Filtration System Special Project

Materials and Services	\$125,000.00
Capital Outlay	<u>247,000.00</u>
Total	\$372,100.00

Sewer Operating Fund

Personal Services	\$ 89,729.00
Materials and Services	181,177.00
Capital Outlay	26,562.00
Contingency	<u>83,342.00</u>
Total	\$380,810.00

TOTAL Re-appropriated funds

\$2,824,626.00

ADOPTED by the Aurora City Council this 8 day of June, 2010.



James Meirov, Mayor

ATTEST:



Kelly A. Richardson, City Recorder

RESOLUTION No. 604

A RESOLUTION RELATING TO POLICE DISPATCH SERVICES

WHEREAS, the City's service goals establish public safety as a high priority for citizens of the City of Aurora; and

WHEREAS, the furtherance of these goals requires partnerships and collaboration with adjacent public safety and private organizations; and

WHEREAS, the City of Aurora is a current user entity of the North Marion County Communications Center Intergovernmental Agreement under Oregon Revised Statute 190 for 9-1-1 Call Answering; and

WHEREAS, the City of Aurora acknowledges their financial contribution to North Marion County Communications Center shall be consistent with the user fee agreement set forth by the user fee formula cost sharing formula between all law enforcement agencies supported by the Agency; and

WHEREAS, the fiscal year 2010-2011 user fees shall be prorated based upon the obligation that the City of Aurora has with Willamette Valley Communications Center;


NOW, THEREFORE, BE IT RESOLVED that effective June 21, 2010 that all dispatch functions for the City of Aurora Police Department shall be transferred to North Marion County Communications Center in accordance with the Intergovernmental Agreement.

ADOPTED by the Aurora City Council at a Special City Council meeting held on Wednesday, June 16, 2010. This resolution is effective June 21, 2010.

ATTEST



Jim Meirow, Mayor



Kelly Richardson, City Recorder

APPROVED AS TO FORM:



City Attorney

Resolution Number 604
A Resolution Relating to the Police Dispatch Services
City Council Meeting
June 16, 2010

June 10, 2010

Director Gina Audritsh
North Marion County Communications Center
1060 Mt Hood Ave
Woodburn, OR 97071

Subject: Transfer of Dispatch Services

It is the desire and intent of the City of Aurora Police Department to transfer all police dispatch functions to the North Marion County Communications Center [NORCOM 9-1-1] effective June 30, 2010.

The City of Aurora acknowledges that Aurora Police Department is a current user entity of the North Marion County Communications Intergovernmental Agreement supported as an Oregon Revised Statute 190 Agency through 9-1-1 call answering and would like to modify the agreement to include dispatch services.

The City of Aurora is looking forward to expanding our partnership of dispatch services to compliment the partnership we share with other emergency services such as the Aurora Fire District and neighboring law enforcement agencies.

We appreciate the open discussions that we have had and the forward planning towards this transition and appreciate the phased in transition to begin prior to the start of the next fiscal year. We expect to transition dispatch services from Willamette Valley Communications Center on Monday, June 21, 2010 to North Marion County Communications Center. We will continue to make staff and resources available to NORCOM staff in cooperation with the transition.

The City of Aurora understands that any financial burden that would be assessed to NORCOM for our transition of services will be at a cost to the City of Aurora. To date we understand the only costs that have been identified include those associated with the set up and software implementation for the Mobile Data Terminals.

Respectfully,

RESOLUTION NO. 605

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. Fire protection
3. Street construction, maintenance and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning and subdivision control
7. 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 Aurora hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:


- Police protection
- Street construction, maintenance and lighting
- Sanitary sewer
- Storm sewers
- Planning, zoning and subdivision control
- Water services

Approved by the City Council of the City of Aurora this 23rd day of June, 2010.



Jim Meirow, Mayor

ATTEST:



Kelly A. Richardson, City Recorder

RESOLUTION NO. 606

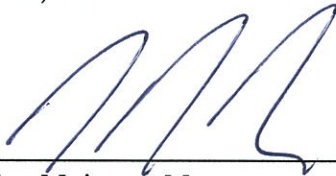
**A RESOLUTION DECLARING THE CITY'S ELECTION
TO RECEIVE STATE REVENUES**

Be it hereby resolved:

Section 1. Pursuant to ORS 211.770, the City of Aurora hereby elects to receive state revenues for fiscal year 2010-2011.

Passed by the Aurora City Council the 23rd day of June, 2010.

Approved by the Mayor this 23rd day of June, 2010.



Jim Meior, Mayor

ATTEST:



Kelly A. Richardson, City Recorder

I certify that a public hearing before the Budget Committee was held on June 3, 2010 and a public hearing before the City Council was held on June 23, 2010, giving citizens an opportunity to comment on the use of State Revenue Sharing.



Kelly A. Richardson, City Recorder

**City of Aurora
Resolution No. 607**

Adopting the 2010-2011 Budget, Making Appropriations,
and Levying Ad Valorem Taxes

Adopting the Budget

BE IT RESOLVED that the City Council of the City of Aurora hereby adopts the budget approved by the Budget Committee for fiscal year 2010-2011, as amended, in the sum of \$3,120,124, now on file at City Hall.

Resolution Making Appropriations

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2010 and for the purposes shown below are hereby appropriated as follows:

General Fund

Personal Services	\$ 293,698
Materials and Services	391,421
Capital Outlay	21,864
Transfers out	4,000
Contingency	<u>84,195</u>
Total	\$ 795,178

City Park Special Project

Construction Grant	\$ 80,000
Construction self-help	5,000
Project design	1,000
Project Contingency	<u>20,000</u>
Total	\$ 106,000

City Hall Building Fund

Materials and Services	\$ 10,000
Capital Outlay	<u>103,028</u>
Total	\$ 113,028

Park Reserve Fund

Capital Outlay	\$ 7,450
Total	\$ 7,450

Park SDC Fund

Capital Outlay	\$ 28,928
Transfers Out	<u>20,000</u>
Total	\$ 48,928

Street/Storm Operating Fund

Personal Services	\$ 20,863
Materials and Services	49,648
Capital Outlay	49,765
Reserve for sidewalk	2,998
Contingency	<u>42,631</u>
Total	\$ 165,905

Street Reserve Fund

Street Maintenance Projects	<u>\$ 23,410</u>
Total	\$ 23,410

Street/Storm System Development Charge Fund

Capital Outlay	\$ 45,015
Transfers out	<u>22,865</u>
Total	\$ 67,880

Water Operating Fund

Personal Services	\$ 84,940
Materials and Services	106,318
Capital Outlay	97,500
Contingency	<u>92,247</u>
Total	\$ 381,005

Water System Filtration Project

Construction	\$ 247,100
Engineering	12,900
City Matching Funds	15,000
Contingency	<u>29,525</u>
Total	\$ 304,525

Water Reserve Fund

Capital Outlay	<u>\$ 5,927</u>
Total	\$ 5,927

Water System Development Charge Fund	
Capital Outlay	\$ 87,290
Transfers	<u>5,000</u>
Total	\$ 92,290

Sewer Operating Fund	
Personal Services	\$ 124,259
Materials and Services	250,907
Capital Outlay	47,450
Contingency	<u>101,467</u>
Total	\$ 524,083

Sewer Reserve Fund	
Capital Outlay	\$ 5,390
Transfers	<u>100,000</u>
Total	\$ 105,390

Sewer Systems Development Charge Fund	
Capital Outlay	\$ 18,229
Transfers Out	<u>42,450</u>
Total	\$ 60,679

G O Wastewater Bond Fund	
Debt Service	\$ 279,713
Unappropriated End Fund Balance	<u>10,000</u>
Total	\$ 289,713

Special Public Works Fund	
Reserved for maintenance	\$ 28,733
Total	\$ 28,733

TOTAL APPROPRIATIONS ALL FUNDS	\$3,120,124
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Levying Ad Valorem Taxes

BE IT RESOLVED that the City Council of the City of Aurora hereby imposes the taxes provided for in the adopted budget at the rate of 2.4849 per \$1000 of assessed value for operation and in the amount of \$284,650.00 in bonded debt: and that these taxes are hereby levied upon the assessed value as of 1:00 AM, July 1, 2010 on all taxable property within the district in the following categorization.

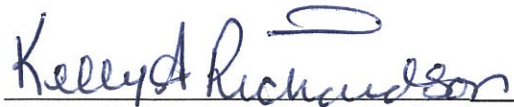
	General Government Limitation	Excluded from Limitation
General Fund	\$2.4849 per \$1000	
Debt Service		
GO Wastewater Bond		\$284,650

The above allocation and categories are broken down to show which are subject to the limits of Section 11b, Article XI of the Oregon Constitution.

Passed this 23rd day of June 2010.



Jim Meirow, Mayor

ATTEST:


Kelly Richardson, City Recorder

RESOLUTION NO. 608

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, OREGON, AUTHORIZING THE CITY RECORDER AND THE FINANCE OFFICER TO CLOSE THE MUNICIPAL COURT BAIL ACCOUNT AT WEST COAST BANK.

WHEREAS, the City's auditors and the Finance Officer have determined it is in the City's best interest to close the Municipal Court Bail checking account, transferring the funds to the City's General Checking account at West Coast Bank;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

The City Council hereby authorizes the City Recorder and/or the Finance Officer to close the Municipal Court Bail checking account, and transfer the funds, after all outstanding checks have cleared, to the General Checking Account at West Coast Bank.

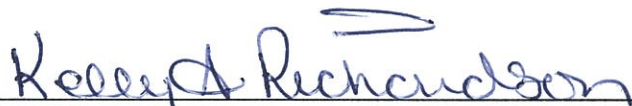
ADOPTED this 13th day of July, 2010.

CITY OF AURORA, OREGON



JIM MEIROW, MAYOR

ATTEST:



KELLY RICHARDSON, CITY RECORDER

RESOLUTION NO. 609

A RESOLUTION INCREASING WATER RATES FOR USERS OF THE CITY WATER SYSTEM; AND REPEALING THE PER CUBIC FOOT MONTHLY WATER USER RATES ESTABLISHED IN RESOLUTION 456, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Aurora, has the authority and responsibility under its charter and state statute for the establishment and collection of fees and of policy for the users of the City water system; and

WHEREAS, the City Council finds it necessary to increase monthly domestic water user rates from \$0.04 per cubic foot to \$0.044 per cubic foot for all residential, commercial and industrial users.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1:


The City Council hereby establishes and authorizes an increase in monthly domestic water user rates from \$0.04 per cubic foot to \$0.044 per cubic foot for all residential, commercial and industrial users

Section 2:

The City Council hereby adopts the recommended increase in the monthly domestic water user rates as shown on Table I of Resolution No. 282 from \$0.04 per cubic foot to \$0.044 per cubic foot for all residential, commercial and industrial users of the City water system, effective July 1, 2010. All other sections of Resolution No. 282 shall remain in effect.

INTRODUCED AND ADOPTED this 13th day of July, 2010.

CITY OF AURORA, OREGON



Jim Meirow, Mayor

ATTEST:



Kelly Richardson, City Recorder

**CITY OF AURORA
RESOLUTION NO. 610**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, OREGON, AMENDING RESOLUTION NO. 553, ADOPTING A NEW SANITARY SEWER SYSTEM RATE, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Aurora finds that the policy established and implemented by Resolution No. 553 in 2008, that the sanitary sewer system rate shall pay the total personnel services, material and operating cost of the system as determined by the established Equivalent Dwelling Unit EDU methodology should be continued and updated; and

WHEREAS, an unanticipated lawsuit has created substantial additional cost in the Sanitary Sewer System plant operation and maintenance; and

WHEREAS, the City finds that the Sanitary Sewer System Rate needs to be updated and amended to reflect increased costs of personnel services, material and operations; and

WHEREAS, the City Council finds that materials and services have been significantly increased due to the expenditure requirements of a lawsuit settled through a Consent Agreement, and the payment of \$100,000 in settlement of said lawsuit; and

WHEREAS, a portion of said expenditure requirements must be completed within six months per the consent agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1:

The City Council hereby establishes the City Sewer Rates, as shown in Table 1 below:

TABLE 1

Monthly Sewer Rates for Each EDU

<u>Customer Class/Use</u>	<u>Sewer Rate</u>
Residential (One EDU)	\$ 49.00 per month
Commercial/Industrial* (Up to One EDU)	\$ 49.00 per month

Commercial/Industrial* (Over One EDU)

\$ 49.00 per month for each EDU, or portion thereof.

*Commercial and Industrial Customers who create wastes of strengths that require additional treatment costs may be charged an additional Sewer Rate.

Section 2:

The rates established herein shall take effect as of July 1, 2010.

ADOPTED this 13th day of July 2010.

CITY OF AURORA, OREGON



Jim Meirow, Mayor

ATTEST:



Kelly Richardson, City Recorder

RESOLUTION NO. 611

AUTHORIZATION FOR THE MAYOR AND PRESIDENT OF THE COUNCIL TO SIGN AN URBAN GROWTH BOUNDARY AND POLICY AGREEMENT WITH MARION COUNTY. Amending Resolution Number 592.

WHEREAS, Marion County and the City of Aurora mutually agreed upon and adopted an Urban Growth Boundary as described in Resolution 75.

WHEREAS, the Urban Growth Boundary and Policy Agreement with Marion County was not agreed upon with Marion County as to form in October 2009.

WHEREAS, the City of Aurora drafted a new Resolution authorizing the Mayor and President of the Council to sign the updated Urban Growth Boundary and Policy Agreement with Marion County.

NOW THEREFORE BE IT RESOLVED:

The Mayor and the President of the Council are authorized to sign the new updated Urban Growth Boundary and Policy Agreement with Marion County, on behalf of the City of Aurora.

ADOPTED BY THE AURORA CITY COUNCIL, City of Aurora, Marion County, State of Oregon, on August 10, 2010.



Jim Meirow, Mayor

ATTEST:


Kelly Richardson, City Recorder

Kelly Richardson, City Recorder

**CITY OF AURORA/MARION COUNTY
URBAN GROWTH BOUNDARY COORDINATION AGREEMENT**

This Agreement made and entered into this 10 day of September, _____, by and between the City of Aurora, a municipal corporation, hereinafter called "City" and Marion County, a political subdivision of the State of Oregon, hereinafter called "County."

WITNESSETH:

WHEREAS, IT APPEARING to the City and County that ORS Chapter 197 and the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 14 (Urbanization) requires that an urban growth boundary (UGB) be established around each incorporated city in the State of Oregon, and that the "establishment and change of the boundary shall be a cooperative process between a City and the County or counties that surround it"; and

WHEREAS, pursuant to the above noted statutory duty and Goal 14, and the authority granted by ORS Chapter 190 concerning intergovernmental agreements, City and County have adopted an urban growth boundary, coordination policies and procedures for amending the UGB and for revising the City and County comprehensive plans within the UGB and outside the City limits, and a coordination process for county land division and land use decisions within the urban growth area (UGA) surrounding the City of Aurora; and

WHEREAS, the intent of the urban growth program for the City is as follows:

1. Promote the orderly and efficient conversion of land from Rural/Resource uses to urban uses within the UGA.
2. Reduce potential conflicts with resource lands.
3. Promote the retention of lands in resource production in the urban growth boundary until provided with urban services and developed.
4. Coordinate growth in accordance with the Aurora Comprehensive Plan and the Marion County Comprehensive Plan.

NOW, THEREFORE, the City and County adopt the following coordination and revision procedures and policies that, along with the policies of the Aurora Comprehensive Plan, shall serve as the basis for land use decisions within the UGA (i.e., the area between the city limits of Aurora and the urban growth boundary (UGB)). It is the intent of the parties that the boundary and coordination policies and procedures

expressed in this agreement shall be consistent with Oregon State Laws, the Marion County Comprehensive Plan and the Aurora Comprehensive Plan.

I. COORDINATION POLICIES AND PROCEDURES

1. The County shall retain responsibility for regulating land use on lands within the UGA until such lands are annexed by the City. The City and County identify the UGA as urbanizable and available over time for urban development.
2. The City and County shall maintain a process providing for an exchange of information and recommendations relating to land use proposals in the UGA. The County shall forward land use activities being considered within the UGA by the County to the City for comments and recommendations. The City shall respond within twenty (20) days, unless the City requests and the County grants an extension.
3. Upon receipt of an annexation request or the initiation of annexation proceedings by the City, the City shall forward information regarding the request (including any proposed zone change) to the County for comments and recommendations. The County shall have twenty (20) days to respond unless they request and the City allows additional time to submit comments before the City makes a decision on the annexation proposal.
4. All land use actions within the UGA shall be consistent with the Aurora Comprehensive Plan and the County's land use regulations.
5. In order to promote consistency and coordination between the City and County, both the City and County shall review and approve amendments of the Aurora Comprehensive Plan that apply to the UGA.
6. The area outside the UGB shall be maintained in rural and resource uses consistent with Statewide Planning Goals.
7. The City and County shall promote logical and orderly development within the UGA in a cost effective manner. The County shall not allow uses requiring a public facility provided by the City within the UGA prior to annexation to the City unless agreed to in writing by the City.
8. City sewer and water facilities shall not be extended beyond the UGB, except as may be agreed to in writing by the City and County, consistent with Oregon Administrative Rules, the Aurora Comprehensive Plan and the Marion County Comprehensive Plan.

9. Conversion of land within the UGA to urban uses shall occur upon annexation and be based on a consideration of applicable annexation policies in the Aurora Comprehensive Plan.
10. The City shall discourage the extension of public facilities into the UGA without annexation. However, if the extension of public facilities into the UGA is necessary because of an emergency, health hazard or the City determines it is otherwise desirable, the facilities may be extended subject to terms and conditions contained in a service contract between the City and the property owner.
11. Pursuant to OAR 660-011-0045, the City is the designated provider of public water, sanitary sewer and stormwater facilities within the UGB and is responsible for preparing the public facilities plan within the UGB. This designation does not obligate the City to provide services to any properties that are not annexed.

II. AMENDMENTS TO THE URBAN GROWTH BOUNDARY (UGB) AND THE URBAN GROWTH AREA (UGA)

The UGB and plan designations applicable to land within the UGA shall be reviewed by the City and County as required by the Land Conservation and Development Commission (LCDC) under their periodic review rules or as the City updates its comprehensive plan where County concurrence is necessary. These, and any other amendments to the Plan, UGB or zoning in the UGA shall be reviewed and approved in the manner provided below.

1. City initiated Comprehensive Plan amendments for lands in the UGA and proposed UGB amendments.
 - A. Upon receipt of notice of periodic review, the City shall review its Comprehensive Plan to determine if it needs updating. The City may also propose comprehensive plan amendments, including UGB amendments, at times other than specified by the Land Conservation and Development Commission (LCDC) Periodic Review Order.

The City shall develop proposed amendments and forward them together with all exhibits, findings of fact, and conclusions of law regarding the amendments to the County for review and comments at least 20 days before the City's initial evidentiary public hearing. The City shall be responsible for providing necessary notice of amendments to the Department of Land Conservation and Development (DLCD).

The City shall hold one or more Planning Commission and one or more City Council hearings. Upon conclusion of its deliberations, if the City Council concludes it will approve the proposed amendment(s), it shall conduct the first reading of an ordinance to adopt the proposed amendments with findings of fact and conclusions of law supporting the Council's decision.

- B. After conducting the first reading of the ordinance, the City shall forward the proposed amendments to the County for a hearing along with any comments from DLCD or other interested parties received by the City. Within 90 days after the date the City provides its ordinance along with all supporting studies, exhibits, comments and findings of fact and conclusions of law to the County, the County shall hold a public hearing on the City's proposal. If the County decides to reject the proposal or wishes to propose modifications, either party may request a joint meeting to resolve differences.
- C. Upon concurrence by the County, the County shall adopt the amendments by ordinance. After the County adopts its ordinance, the City shall adopt its final ordinance.

2. County initiated Comprehensive Plan Amendments within the UGA or Amendments to the UGB.

- A. Upon receipt of notice of periodic review, the County shall review its Comprehensive Plan to determine if it needs updating. The County may also propose amendments at times other than specified in the Plan or by the Land Conservation and Development Commission (LCDC) Periodic Review Order.

The County shall develop proposed amendments and forward them together with all exhibits, findings of fact and conclusions of law regarding the amendments to the City for review and comments at least 20 days before the County's initial evidentiary public hearing. Within 90 days after the County provides the proposed amendments to the City, the City shall schedule at least one public hearing by the City Planning Commission. The County shall be responsible for providing necessary notice of amendments to the Department of Land Conservation and Development (DLCD).

- B. The City Planning Commission may hold one or more public hearings. After the Planning Commission has concluded its hearing(s), it shall make a recommendation to the City Council. The City Council and the County Board of Commissioners may each hold a public hearing or may jointly conduct one or more

public hearings. The two governing bodies may deliberate together on the proposed amendment(s). At a minimum, the County Board of Commissioners shall hold one or more public hearings. At the conclusion of those deliberations, if the conclusion is to approve the proposed amendment(s), the City Council and the Board of Commissioners shall each adopt an ordinance to amend their respective comprehensive plans accompanied by agreed upon findings of fact and conclusions of law.

3. County Zoning Amendments in UGA. Whenever the County proposes an amendment to its zoning map or regulations for lands within the UGA, the County shall provide notice and request for comments on the proposed amendment to the City at least 20 days before the County's initial evidentiary public hearing.
4. In amending the UGB, the city limits or their respective comprehensive plans, the City and County shall follow all procedures as required by Oregon State Law. In the case of an amendment to the UGB, the governing bodies shall base the amendment on consideration of Goal 14 (Urbanization), applicable planning statutes and Administrative Rules.

III. ADMINISTRATION OF ZONING AND SUBDIVISION REGULATIONS

In making land use decisions within the UGA, the City and County agree to the following:

1. The County shall provide notice and request for comments on conditional uses, variances, adjustments, land divisions, property line adjustments and administrative reviews within the UGA to the City at least 20 days before the County's initial evidentiary hearing or land use decision when no hearing is held. The County shall provide the City a notice of decision for all such applications in the UGA when requested by the City.
2. Applications for uses permitted outright in the applicable county zone including ministerial actions will not involve any notice or request for comments to the City.
3. The County shall, to the extent feasible, require City development standards for development within the UGA, including dedication of additional right-of-way or application of special street setbacks when requested by the City. The County shall, to the extent feasible, require compliance with City development standards, in lieu of County standards if the development is other than a single-family dwelling.

4. For development approved under (1) or (2), if public sewer and water facilities or city limits are located within 300 feet of the subject property, the County shall require that the development connect to the facilities unless use of wells or other means are allowed in writing by the City. The City will require any property connecting to City sanitary sewer or water facilities to annex to the City. The City shall provide the County information about the location of public sewer and water. The County may approve development of permitted uses on properties more than 300 feet from the city limits, or from a public sewer or water facility using wells and DEQ approved wastewater disposal systems.
5. If a proposed use is not specifically identified in the Marion County Urban Zoning Ordinance (MCUZO), and the County is proposing an interpretation classifying the use as permitted in the applicable zone under the interpretation provisions of the MCUZO, the County shall give the City an opportunity to comment before the County makes a final land use decision.

IV. MARION COUNTY URBAN GROWTH MANAGEMENT FRAMEWORK

The Coordination Agreement between a city and the County is required to be consistent with the Urban Growth Management Framework of the Marion County Comprehensive Plan. The Framework provides guidelines a city may choose to follow when coordinating urban growth boundary needs with the County. The decision on how to use any applicable coordination guidelines of the Framework is up to a city and there can be several approaches taken by cities to coordinate planning efforts with the County consistent with the Framework.

To facilitate coordination between the City and County, the Aurora Comprehensive Plan has been amended to incorporate applicable policies and guidelines found in the Marion County Urban Growth Management Plan. The City shall consider applicable Aurora Comprehensive Plan policies and guidelines when making land use decisions within the UGA.

V. AREA OF MUTUAL CONCERN (AMC)

The area of land identified in Exhibit "A", attached to this agreement, lies outside the Aurora UGB and shall be known as the Area of Mutual Concern (AMC). Land use decisions within this area may have a significant impact on future growth plans of the City of Aurora. The County recognizes this interest and agrees to coordinate with the City as follows:

1. The County shall retain responsibility for land use decisions and actions concerning and affecting lands within the AMC.

2. The County shall provide notice and request for comments of pending land use actions within the AMC to the City at least 20 days before the initial evidentiary hearing or land use decision when no public hearing is held. Where the first scheduled action on a proposal is a public hearing and the City responds in writing within 10 days requesting additional time in which to review the proposal, the City's time for submitting comments may be extended until the next regularly scheduled hearing before that body. If no additional hearing is involved, the City shall be allowed an additional 10 days to submit comments.
3. The County shall discourage development and zone changes that would preclude future redevelopment and urbanization of the area. The County shall encourage applicants for land divisions to submit plans for the efficient future re-division of the land to urban densities.
4. The County shall send notice of land use decisions within the AMC to the City when requested by the City, when such decisions are issued. Applicable appeal periods set by County ordinance or State statute shall apply to such decisions.
5. The County shall send notice of public hearings to the City within the times prescribed by County ordinance or State law prior to hearings on appeals of such decisions, when requested by the City.
6. The City may at its discretion develop studies as to the suitability, feasibility, and effectiveness of extending urban facilities such as water and sewer service to land within the AMC. Such studies shall not be construed by Marion County or others as being a violation of the City's or County's Comprehensive Plans. The City will not, however, extend such facilities into this area without first obtaining appropriate amendments to the City and County's Comprehensive Plans. This provision is intended to recognize that certain facility planning requires consideration of timetables that extend beyond the 20-year planning period recognized in the City Plan and it is therefore appropriate for specialized facility planning to be undertaken for the area.

VI. APPEALS

If no mutual agreement can be achieved in the course of reviewing amendments or land use applications as noted in Sections II, III and V, each party retains its right to appeal as provided in State law.

IT IS HEREBY UNDERSTOOD AND AGREED that this agreement shall remain in effect unless terminated by one of the parties through the formal action of its governing body by giving the other party a thirty day (30) termination notice, in writing.

It is further understood that this agreement may be reviewed by the City and County every year.

The City shall pass a resolution authorizing the Mayor and City Recorder to enter into this agreement on behalf of the City. The resolution shall be made a part of this agreement and attached hereto.

IN WITNESS THEREOF, the respective parties hereto have caused this Agreement to be signed in their behalf the day and year first above written.

MARION COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

APPROVED AS TO FORM:

Marion County Legal Counsel

CITY OF Aurora



Mayor

Kelley A. Richardson

City Recorder

Sending Confirm

Date : AUG-27-2010 FRI 08:32
Name :
Tel. :

Phone	:	15035886094
Pages	:	10
Start Time	:	08-27 08:04
Elapsed Time	:	04'54"
Mode	:	ECM
Result	:	Ok

RESOLUTION NUMBER 612

A RESOLUTION DELEGATING EMPLOYMENT AUTHORITY TO THE MAYOR

WHEREAS, the City Charter provides that the City Council has the authority to determine who should be offered employment or continued to be employed; and

WHEREAS, the Council finds that at times it is not in the best interests of the City of Aurora for employment decisions to be delayed until such time as the full Council may be able to meet to consider such matters; and

WHEREAS, the Council finds that such a time currently exists for employment decisions with regard to the Aurora Police Department and that circumstances are likely to remain so for the next 90 days;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

Section 1. The City Council delegates its employment authority over the Aurora Police Department to the Mayor for 90 days following the adoption of this Resolution, provided:

- A. The Mayor consults with, but need not get the approval of, the Council President prior to taking any action that changes any employment status; and
- B. The Council confirms within 30 days any action taken by the Mayor under this authority.

Section 2. The City Council may terminate this delegation of authority at any time.

ADOPTED by the Aurora City Council at a City Council meeting held on September 21, 2010. This resolution is effective upon adoption.

Dated this 21 day of September, 2010.

APPROVED AS TO FORM:



City Attorney



Jim Meirow, Mayor

ATTEST



City Recorder

Resolution Number 612
A Resolution Delegating Employment Authority to the Mayor
City Council Meeting
September 21, 2010