

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 2/9/16 **Approx Start Time:** 1:30 PM **Approx Length:** 60 minutes

Presentation Title: Proposed Gladstone City Library

Department: BCS

Presenters: Gary Barth, Director BCS, Laura Zentner, Deputy Director BCS, Chris Storey, County Counsel

Other Invitees:

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff is requesting input and direction from the Board regarding the City of Gladstone's current plans to design and construct a combination City Hall/City Library building in downtown Gladstone to serve the citizens of Gladstone as well as an expanded unincorporated service area currently served by the Oak Lodge Library.

EXECUTIVE SUMMARY:

The City of Gladstone has received city voter approval to construct three new city public facilities; a new Library, City Hall and Police Station. The vote approving the new City Library was approved by city voters in November 2014. It requires that the Library be constructed in downtown Gladstone and prohibits the use of city funds in the construction. A subsequent vote in November 2015 was approved by city residents authorizing the design and construction of the new City Hall and Police Station. With the approval to construct all three city facilities, the City Council has decided to design and construct a combination City Hall/City Library facility on the site of the current City Hall.

As no city funds can be used to construct the dedicated library portion of the combined building, and no library designated funds can be used to fund the dedicated portion of City Hall, the finances used in constructing this combined facility will need to be independently tracked and aligned with approved and authorized use of funds.

The Board has previously taken action relating to the construction of a new Gladstone City Library sufficient to serve their existing service area plus a large percentage of the unincorporated Oak Lodge Library Service. Upon closure of the Oak Lodge Library, the intent was that the population previously served by the Oak Lodge facility would be assigned to the service areas for the City of Milwaukie and City of Gladstone Library facilities. The split will be roughly 70% to Gladstone and 30% to Milwaukie upon completion of the Gladstone Library and related closure of the Oak Lodge Library.

A timeline is included as an attachment to highlight key milestone dates and previous Board action. The first action of the Board was in 2008 placing a new Library District formation measure on the November 2008 ballot. The measure passed providing long-term sustainable funding to all libraries throughout the county and allowed the county to provide a one-time capital contribution to all libraries in the county before redirecting future general fund dollars previously allocated to libraries to other essential county services. The Board also made the decision to close the county-run libraries and re-assign those service areas to the nearest designated "Library City".

The Board will recall that at the time of Library District formation, the Estacada Library District was already in place. That district, serving roughly the area of the Estacada School District, was formed to issue a bond to build a new Estacada Library. Estacada wanted to be included in the boundaries of the new Library District to provide long term sustainable funding for their library operations, but there was the issue of having two District's overlapping for similar functions. For that reason, the county-wide Library District was formed with the primary intent to provide operational funding to libraries and not fund debt for capital as was the case with the Estacada District. Once the Estacada Library District has completed its intended purpose, it can be dissolved removing the conflict of overlapping service districts. A plan for dissolution of that District is attached and will be addressed by the Board this fiscal year.

In April of 2011 the Board entered into an Intergovernmental Agreement (IGA) with the City of Gladstone to provide a capital contribution of \$2.5 million towards the construction of Gladstone's planned new Library on Webster Road. \$1 million of that \$2.5 million was spent on design and construction documents for the planned Webster Road Library.

In May 2012 Gladstone voters passed a ballot measure requiring a public vote to authorize construction of a city facility costing \$1 million or more or to use city funding in constructing city facilities. As a result of the May 2012 ballot measure approval, the City placed a measure on the November 2012 ballot requesting city voter approval to proceed with the construction of the Webster Road library. That measure failed 44% yes to 54% no.

Based on the outcome of that vote, and the uncertainty that resulted, the county requested that the remaining \$1.5 million in capital funds for the Webster Road library be returned to the county and held until an alternative course of action could be agreed upon.

For the next year and a half, the City worked on alternative library plans, redirecting focus from Webster Road to downtown Gladstone and developing a financing plan that would not require use of any city funds.

In July of 2014, the City had finalized a proposed plan and sought assurance from the county that they could use the remaining \$1.5 million being held by the county towards this alternative library plan. In a study session, the Board approved Gladstone's new library plan. The City then placed a measure on the November 2014 ballot requesting voter approval for the new library. The measure passed.

Over the course of 2015, the City began contemplated the need for additional public facilities, specifically a new City Hall and Police Station. Through the course of that planning the concept emerged that could combine a new City Hall and Library into a single building on the site of the current city hall. The City already had voter approval for the Library but needed approval for the City Hall and Police Station. A measure was placed on the November 2015 ballot requesting voter approval to construct these two additional facilities. The measure passed providing the city with voter approval to construct all three facilities and paving the way to pursue the combination City Hall/Library facility.

In December, the Oak Lodge Library Citizen Advisory Board sent a letter to the County Administrator and the Gladstone City Manager expressing some concerns with the proposed plan to construct a combination facility and the associated financing plan that does not have the city contributing to the library construction as well as the limited amount of public engagement with the unincorporated citizens who would represent over 70% of the Gladstone service

population and whose Library District taxes would help fund the construction of this new city library to serve their future library needs.

The Board was provided a brief update of this new plan at a recent Issues discussion and directed staff to return to the Board in Study Session for a more in-depth conversation.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? BCS is custodian of the \$1.5 million in county capital funds as well as the Oak Lodge Library operating reserves accrued due to operating out of limited space since District formation

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals? Board direction to BCS to divest of county run library facilities
- How does this item align with the County's Performance Clackamas goals? Public trust in government

LEGAL/POLICY REQUIREMENTS:

County Counsel was involved in the creation of the Library District, drafted the IGA between the Library District and Library City's and the IGA between the County and library cities for library capital contributions. There is pending action towards the dissolution of the Estacada Library District, eliminating the issue of overlapping service districts.

PUBLIC/GOVERNMENTAL PARTICIPATION:

County-wide vote to form the Library District. City of Gladstone held votes on various ballot measures impacting the proposed new city library location, design and financing plan. The City had a citizen advisory group participate in planning and design of the Webster Road facility that was not approved by voters. The city then formed a new citizen advisory group to work on the alternative plan for a library downtown, which included some citizen representation from the unincorporated service area. The Gladstone Library and the Oak Lodge Library both have citizen advisory boards with a representative from each serving on the Library District Advisory Board.

OPTIONS:

1. **Approve the City's proposed City Hall/Library combination facility in the downtown location including the proposed financing plan** that consists of the county capital contribution of \$1.5 million, a portion of the current Oak Lodge operating reserves from accumulated Library District fund distribution and debt to be repaid from future Library District fund distributions. Request that the City increase the public engagement efforts with the unincorporated population in the design and development of the new library, to provide proportional representation relative to the population to be served. Amend the current IGA to reflect these actions.
2. **Recommend alternatives to the proposed library plan** for follow-up discussion with the City of Gladstone.

3. **Propose termination of the current IGA by mutual agreement due to material change in the new library project plans.** Reconsider the previous Board action to close the Oak Lodge library and transition the unincorporated services area to the cities of Milwaukie and Gladstone due to the significant change in Gladstone library location, design and financing from the facility contemplated in the current IGA. Direct staff to work with the City of Gladstone to determine their ability and willingness to serve a larger unincorporated population area than they currently serve today, which would require a significant and increased engagement with residents of that expanded service area in the planning and design of the new facility. The city would not be adversely impacted by terminating the IGA as they would remain a Library City and continue to receive their current Library District distribution based on their existing service area. As they would not be taking on a larger unincorporated service area however, they would no longer have cause to receive the \$1.5 million in county capital fund contribution that was predicated on serving that larger unincorporated service area. The city could plan its library future with its current library advisory board and the county could work with the Oak Lodge Library Board to explore alternatives to the existing Oak Lodge facility, including proposed uses of the \$1.5 million county capital contribution plus the accumulated reserves accrued by the Oak Lodge library pending for a long term facility solution.

RECOMMENDATION:

Staff does not have a firm recommendation as each option has opportunities and challenges. Staff does recommend that the Board considered the options in the context of what action has the potential to provide the most equitable library services to the residents of the Gladstone and Oak Lodge service areas, and that is comparable to those facilities provided to other residents of the Library District throughout the entire District Service Area.

ATTACHMENTS:

IGA's

Timeline and exhibits

Webster Road Library Fact Sheet

Ballot measures

Letter from County Administrator to City of Gladstone

BCC Study session staff report July 2014

Letters from Oak Lodge Library District Board to BCC and County Administrator

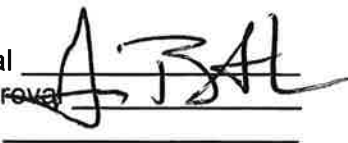
Draft Estacada Library Service District Plan for Dissolution

SUBMITTED BY:

Division Director/Head Approval

Department Director/Head Approval

County Administrator Approval



New Gladstone City Library

Timeline of Events and Activities

Historical Background and Perspective

Jan 2000

- City of Gladstone acquires a 10 acre site on Webster Road for \$3.1 million

Feb 2007

- Gladstone City Council designates the 10 acre site as “Gladstone Nature Park” to include a park, trails and new library

Nov 2008

- Clackamas County voters approve creation of the County Library District to provide sustainable, long-term funding to libraries in the county

New Library Design Process Underway

County Contributes Capital Funds

Early 2009

- City of Gladstone appoints a citizen advisory committee to participate in design and development of a new city library on the Webster Road property, replacing the current downtown library

Aug 2009

- **City of Gladstone signs an Intergovernmental Agreement (IGA) with the County Library District** as a Library City eligible for Library District fund allocation – 100% of the city's assessed value plus an amount based on their pro rata share of the unincorporated population served

Apr 2011

- **City of Gladstone signs an IGA with Clackamas County** calling for the county to provide \$2.5 million in capital funds to go towards construction of the planned library on Webster Road

Gladstone Voters Determine New Approach for Library

Apr 2011

- Final design for a \$10 million, 19,000 square foot library submitted to the City Planning Commission. Vote was 3-3, so design was not approved

May 2012

- Gladstone residents pass Measures 3-394 and 3-395 (55%/45% and 56%/44%) requiring a public vote of the citizens to incur debt or spend \$1 million or more on a Gladstone public building, respectively.

Nov 2012

- City of Gladstone voters vote no on measure 3-413 (44% to 56%) which would have authorized the construction of the \$10 million library on Webster Road

County Requests Return of Remaining Capital Funds

Mar 2013

- **County Administrator sends letter to City of Gladstone requesting the immediate return of the remaining \$1.5 million** in county capital funds noting that those funds were provided for a “specific project” that was rejected by City voters and that new alternatives would need to be explored.

May 2013

- City of Gladstone returns the \$1.5 million to the county where it is currently held in the Department of Business & Community Services

May 2013 – July
2014

- City of Gladstone works on an alternative plan for a new library that would be acceptable to Gladstone residents

Alternative Plan on Gladstone Ballot

Jul 2014

- City of Gladstone proposes a smaller library, to be built in downtown Gladstone and not requiring use of any city funds. The City seeks BCC approval to use the \$1.5 million being held by the county for this new library plan before placing the measure on the November 2014 ballot.
- **BCC approves Gladstone's new plan at the July 8, 2014 study session**

Nov 2014

- Ballot measure 3-446 to authorizing construction of a new smaller library on Portland Avenue in downtown Gladstone while prohibiting use of city funds is passed by the Gladstone voters

Fall 2015

- City of Gladstone considers the prospect of a building a combined City Hall/Library facility at the site of the current City Hall, subject to voter approval for a new City Hall and Police Station

Gladstone Voters Approve Construction of New City Hall and Police Station

Provides voter approval necessary for a combined City Hall/Library

Nov 2015

- Gladstone residents pass measure 3-446 passes authorizing construction of a new City Hall and Police Station using a combination of Urban Renewal funds, state revenue sharing and proceeds from city-owned property sales

Dec 2015

- The Oak Lodge Library Advisory Board sends a letter to the Gladstone City Manager and Clackamas County Administrator expressing concerns with the City's proposed City Hall/Library concept and financing plan, along with a belief that the unincorporated population to be served by this proposed facility has not been adequately engaged or represented in location, design and financing decisions
- Pending – the County Administrator is prepared to respond to that letter once the Board provides input and direction to staff

Now
Jan-Feb 2016

- Staff provides Board with an update on City of Gladstone's new plan for a combo City Hall/Library on location of existing City Hall and shares input provided by citizens. Board requests a Study Session set for February 9th
- The City is requesting a return of the remaining \$1.5 in county capital contribution per the April 2011 IGA so they can get started on the design of the new facility since no city funds can be used on the library portion of the facility per measure 3-446 passed in November 2014

2011 Plan and Current Plan

	2011		2016			
	New Library Original Proposal Ballot Measure 3-413 Nov 2012 Fails		New Library Current Proposal Ballot Measure 3-446 Nov 2014 Passes		New City Hall and Police Station Ballot Measure 3-471 Nov 2015 Passes	
Square Feet	19,000		13,000			
Projected Service Population	40,897		40,897			
Square Feet/Population Served	0.46		0.32			
Cost	\$ 13,100,000		\$ 6,365,000			
Financing Plan:						
10 acre site off Webster Road	\$ 3,100,000	24%	\$ -	0%	\$ 3,000,000	Proceeds from city-owned property sale(s)
County General Fund	\$ 2,000,000	15%	\$ 1,000,000	16%	\$ -	
Library District Revenue Reserve	\$ 500,000	4%	\$ 1,375,000	22%	\$ -	
Grants, Donations, Fund Raising	\$ 1,000,000	8%	\$ -	0%	\$ 890,000	State revenue sharing to the City
Gladstone Urban Renewal	\$ 6,500,000	50%	\$ -	0%	\$ 7,800,000	Urban Renewal
Debt repaid with Library District Funds	\$ -	0%	\$ 2,700,000	42%	\$ -	
Interest on Debt paid with Library District Funds	\$ -	0%	\$ 1,290,000	20%	\$ -	
	<u>\$ 13,100,000</u>	<u>100%</u>	<u>\$ 6,365,000</u>	<u>100%</u>	<u>\$ 11,690,000</u>	
City		73%		0%		
County		15%		16%		
Grants, Donations		8%		0%		
Library District		4%		84%		
		<u>100%</u>		<u>100%</u>		

Service Area Population

Library	Service Area Population	City	Unincorporated	Unincorporated Percentage	Bldg SF	SF/Pop Served
Hoodland	5,233	0	5,233	100%	1,800	0.3
Oak Lodge	28,886	0	28,886	100%	8,722	0.3
Estacada	16,858	2,850	14,008	83%	12,000	0.7
Happy Valley	50,437	14,965	35,472	70%	18,300	0.4
Molalla	22,159	8,110	14,049	63%	10,000	0.5
Sandy	24,817	9,880	14,937	60%	11,800	0.5
Milwaukie	39,628	20,435	19,193	48%	12,250	0.3
Gladstone	20,157	11,495	8,662	43%	5,100	0.3
Oregon City	55,544	32,500	23,044	41%	20,000	0.4
Canby	23,257	15,865	7,392	32%	11,000	0.5
Wilsonville	22,484	18,267	4,217	19%	28,677	1.3
Lake Oswego	39,757	34,206	5,551	14%	27,100	0.7
West Linn	28,993	25,370	3,623	12%	27,150	0.9
Total	378,210	193,943	184,267	49%	193,899	0.5
After Closure of Oak Lodge						
Milwaukie	48,294	20,435	27,859	58%	TBD	
Gladstone	40,377	11,495	28,882	72%	13,000	0.3

City of Milwaukie working on expansion plan for Ledding Library

Media Coverage

Date	Focus
5/15/12	Gladstone citizens approve ballot measure requiring citizens vote on public facilities
10/3/12	Gladstone to place measure on November ballot for new library on Webster Road
11/6/12	Ballot measure fails
5/6/13	Gladstone returns \$1.5 million in capital funds to the county
7/1/14	“New library plan” could conflict with Library District use of funds
7/8/14	BCC agrees to allow use of the \$1.5 million in new Gladstone library plan
11/4/15	Gladstone places measure on November ballot for a smaller library in downtown Gladstone that will not require use of city funds. Measure passes
11/3/15	Gladstone residents approve ballot measure to build a new police station and City Hall

Traffic Impact Study

1. The study area intersections of SE Oatfield at SE Webster, SE Cason at SE Webster Road and SE Webster Road at the proposed site access are all operating within acceptable levels of service and will continue to operate at acceptable levels with the proposed library. No mitigations (improvements) are recommended for level of service.
2. The study demonstrated that there would be no need for a northbound left-turn lane on SE Webster at entrance to the new library so no left-turn lane is recommended.
3. The study also demonstrated a lack of need for a marked crosswalk at either the proposed site access or a the Nature Path access from Oatfield Road so no pedestrian crossing treatments are recommended. However the City is working with the architects on the possibility of a crosswalk at Cason and Webster Roads.

Sustainable Features of Current Design

Highly efficient mechanical system
Low Flow Plumbing fixtures provide a 35% reduction in potable (drinkable) water use
Daylight and occupancy sensors on light fixtures reduces energy consumption
Native plantings is maintained, protecting wildlife habitat
Design maximized daylight and views for occupant comfort and energy reduction
75% of construction waste will be diverted from landfills
Light colored roofing reduces the heat island effect of the building
Highly insulated exterior wall and roof reduced energy consumption
High efficiency thermally insulated glass reduces energy use
Sunscreens on south of the building façade reduce energy use
Operable windows increase ventilation for air quality and occupant comfort
Minimum 50% of hardscape surfaces are light colored reducing the heat island effect on the site
Secure bike parking promotes alternative transportation
Stormwater planters filter rainwater
Native and adaptive landscaping requires no irrigation reducing potable water use
Full cut off site downlights reduce light pollution - exterior site lighting that has no direct uplighting so that no light emits about the horizon. The goal of the lighting scheme is not to shine up into the sky and also not to shine over the property line
Goal that 20% of materials have recycled content
Goal that 10% of materials are extracted, processed, and manufactured within 500 miles of the site
All adhesives, sealants, paints, coatings, carpet, and composite wood products are low emitting materials for improved indoor air quality
35% of buildings electricity is provided by renewable sources through a green power provider

City of Gladstone
July 2011

Layout & Design by



Gladstone, OR
503 • 655 • 1758

New Library in Gladstone

Question, Answer & Fact Sheet



Q. Why does Gladstone need a new public library?

A. The existing 5,100 square foot library is 49 years old. It has been remodeled and enlarged 3 times and is at complete space capacity. It has only seven parking spaces, one of which is a handicapped space. This small building houses a collection of 66,824 items, in multiple sections connected by stairs. There are no ramps or elevators to assist patrons with mobility needs and space for public meetings or activities is virtually nonexistent. The Oregon Library Standard for just Gladstone's service population is a minimum of 15,000 square feet.

Q. Why is the Oak Lodge Library closing?

A. When the Library District was developed, the Board of County Commissioners made the decision to transition the County out of the direct provision of library services. The Board of County Commissioners agreed that Oak Lodge Library would remain open until a joint Oak Lodge and Gladstone library is built and the two libraries merge under the management of the City of Gladstone.

Q. Why is the City building up on Webster Road rather than in downtown business area of Gladstone?

A. The wooded, scenic 11 acres site between Oatfield and Webster Roads provides ample space for the new library, which requires a minimum of four acres for the building, landscaping, parking, access, etc. Building the library downtown would have required condemnation of existing homes and businesses, not only a very expensive undertaking but also one that would have drastically altered the feel of downtown.



Process So Far

In January of 2000 the City of Gladstone acquires the 10 acre property between Oatfield and Webster Roads.

In February of 2007 the City Council adopts a resolution "designating the property as "Gladstone Nature Park" with clear intent of using a portion of the property for parks and a new library building while keeping most of the property as natural as possible."

In November 2008 the voters of Clackamas County approve the formation of a countywide library district.



In 2009 the Gladstone City Council passes a resolution confirming the city owned property between Oatfield and Webster Roads as the site for the new library, approves the formation of the New Library Planning Committee, and appoints citizens to that group.

The New Library Planning Committee was responsible for setting up five public meetings in January-February 2010 to gather feedback as to the programs and services residents would like to see offered in the new library.

Also in 2010 the Council selects THA Architecture Inc as the firm to design the new library, approves the formation of the New Library Design Committee and appoints citizens to that group.

The New Library Design Committee is responsible for working with the architects to create the design for the new library based on feedback collected from the January/February 2010 meetings.

During the latter part of 2010 and the first part of 2011 the Gladstone Urban Renewal Agency approves the use of Urban Renewal funds for the new library project. The City Council approves the Intergovernmental Agreement with the County, agreeing to serve the residents currently served by the County run Oak Lodge Library.

In February and March of 2011 two design options are presented to the public (at two Open Houses) for feedback and preference. One design is preferred by the vast majority of the attendees.

That design is finalized by the architects and the New Library Design Committee members and submitted by the City of Gladstone to the Gladstone Planning Commission for a zoning and design review public hearing at the Commission's April 19, 2011 meeting.

The public hearing is continued at the Commission's May 17, 2011 meeting

The public hearing is continued at the Planning Commission's June 21, 2011 meeting.

Commission member vote is 3 to 3 so the design fails to pass design review process.

The City is appealing that outcome.

The City's appeal of the Planning Commission's new library design review decision/outcome was heard during the Council's July 12, 2011 meeting and will be continued at the August 9, 2011 City Council meeting.

Once the design is approved the architects will finish the construction documents and the City will begin the bidding process to select a construction company. Then it is onto the groundbreaking and the construction phase. It is hope that the new library doors will open sometime during the fall of 2012.

Q. Why is the City building a 19,000 square foot library?

A. During 5 public meetings held in January and February of 2010, residents of Gladstone and Oak Lodge areas were asked what programs and services they would like to see in a new library. Using that feedback, and responses from staff from both libraries, a professional library programming consultant determined that the new library be between 17,000 to 25,000 square feet. After many discussions it was determined that right now a 25,000 square foot building was not appropriate for the community. The architects and the New Library Design Committee started working on the basic concepts within the \$10 million budget. It was decided to build a 19,000 sq ft library that is designed for future expansion.



New Library Project

Cost

Library Project Total - including permits, site preparation, design, fees, construction, and furniture/fixtures/equipment, etc. \$10,000,000

Revenue

Contribution from Clackamas County General Fund (received \$1,000,000 by every public library in Clackamas County)

Contribution from Clackamas County General Fund (for consolidating Services areas with Oak Lodge Library) \$1,500,000

Total County contribution \$2,500,000

Grants, Donations, Fund Raisers \$1,000,000

Gladstone Urban Renewal Agency - minimum amount \$6,500,000

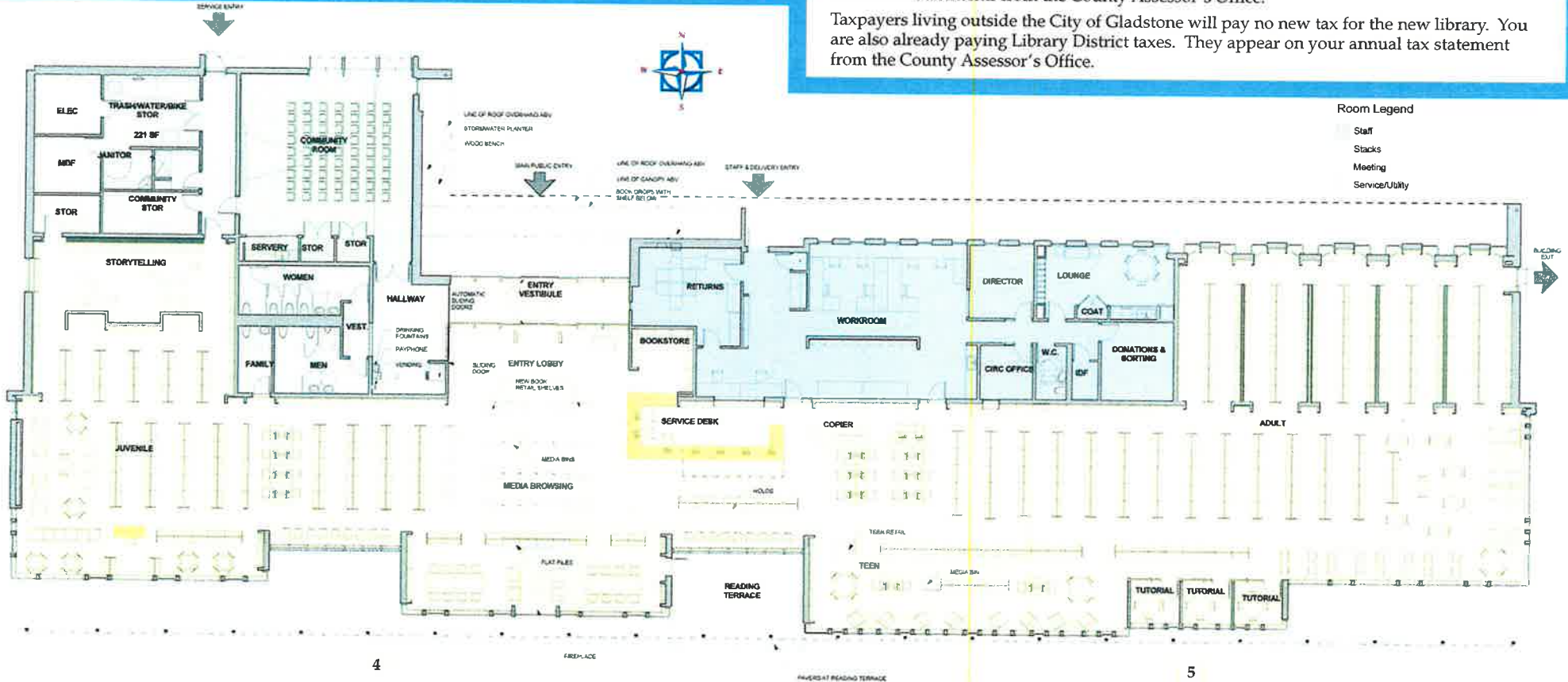
Gladstone Urban Renewal Agency - maximum amount \$7,500,000*

Total Revenue \$10,000,000

*City of Gladstone currently receives revenue from the Gladstone Urban Renewal District of approximately \$ 758,228.00 annually. The City will borrow money against future Urban Renewal revenue, very much like you would borrow money for a home mortgage using your anticipated future income for payments. The repayment amount for the first year would be approximately \$620,000. The majority of the amount would come from the annually collected Urban Renewal funds. City staff is currently determining how much Library District funding could be used to offset debt repayment. The Library contribution towards repayment could be in the \$200,000 to \$300,000 range. This would significantly reduce expenditures from the Urban Renewal Fund and help insure over the course of the loan that everyone in the library service area contributes to the capital construction expense. The City is considering a 14 year finance term. The estimate on interest expense on \$7.5 million over the 14 year could total \$2.5 million.

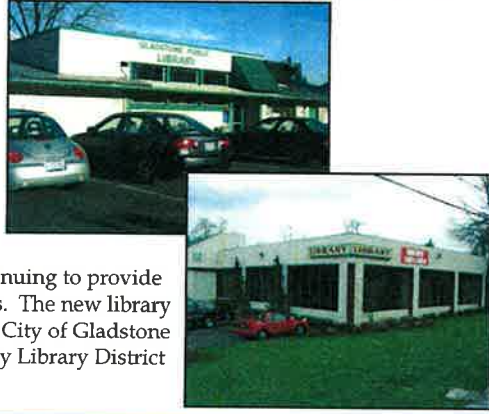
Taxpayers living in the City of Gladstone will pay no new tax for the new library. You are already paying Urban Renewal Agency and Library District taxes. They appear on your annual tax statements from the County Assessor's Office.

Taxpayers living outside the City of Gladstone will pay no new tax for the new library. You are also already paying Library District taxes. They appear on your annual tax statement from the County Assessor's Office.



Q. What will happen when the Gladstone and Oak Lodge Libraries merge?

A. The new library will provide services to the residents currently being served by the Oak Lodge and Gladstone Libraries. The Oak Lodge Library will close its rented doors, as mandated by the County Commissioners. The total population in the merged library service area is 46,300, of which 34,085 are unincorporated residents and 12,215 are Gladstone residents. The library collections will also merge, continuing to provide materials of interest to both populations. The new library will be operated and maintained by the City of Gladstone with monies from the Clackamas County Library District tax revenues.



Q. What difference does the Library District funding make to the new library project?

A. The passage of the Library District in November of 2008 provides permanent, designated funding for all the public libraries in Clackamas County. The two merged service areas, Gladstone and Oak Lodge, will generate \$1.4 million a year of Clackamas County Library District funds to operate the new library. This increase in revenue means the Gladstone general fund will no longer be required to supplement library expenses resulting in an approximate savings of \$159,000 per year which will be used to repay the Urban Renewal debt.

Q. What features are included in the new library?

- A. Other than the obvious increase in square footage, here are just some of the differences/ upgrades included in the current design:
- Total ADA accessibility
 - 50 parking spaces
 - A community room
 - Shelving for a larger collection
 - Designated storytelling area
 - More public access Internet terminals
 - Designated quiet reading areas
 - Designated teen/young adult area with seating and study tables
 - Ability for patrons to check out library materials themselves
 - Three study rooms for tutoring, small groups studying, proctoring of exams, etc.
 - Much more seating for reading as well as tables for studying or using personal laptops



Service Area Population

Population served currently by Gladstone Library = 20,305 total residents
12,215 Gladstone residents (within city limits) • 8,090 Unincorporated residents
Anticipated population to be served by new library in Gladstone = 46,331
12,215 Gladstone residents (within city limits) • 34,116 Unincorporated residents

Transportation Options/Access to new location - 18235 Webster Rd Gladstone

Tri-Met Bus

Bus #33 - Oak Lodge area via McLoughlin Blvd.

- runs weekdays, Saturdays & Sundays about every 20 minutes

At Arlington & McLoughlin transfer to Bus #79 Clackamas Oregon City Bus #79 Clackamas/Oregon City - via Arlington/Portland Ave/Dartmouth/Oatfield/Webster

- runs weekdays, Saturdays & Sundays about every 30-40 minutes

Bus # 32 Oatfield Rd - runs weekdays & Saturdays - about every 30 minutes - use Nature Path on library property from Oatfield Rd and it will take you to new library

Bus #34 River Rd - runs weekdays about every 70 minutes - transfer to Bus #79 at Arlington & McLoughlin or Dartmouth & Portland Avenue

Senior Tram - discussions have taken place with Senior Center about having the Senior Tram available on an established schedule to pick people (of all ages) up in downtown Gladstone and transport them to and from the new library. Details of the plan still need to be worked out.

Pedestrians - Webster Road has sidewalks on both east and west sides of the road. Oatfield has a sidewalk on the east side of the road and a dirt shoulder on the west side of the road. Pedestrians can access the property from Oatfield by using the Nature Path. There is a handicapped accessible pedestrian/bicyclist walkway from the Webster Road entrance that takes you to the front entrance to the building.

Bicyclists - there are designated bike lanes on both Oatfield and Webster Roads.

There is quite a grade but the new library will be accessible from Oatfield using the Nature Path. There is a pedestrian/bicyclist walkway from the Webster Road entrance that provides access to the bike racks and the front entrance of the building.

RECORDING MEMO

X	New Agreement/Contract
	Amendment/Change Order Original Number _____
	Policy, Reports,

ORIGINATING COUNTY
DEPARTMENT: Business and Community Services, Library

PURCHASING FOR: N/A

OTHER PARTY TO
CONTRACT/AGREEMENT: The City of Gladstone

BOARD AGENDA DATE: April 7, 2011

AGENDA ITEM NUMBER: D.1.

PURPOSE: Intergovernmental Agreement (IGA) between
Clackamas County and the City of Gladstone for
Capital Contribution.

Clackamas County Official Records
Sherry Hall, County Clerk
Commissioners' Journals
Agreements & Contracts

2011-3400

04/12/2011 03:52:28 PM

Please return to County Library, Debbie Smith after recording.
Thank you.

March 2011

COOPERATIVE INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY
AND
THE CITY OF GLADSTONE

THIS COOPERATIVE INTERGOVERNMENTAL AGREEMENT (this "Agreement"), is entered into this 7 day of April, 2011, by and between the Clackamas County (the "County") a political subdivision of the State of Oregon, and the City of Gladstone, a municipal corporation (the "City").

WHEREAS, the County has formed the Library District of Clackamas County (the "District"), a county service district dedicated to supporting the provision of library services within its boundaries; and

WHEREAS, as part of the preparatory process for the formation of the District, the Board of County Commissioners proposed a one-time contribution from the County general fund to each city providing library services in the District for the sole purpose of capital improvements to the libraries therein (the "Capital Contribution"); and

WHEREAS, the City and other cities within the District have entered into a separate intergovernmental agreement dated August 20, 2009 with the District for the distribution of District funds for the purposes of operating, maintaining and enhancing services at the libraries within the District (the "District IGA"); and

WHEREAS, the County is entering into similar intergovernmental agreements with city library service providers ("Library Cities") for their respective Capital Contributions; and

WHEREAS, the parties desire to enter into this Agreement to reflect the terms of the Capital Contribution by the County;

NOW, THEREFORE, the County and City each covenant and agree to the following:

Section 1 Obligations of the County

- 1.1 County Capital Contribution. The County shall provide a one-time capital contribution of Two Million Five Hundred Thousand and No/100 Dollars (\$2,500,000.00) to the City for the purposes set forth in Section 2.2 (the "Capital Contribution"), which will be distributed in one or more distributions pursuant to Section 1.3 hereof. The goal of distributing such capital funds is to assist libraries in meeting the Service Standards as defined in the District IGA. The Capital Contribution shall consist of \$1 million from the County general fund as with all other Library Cities as defined in the District IGA, \$1 million

amend ↗
March 2011

from the County Library Capital Fund originally intended for capital improvements to County-operated libraries, and \$500,000 from anticipated savings in County Library operations.

- 1.2 Library Capital Trust Fund. The County shall allocate a guaranteed amount per fiscal year to a County-managed dedicated library capital trust fund (the "Capital Fund") as scheduled and set forth in Exhibit A (the "Disbursement Schedule").
- 1.3 Capital Fund Distribution. The County shall disburse the Capital Contribution from the Capital Fund to the City and other Library Cities based on the Disbursement Schedule. The County shall make distributions up to the maximum available amount for that fiscal year. Such distribution will be made by the County no earlier than January of such fiscal year and no later than 60 days after the City submits to the County a capital plan identifying how the City will use the Capital Contribution. If requests for distributions in a given fiscal year are for a total amount less than the total amount in the Capital Fund, the County shall carry forward such balance to the next fiscal year for distribution as requested. The Parties intend that City shall receive its disbursement in February 2011.
- 1.4 Changes In Capital Fund Disbursement Schedule. To the extent the City desires a change in the schedule of disbursement, the City shall meet with representatives of the other Library Cities as constituted by the Library District Advisory Committee or otherwise and arrive at a mutually agreeable reordering of the Disbursement Schedule, which shall then be presented to the County Board for its approval. The City hereby consents to an alteration of the Disbursement Schedule without requiring the adoption of a specific amendment upon presentation of a resolution agreed to by a majority of the representatives of the Library Cities consenting to such change and upon approval of the requested change by the Board of County Commissioners.
- 1.5 Library Network. The County currently funds and operates the Library Network of Clackamas County (the "Network") to support the provision of services by the libraries in Clackamas County. The County shall fund the Network to provide the following services at an overall service level at least equal to that being provided by Network in fiscal year 2008/2009:
 - 1.5.1 Automated library system and related telecommunications and technical support;
 - 1.5.2 Courier services;
 - 1.5.3 Administration;
 - 1.5.4 Database management services including creating/acquiring MARC format bibliographic records;
 - 1.5.5 Inter-library loan services;
 - 1.5.6 Inter and intra-regional cooperative library planning;

- 1.5.7 Shared online databases for public use; and
- 1.5.8 Internet Service Provider for member libraries.

The County shall not be financially or otherwise responsible for the provision of new services requested or added to Network at the request of the City. To the extent the City or Library Cities generally request new or additional services, such requesting provider(s) will be billed back on separate contracts initiated as services are added. Such agreements shall not modify or restrict the covenants and agreements of the parties hereto.

Section 2 Obligations of the City

- 2.1 Capital Fund Disbursement. The City shall receive its Capital Contribution pursuant to Sections 1.3 and 1.4 hereof.
- 2.2 Use of Funds. The City shall expend the Capital Contribution solely for library purposes such as library construction, remodel, expansion, building and site improvements, library construction bonded debt service, and/or collection development.
- 2.3 Proof of Use. After distribution, the County may monitor the use of the Capital Contribution to ensure that these County general funds are used for purposes permitted by Section 2.2. Upon request of the County the City shall provide a certification that the Capital Contribution has been so used to the head of the Business and Community Services Department of Clackamas County or his or her designee.
- 2.4 Library Board Representation. The City shall provide for fair representation of served library patrons on the City's Library Board, including patrons from unincorporated Clackamas County.

Section 3 Term and Termination

- 3.1 Term. This Agreement shall commence on July 1, 2010 and automatically renew annually thereafter, unless otherwise terminated as set forth herein.
- 3.2 Termination. This Agreement shall terminate upon the agreement of both parties, or upon one hundred eighty (180) days prior written notice from one party to the other.
- 3.3 Amendment. This Agreement may be amended at any time upon the agreement of both parties.

- 3.4 Failure of the City to use Capital Contribution for Library Purpose. If the City at any time uses the Capital Contribution other than for purposes permitted in Section 2.2., the City will be in material breach of this Agreement and shall promptly repay to the County that portion of the Capital Contribution not so used plus accrued interest on such sum calculated from the date of disbursement to the date of repayment at a rate of 6% per annum.

Section 4 General Provisions

- 4.1 Indemnification. Each party shall release, defend, indemnify and/or hold harmless the other, its officers, commissioners, councilors, elected officials, employees, and agents, from and against all damages, claims, injuries, costs, or judgments that may in any manner arise as a result of the party's performance under this contract, subject to Oregon Tort claims limitations.
- 4.2 Governing Law. This Agreement shall be construed and governed in all respects in accordance with laws of the State of Oregon, without giving effect to the conflict of law provisions thereof.
- 4.3 Savings. Should any portion of this Agreement or amendment thereto be adjudged by a Court of appropriate final jurisdiction to be in violation of any local, state or federal law, then such portion or portions shall become null and void, and the balance of the Agreement shall remain in effect. Both parties shall immediately renegotiate any part of this Agreement found to be in such violation by the Court and to bring it into compliance with said laws.
- 4.4 Reasonable Attorney's Fees. In the event any action is brought to enforce, modify or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys fees and costs incurred in connection with such action or on appeal or review; said amount to be set by the court before which the matter is heard.
- 4.5 Notices. Formal notices, demands and communications between the Parties shall be deemed given three (3) business days after being sent by registered or certified mail, postage prepaid, return receipt requested to the principal offices of the Agency and the City as designated herein. Such written notices, demands and communication may be sent in the same manner to such other addresses and to such other persons and entities as either party may from time to time designate by mail as provided in this section. Notices shall be sent to the addresses shown below and to the attention of the person indicated.

The principal offices and mailing address of the Parties are:

Clackamas County
Attn: Board of County Commissioners

March 2011

2051 Kaen Road
Oregon City, Oregon 97045

With a copy to:
Clackamas County Libraries
Attn: Doris Grolbert, Library Director
150 Beavercreek Road, 4th Floor
Oregon City, OR 97045

City of Gladstone
Attn: Pete Boyce, City Administrator
525 Portland Avenue
Gladstone, Oregon 97027

- 4.6 No Personal Liability. No member, official, agent, or employee of the County or any City shall be personally liable to the other or any successor-in-interest thereto in the event of any default or breach by such entity.
- 4.7 No Agency. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- 4.8 Entire Agreement. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing by the appropriate authorities of the party granting such waiver.
- 4.9 Further Action. The parties hereto shall, without additional consideration, acknowledge, execute, and deliver from time to time such further instruments as a requesting party may reasonably require to accomplish the purposes of this Agreement.
- 4.10 Non-Waiver of Rights. The failure of a party to insist on the strict performance of any provision of this Agreement or to exercise any right, power or remedy upon a breach of any provision of this Agreement shall not constitute a waiver of any provision of this Agreement or limit the party's right thereafter to enforce any provision or exercise any right.
- 4.11 Time is of the Essence. A material consideration of the parties entering into this Agreement is that the parties will perform all obligations under this Agreement

in a timely manner. Time is of the essence as to each and every provision of this Agreement.

- 4.12 Restricted Assignment. No party hereto may assign its rights, responsibilities or obligations hereunder to another party, by operation of law or otherwise, without (i) seeking and receiving an amendment of this Agreement and (ii) having said party join this Agreement on the terms, conditions and covenants herewith.
- 4.13 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and such counterparts shall constitute one and the same instrument.
- 4.14 Library Authority. Clackamas County operates public libraries pursuant to a board order creating public libraries for all Clackamas County residents dated July 9, 1938, as amended and updated pursuant to Board Order 85-1221 dated October 31, 1985. The Library Cities operate or in future plan to operate public libraries under state law within their boundaries. Under the District IGA, the Library Cities have agreed to provide public library services in unincorporated areas of the County as well as within City boundaries. Clackamas County nonexclusively delegates the authority to operate public libraries for the benefit of incorporated and unincorporated residents of Clackamas County to the City.

Section 5 **Transition of Oak Lodge Library**

- 5.1 Transfer of Operations. The County currently operates the Oak Lodge Public Library for the benefit of unincorporated residents in the Oak Lodge Service Area as defined in the District IGA. The City operates the Gladstone Public Library for the benefit of its citizens and a number of unincorporated residents in the surrounding area. Upon completion of a new Public Library located at 18235 Webster Road, the Oak Lodge Library will close and the City's service population will change as specified in the District IGA to include areas of the Oak Lodge service population. The City shall provide for fair representation of served library patrons on the City's library board, including patrons from unincorporated Clackamas County to comply with Section 2. .4.
- 5.2 Transfer of Employees. County employees of the Oak Lodge Public Library may be transferred to the employ of the City pursuant to ORS 236.605-640. No later than ninety (90) days before the opening of the new public library both parties agree to enter into a separate agreement regarding the transition of materials, resources and labor from the Oak Lodge Public Library to the new Public Library.
- 5.3 Transfer of Assets. The County will transfer or assign, as appropriate, to the City all assets of the Oak Lodge Public Library desired by the City as agreed by

March 2011

the parties. No later than ninety (90) days before the opening of the new public library both parties agree to enter into a separate agreement regarding the transition of materials, resources and labor from the Oak Lodge Public Library to the new Public Library.

[Signature Page Follows]

Exhibit A**Disbursement Schedule**

	Year 1 2009/10	Year 2 2010/11	Year 3 2011/12	Year 4 2012/13	Year 5 2013/14	TOTAL
Annual Distribution	3,500,000	3,000,000	2,500,000	2,000,000	1,250,000	12,250,000
Prior Year Carryover	--	1,350,000	350,000	850,000	--	
Total Funds Available	3,500,000	4,350,000	2,850,000	2,850,000	1,250,000	
Library Cities:						
<i>Canby</i>				1,000,000		1,000,000
<i>Estacada</i>	1,000,000					1,000,000
<i>Gladstone</i>		2,500,000				2,500,000
<i>Happy Valley</i>		2,000,000				2,000,000
<i>Lake Oswego</i>			1,000,000			1,000,000
<i>Milwaukie</i>				1,000,000		1,000,000
<i>Molalla</i>	150,000			850,000		1,000,000
<i>Oregon City</i>		1,000,000				1,000,000
<i>Sandy</i>			1,000,000		250,000	1,250,000
<i>West Linn</i>	1,000,000					1,000,000
<i>Wilsonville</i>					1,000,000	1,000,000
Total						13,750,000
Carryover:	1,350,000	350,000	850,000	--	--	

March 2011

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers or representatives as of the day and year first above written.

THE CITY OF GLADSTONE	CLACKAMAS COUNTY
By: <u>Wade Byers</u>	By: <u>[Signature]</u>
Title: Mayor	Title: Chair
ATTEST: <u>[Signature]</u>	ATTEST: <u>Mary Raethke</u> 4-7-11 D.I.

RECORDING MEMO

<input checked="" type="checkbox"/> New Agreement/Contract
Amendment/Change Order Original Number _____
Policy, Reports, _____

ORIGINATING COUNTY
DEPARTMENT: Business and Community Services, Library

PURCHASING FOR: N/A

OTHER PARTY TO
CONTRACT/AGREEMENT: The City of Gladstone

BOARD AGENDA DATE: August 20, 2009

AGENDA ITEM NUMBER: VI. 1.

PURPOSE: Intergovernmental Agreement (IGA) between
Library District and the City of Gladstone for
District revenue.

Clackamas County Official Records
Sherry Hall, County Clerk
Commissioners' Journals
Agreements & Contracts

2009-4169

08/24/2009 09:20:03 AM

Please return to County Library, Debbie Smith after recording.
Thank you.



Dan Zinzer
Director

BUSINESS AND COMMUNITY SERVICES

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

August 20, 2009

Library District Board
Clackamas County

Members of the Board:

Cooperative Intergovernmental Agreement between the Library District of Clackamas County
and the City of Gladstone for District Revenue

Attached please find an Intergovernmental Agreement, (IGA) between the Library District of Clackamas County and the City of Wilsonville for the City to receive District revenue to provide public library service. This Agreement shall commence on July 30, 2009 and continue until terminated.

In November 2008 the eligible citizens of Clackamas County voted to authorize the creation of a county service district to support libraries at a property tax rate of \$0.3975 per \$1,000 AV, and in December 2008 the Library District of Clackamas County (the "District") was formed. The county service district structure requires the Board of County Commissioners to act as the District governing body. The Library District was formed to provide stable funding for library services throughout Clackamas County by collecting District-wide property taxes and distributing those funds directly to library service providers. This attached Library District Intergovernmental Agreement, was developed for the purpose of distributing operating funds from the newly formed Library District to library service providers. The approval of the IGA completes the process to authorize distribution of District revenue to the library cities who have also approved and signed the agreement.

Business and Community Services recommends the Library District Board approve the Library Intergovernmental Agreement between the Library District of Clackamas County and the City of Gladstone.

RECOMMENDATION:

The Business and Community Services respectfully recommends that the District Board approve and sign the attached IGA.

Sincerely,

Dan Zinzer, Director
Business and Community Services

**PROPOSED FINAL MASTER IGA v.5
LIBRARY DISTRICT
2 March 2009**

**COOPERATIVE INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE LIBRARY DISTRICT OF CLACKAMAS COUNTY
AND
MEMBER CITIES**

THIS COOPERATIVE INTERGOVERNMENTAL AGREEMENT (this "Agreement"), is entered into this ____ day of _____, 2009, by and between the Library District of Clackamas County (the "District") a county service district formed under ORS Chapter 451, and each of the Cities of Barlow, Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, West Linn, and Wilsonville (each, a "City" and collectively, the "Cities").

WHEREAS, voters approved formation of the District to provide financial support to the library service providers of Clackamas County (the "Library Cities"); and

WHEREAS, the Parties desire to work in a cooperative manner to support and provide library services to their residents; and

WHEREAS, many of the Cities participate in the Clackamas County-supported Library Network of Clackamas County, which is discussed in an intergovernmental agreement by and between the participating Cities and Clackamas County; and

WHEREAS, the Cities desire funding by the District and to provide the levels of service described herein;

NOW, THEREFORE, the District and Cities each covenant and agree to the following:

Section 1 Obligations of the District

- 1.1 District Board. The Board of County Commissioners acting under the provisions of ORS 451 is the governing body of the District and shall be known as the District Board.
- 1.2 District Advisory Committee. The District Board shall organize and appoint a District Advisory Committee consisting of one nominee from each Library City consistent with the policies and procedures of Clackamas County and/or the District for advisory committees. The District Board shall appoint the individual nominated by the Library City governing body to fill the service area's representative seat. The District Advisory Committee shall be responsible for meeting at least annually to consider: (i) the evaluation reports of participating libraries as submitted pursuant to Section 2.3, (ii) any proposed changes to this Agreement pursuant to the amendment process described in Section 3.3, and (iii) any impact of the annexation or withdrawal of territory from the District pursuant to Sections 3.4 and 3.5 hereof.

- 1.3 District Budget Committee. State law also requires that the District constitute a Budget Committee consisting of the members of the District Board and an equal number of citizens, who may be nominated pursuant to existing County budget committee procedures. The role and responsibilities of the Budget Committee shall be as set forth in the applicable statutes.
- 1.4 District Revenue. The District has a permanent tax rate of \$0.3974 per \$1,000 of assessed value, collected from all parcels of real property in the District.
- 1.5 Distribution of Revenue. Revenues generated by the District permanent rate, including delinquent taxes, are allocated, appropriated and expended pursuant to the budget adopted by the District Board. The District Board agrees to allocate, appropriate, and distribute the funds of the District pursuant to the formula as defined on Attachment A (the "Formula") for the service areas as shown on the maps included as Attachment B ("Service Area Maps"). The Formula may be reevaluated as necessary by the Parties to this Agreement. Any change to the Formula shall occur as an amendment to this Agreement.
- 1.6 Transition Payments. The parties hereto acknowledge and agree that the District shall distribute funds to Clackamas County for the operation of the Clackamas Corner and Oak Lodge Libraries pursuant to the alternative Service Area Maps described on Attachment B until such time as the City of Happy Valley and the City of Gladstone construct facilities sufficient to serve such area. During the term of such distributions, the Parties anticipate that the County libraries will be operated in a manner consistent with the Service Standards. Upon completion of such facilities, distributions shall be made based on the indicated Service Area Maps. To the extent the annual distribution of funds to Clackamas County is greater than the annual need to operate such libraries, the District shall retain such funds in trust for the Cities of Gladstone and/or Happy Valley, respectively, for distribution at such time as such City is constructing new library facilities.
- 1.7 Library Authority. Clackamas County operates public libraries pursuant to a board order creating public libraries for all Clackamas County residents dated July 9, 1938, as amended and updated pursuant to Board Order 85-1221 dated October 31, 1985. The District has received a delegation of such authority from Clackamas County to operate as a public library for the benefit of incorporated and unincorporated residents of Clackamas County pursuant to an Intergovernmental Agreement. To the extent necessary to insure the legal and effective functioning of the public libraries of Clackamas County but in no way intended to limit or otherwise restrict the powers or abilities of the City service providers to operate public libraries, the District hereby delegates such authority to operate public libraries for the benefit of incorporated and unincorporated residents of Clackamas County to each City service provider a party hereto or as may join this Agreement from time to time.

Section 2 Obligations of the Cities

- 2.1 **Use of Funds.** The Library Cities will use District revenue to provide public library service, and shall expend the entire library revenue paid under this Agreement in accordance with the purpose for which it was provided by implementing a plan to achieve the Service Standards. For the purposes of this Agreement, "Service Standards" shall mean (i) the standards described on Attachment C, (ii) the provision of services to all District residents on the same terms, and (iii) the proper expenditure of funds as described in this Section 2.1. District funds may not be used to support general overhead or administrative costs of Cities except to the extent such overhead or administrative costs are directly related to the provision of library services and/or the operation of a public library. It is the intention of the parties to work cooperatively in helping each city make progress in meeting the Service Standards.
- 2.2 **Library Management.** Library Cities retain administrative control over the library and library services in its service population. Each such City is responsible for developing library services based on the needs of its service population and the available revenue. The Library Cities will cooperate with the District Advisory Committee to assist in the review of library services to District residents.
- 2.3 **Cooperation and Reporting.** Each Library City will cooperate to the maximum extent practicable with other participating Cities to form standardized rules, procedures, and programs that affect the District and the provision of library services in Clackamas County as a whole. Each Library City will provide the District with (i) copies of its annual report to the State of Oregon regarding the provision of library services, (ii) a report on its efforts to meet OLA Threshold Standards as defined on Attachment C, and (iii) any supplemental reports that the District through both the District Advisory Committee and the District Board may require.

Section 3 Term and Amendment

- 3.1 **Term.** This Agreement shall commence on July 1, 2009 and continue until terminated as set forth herein.
- 3.2 **Termination.** This Agreement shall terminate upon the dissolution of the District.
- 3.3 **Amendment.** Except as specifically provided in Section 4.14, this Agreement may be amended at any time upon the agreement of the District and two-thirds of the Library Cities; *provided, however*, that any amendment that would amend that portion of the Formula providing for the return of one hundred percent (100%) of revenue collected within a City service provider's boundaries to such City service provider shall require the unanimous consent of all Cities serving on the District Advisory Committee.

- 3.4 Changes in District Territory. The parties hereto recognize that during the term of this Agreement changes in the District territory may occur, such as (i) territory outside the District may annex into the District, (ii) territory currently in the District may withdraw by annexation into a non-participating City, or (iii) unincorporated territory currently in the District may annex into a participating City. The District shall inform the District Advisory Committee of any such changes, and the District Advisory Committee shall review the Service Area Maps and the Formula and recommend any amendments to this Agreement necessary to adjust for such changes.
- 3.5 Incorporation of a City within District Boundaries. Should an unincorporated area within the District choose to incorporate during the life of the District, the District Advisory Committee shall make a recommendation to the District Board of whether the newly-incorporated city qualifies as a service provider as such term is generally used in this Agreement, and if so to what extent the Formula should be adjusted to allow for a distribution to such new service provider. If the newly-incorporated city does not qualify as a service provider, the District Advisory Committee shall make a recommendation to the District Board regarding the impact, if any, of the new city on the provision of library services. Any proposed changes shall be addressed as an amendment to this Agreement.

Section 4 General Provisions

- 4.1 Indemnification. Each party shall release, defend, indemnify and/or hold harmless the other, its officers, commissioners, councilors, elected officials, employees, and agents, from and against all damages, claims, injuries, costs, or judgments that may in any manner arise as a result of the party's performance under this contract, subject to Oregon Tort claims limitations.
- 4.2 Governing Law. This Agreement shall be construed and governed in all respects in accordance with laws of the State of Oregon, without giving effect to the conflict of law provisions thereof.
- 4.3 Savings. Should any portion of this Agreement or amendment there to be adjudged by a Court of appropriate final jurisdiction to be in violation of any local, state or federal law, then such portion or portions shall become null and void, and the balance of the Agreement shall remain in effect. All Parties shall immediately renegotiate any part of this Agreement found to be in such violation by the Court and to bring it into compliance with said laws.
- 4.4 Reasonable Attorney's Fees. In the event any action is brought to enforce, modify or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys fees and costs incurred in connection with such action or on appeal or review; said amount to be set by the court before which the matter is heard.

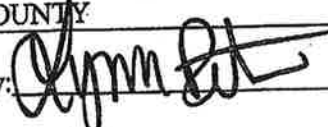
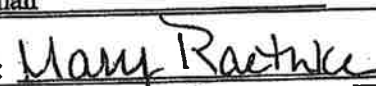
- 4.5 Notices. Formal notices, demands and communications between the Parties shall be deemed given three (3) business days after being sent by registered or certified mail, postage prepaid, return receipt requested to the principal offices of the party hereto, or upon confirmation of receipt via facsimile, electronic transmission, or hand delivery. Such written notices, demands and communication may be sent in the same manner to such other addresses and to such other persons and entities as either party may from time to time designate by mail as provided in this section.
- 4.6 No Personal Liability. No member, official, agent, or employee of the County, the District, or any City shall be personally liable to the other or any successor-in-interest thereto in the event of any default or breach by such entity.
- 4.7 No Agency. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- 4.8 Entire Agreement. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing by the appropriate authorities of the party granting such waiver.
- 4.9 Further Action. The parties hereto shall, without additional consideration, acknowledge, execute, and deliver from time to time such further instruments as a requesting party may reasonably require to accomplish the purposes of this Agreement.
- 4.10 Non-Waiver of Rights. The failure of a party to insist on the strict performance of any provision of this Agreement or to exercise any right, power or remedy upon a breach of any provision of this Agreement shall not constitute a waiver of any provision of this Agreement or limit the party's right thereafter to enforce any provision or exercise any right.
- 4.11 Time is of the Essence. A material consideration of the parties entering into this Agreement is that the parties will perform all obligations under this Agreement in a timely manner. Time is of the essence as to each and every provision of this Agreement.
- 4.12 Restricted Assignment. No party hereto may assign its rights, responsibilities or obligations hereunder to another party, by operation of law or otherwise, without (i) seeking and receiving an amendment of this Agreement, (ii) having said party join this Agreement on the terms, conditions and covenants herewith, and (iii) with a demonstration that such new party has the capability and

durability to meet or exceed the levels of library service currently being provided by the party seeking to assign. The District Advisory Committee shall evaluate any request for assignment and make a recommendation to the District Board regarding the granting or denial of the same based on the above criteria, including the District Advisory Committee's determination of criteria (iii) above.

4.13 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and such counterparts shall constitute one and the same instrument.

4.14 Enforcement of Terms. The Parties hereto recognize that the District is relying on the good faith and commitments of the Library Cities to utilize the funding provided by the District in the promised manner. The Parties expect that to the extent there is any noncompliance or breach of this Agreement, the Parties will discuss such noncompliance or breach in the District Advisory Committee and encourage an effort towards compliance. If discussions and encouragement do not remedy the continued failure of a party to meet the Service Standards or other term of this Agreement, then the District Advisory Committee shall meet to consider an amendment to this Agreement to create incentives for compliance, including but not limited to withholding of District funds, reallocation of unincorporated residents to neighboring service areas, or other such actions as may be deemed appropriate. The Parties hereto agree that in an event of a material breach of this Agreement by one of the Parties, an amendment proposed to specifically address such breach shall require a two-thirds vote of the Library Cities, including but not limited to any amendment which would reduce the breaching City's 100% return on assessments within such City's boundaries, either via a Formula amendment or otherwise.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers or representatives as of the day and year first above written.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS, AS THE GOVERNING BODY OF THE LIBRARY DISTRICT OF CLACKAMAS COUNTY
By: 
Title: Chair
ATTEST: 

8-20-09 VI-1

THE CITY OF BARLOW	THE CITY OF CANBY
By: _____	By: _____
Title: _____	Title: _____
ATTEST: _____	ATTEST: _____

THE CITY OF ESTACADA	THE CITY OF GLADSTONE
By: _____	By: <u>Wade Byers</u>
Title: _____	Title: <u>Mayor</u>
ATTEST: _____	ATTEST: <u>[Signature]</u>

THE CITY OF HAPPY VALLEY	THE CITY OF LAKE OSWEGO
By: _____	By: _____
Title: _____	Title: _____
ATTEST: _____	ATTEST: _____

THE CITY OF MILWAUKIE	THE CITY OF MOLALLA
By: _____	By: _____
Title: _____	Title: _____
ATTEST: _____	ATTEST: _____

THE CITY OF OREGON CITY	THE CITY OF RIVERGROVE
By: _____ Title: _____	By: _____ Title: _____
ATTEST: _____	ATTEST: _____

THE CITY OF SANDY	THE CITY OF WEST LINN
By: _____ Title: _____	By: _____ Title: _____
ATTEST: _____	ATTEST: _____

THE CITY OF WILSONVILLE	
By: _____ Title: _____	
ATTEST: _____	

Attachment A

1. For the purposes of this Agreement, the "Formula" shall be calculated consistent with the following concepts:
 - a. The District rate is \$0.3974 per \$1000 of assessed value.
 - b. Each year the District will receive the amount collected for the year plus delinquent taxes recovered from the previous year. The District will distribute funds when received using the formula described below and shown in the example.
2. The Formula has two components:
 - a. City Assessed Value Component: The annual distribution to a Library City for properties within its boundaries shall equal the assessed value of such Library City's properties, as established annually by the Clackamas County Assessor, divided by the total assessed value of all properties in the District. This determines the Assessed Value Percentage Rate for each Library City. Each Library City will receive funds equal to the Assessed Value fund amount multiplied by its individual Assessed Value Percentage Rate.
 - b. Unincorporated Population Served Component: After calculation of each Library City's Assessed Value fund amount, the District shall calculate the remaining funds to be distributed (the "Remainder Amount") and distribute those funds based on the Unincorporated Population Served Percentage Rate based on the Service Area Maps attached to this Agreement as Attachment B. The term "Unincorporated Population" will also include residents of those cities that do not provide library services.

The Unincorporated Population Served Percentage Rate is determined by the number of unincorporated residents served by each City as allocated on the Service Area Maps divided by the total number of unincorporated residents within the District. Each Library City will receive funds equal to the Remainder Amount multiplied by its individual Unincorporated Service Area Percentage Rate.
3. Prior year recovered delinquencies and interest earned: Recovered delinquent taxes combined with any interest earned will be distributed to Library Cities based on the distribution percentage allocations calculated in the previous tax year.

Below are examples of the distribution of funds based on 2008 assessed values and population figures. The spreadsheet assumes the new Gladstone/Oak Lodge and Happy Valley libraries have not yet been constructed.

Library District Distribution Formula

Assessed Value 2008		
Total County Assessed Value (AV)	\$32,936,836,893	100%
Less: Non-Participating City AV	\$(1,239,770,249)	-4%
Equals: Total Library District AV	\$31,697,066,644	96%

Participating Cities:	Assessed Value	
Canby	\$999,941,295	6%
Estacada	\$179,662,976	1%
Gladstone	\$635,886,719	4%
Happy Valley	\$1,508,430,197	9%
Lake Oswego	\$4,756,391,295	28%
Milwaukie	\$1,467,817,328	9%
Molalla	\$409,821,923	2%
Oregon City	\$2,002,572,357	12%
Sandy	\$551,473,814	3%
West Linn	\$2,655,549,376	16%
Wilsonville	\$1,652,437,025	10%
Total Participating Cities AV	\$16,819,984,305	100%
Total Library District AV	\$31,697,066,644	100%
Less: Participating Cities AV	\$(16,819,984,305)	-53%
Equals: Unincorporated AV in District	\$14,877,082,339	47%

Unincorporated Population 2008		
Canby	10,221	6%
Estacada	16,802	9%
Gladstone	8,506	5%
Happy Valley (Town Center)	32,373	18%
Lake Oswego	3,305	2%
Milwaukie	10,756	6%
Molalla	15,001	8%
Oregon City	28,015	15%
Sandy	22,236	12%
West Linn	5,691	3%
Wilsonville	3,421	2%
Oak Lodge	28,036	15%
	184,363	100%

Example District Calculations		
Assuming \$12 million in tax receipts		
Total District Tax Receipts		
Total Tax Collected	\$12,000,000	100%
City Assessed Value	\$6,367,776	53%
Unincorporated Population Served	\$5,632,224	47%

City Distribution of Receipts				
	Assessed Value	Pop Served	Total	
			\$	%
Canby	\$378,562	\$312,248	\$690,810	6%
Estacada	\$68,018	\$513,295	\$581,313	5%
Gladstone	\$240,736	\$259,855	\$500,592	4%
Happy Valley (Town Center)	\$571,067	\$988,984	\$1,560,051	13%
Lake Oswego	\$1,800,693	\$100,967	\$1,901,660	16%
Milwaukie	\$555,692	\$328,592	\$884,284	7%
Molalla	\$155,152	\$458,275	\$613,427	5%
Oregon City	\$758,142	\$855,848	\$1,613,990	13%
Sandy	\$208,779	\$679,302	\$888,081	7%
West Linn	\$1,005,348	\$173,858	\$1,179,206	10%
Wilsonville	\$625,586	\$104,510	\$730,096	6%
Oak Lodge	\$-	\$856,490	\$856,490	7%
	\$6,367,776	\$5,632,224	\$12,000,000	100%

Attachment B

Service population maps are included as Attachment B.

1. The maps divide Clackamas County into library service areas. These areas are based on distance, roads, rivers, travel patterns, etc. and are intended to define where people are most likely to receive library service, and to give a Library City the ability to meet the library threshold standards in Attachment C. Each Library City's service area has been constructed by assigning Census tracts into library service areas. Based on census data compiled every 10 years, the population in each census tract will be verified and then the total unincorporated population within each service area will be used to calculate the Formula.
2. For the continuation of library service to the citizens in the Oak Lodge and Clackamas Corner areas, the service area boundaries and population served totals will not change until the new Happy Valley Library is open and the new Gladstone/Oak Lodge Library is open. As each new facility is opened to the public, the service population will be adjusted to the new agreed-upon boundaries found in this Attachment. The population service area changes and resulting increase in payments for unincorporated population served will take place in the fiscal year following the library opening.

[See attached maps]

Attachment C
Service Standards

The Parties agree that all library service providers shall strive to meet OLA Threshold Standards, with a particular emphasis on:

STAFFING: Provide qualified staff employed by the library as outlined in the table below:

Population Served	Threshold Staffing Level
0 - 2,499	0.5 FTE, with high school diploma
2,500 - 4,999	0.35 FTE/1,000 served. Director has B.A.
5,000 - 9,999	0.35 FTE/1,000 served. Director has B.A.
10,000 - 24,999	0.35 FTE/1,000 served. Director has MLS.
25,000 - 49,999	0.35 FTE/1,000 served. Director has MLS. 1/5 of staff has MLS.
50,000 - 499,999	0.33 FTE/1,000 served. Director has MLS. 1/5 of staff has MLS.

MATERIALS: Provide the number of volumes in the library's total collection as spelled out in the table below:

Population served	Threshold Materials
0 - 49,999	Material collection of 5,000 items or two items per capita, whichever is greater.
50,000+	Material collection of two items per capita.

ACCESS: Provide and post open hours which fit the community's need, including evening and weekend hours, and provide the minimum standards listed in the table below:

Population served	Threshold
0 - 4,999	20 hours
5,000 - 9,999	30 hours
10,000 - 24,999	40 hours
25,000 +	50 hours

NOTE: Total staffing levels and material volumes may be constrained by current facility size limitations. The Parties understand and agree that a strategic plan that recognizes such size limitations and adjusts staff and material goals accordingly is an acceptable implementation of this standard.

GLADSTONE

August 5, 2009

Doris Grolbert
Oak Grove Library
16201 SE McLoughlin Blvd.
Oak Grove, OR 97267

Re: Library District IGA

Dear Doris:

The Gladstone City Council approved the Cooperative Intergovernmental Agreement between the Library District of Clackamas County and Member Cities at its meeting on July 14, 2009. Please find enclosed a signed copy of the IGA.

Sincerely,


Peter J. Boyce
City Administrator

enc

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: (503) 650-8938
E-Mail: (last name)@
ci.gladstone.or.us
Website:
www.ci.gladstone.or.us

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224 ext. 1
E-Mail: municourt@
ci.gladstone.or.us

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 655-8211
Website:
www.ci.gladstone.or.us

Fire Department
555 Portland Avenue
Gladstone, OR 97027
(503) 557-2776
Website:
www.ci.gladstone.or.us

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: (503) 655-2438
E-Mail: qiref@lincclib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: (503) 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: (503) 722-9078

Clackamas County

Measure 3-310

Ballot Title

ESTABLISH A COUNTYWIDE LIBRARY SERVICE DISTRICT IN CLACKAMAS COUNTY

QUESTION: Shall District be formed for countywide libraries to restore hours and retain services; \$0.3974 per \$1000 assessed value beginning FY2009?

SUMMARY: If approved, the "Library Service District of Clackamas County" ("Library District") would be formed. Its territory would be countywide, exempting the cities of Damascus, Johnson City, and that portion of Tualatin within Clackamas County. Creation of the Library District would do the following:

- Provide permanent and dedicated library funding;
- Allow libraries to make basic repairs and library improvements;
- Restore all libraries' ability in the Library District to purchase more books and materials; and
- Prevent reductions in services and closure of some city libraries.

Declining federal funding to counties creates a shortfall for local programs, including libraries. The creation of a Library Service District would ensure a dedicated long-term funding source for library services, allowing libraries to retain educational resources and programs.

The Library District would be governed by the Board of County Commissioners and advised by an independent citizen committee. All of the monies shall be spent on library operations and services. An annual audit is available to the public.

Explanatory Statement

If approved, the "Library Service District of Clackamas County" ("Library District") would be formed. Its territory would be countywide, exempting the cities of Damascus, Johnson City, and that portion of Tualatin within Clackamas County.

Current Library Services

The libraries of Clackamas County currently work together to provide important community services, including:

- **Educating youth:** Public libraries shoulder a greater proportion of this role today as school library budgets are cut.
- **Fostering literacy:** Libraries support literacy education efforts by providing teaching resources and space for tutoring.
- **Providing information and referral services:** Libraries provide information in areas of personal interest, research, business development, or to support recreational interests.
- **Serving pre-school children:** Libraries provide educational opportunities by supplying rotating collections of books to pre-school centers, holding weekly story hours and craft events and special programs directed at pre-school children.
- **Serving the elderly and home-bound:** Libraries provide rotating collections housed in retirement centers and direct loan service to home-bound, and provide large print and audio books.
- **Providing cultural opportunities:** Artistic, musical, and cultural experiences are held at libraries usually without fee and libraries in Clackamas County provide "Cultural Passes" so that patrons can take their children to museums and gardens free of charge.

This work is currently supported by annual payments from the County general fund to supplement city libraries and provide fund-

ing for County operation of three libraries serving unincorporated residents. The County also funds the Library Network allowing the libraries to connect electronically, share their collections and work together to more efficiently provide library services.

Rationale for Proposal

However, declining federal funding to counties, including Clackamas County, has created a shortfall for local programs, including libraries. Clackamas County can no longer provide supplemental funding to city libraries or operate the three existing county libraries. The county has announced that, barring new funding, the three county libraries will close on June 30, 2009, and county-provided supplemental funding to city libraries will be reduced by 20% per year for the next five years, ending completely in 2014.

What the New District Would Provide

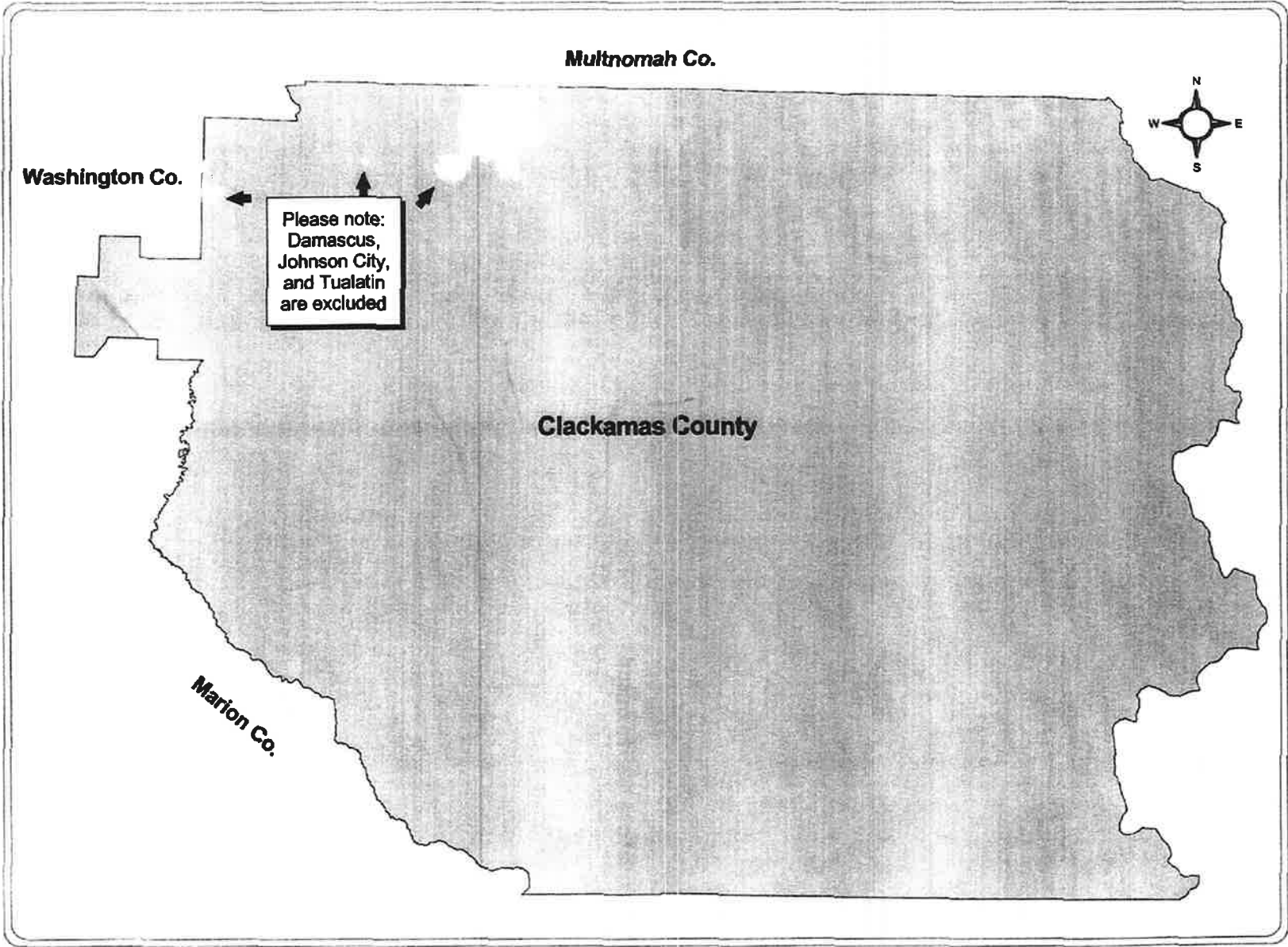
The creation of a Library District would ensure a stable, dedicated, and long-term funding source for library services, allowing libraries to retain their educational resources and programs. The Library District would implement a permanent rate of \$0.3974 per \$1,000 assessed value to exclusively fund library services. A home assessed at \$200,000 would pay approximately \$79.48 per year. This dedicated funding would allow the libraries in Clackamas County to stay open and continue their programs.

District Governance

The Library District would be governed by the Board of County Commissioners and advised by an independent citizen committee representing each library in the District. Each of these libraries would be required to ensure representation of both city and unincorporated residents on their local library board, whose designated member will then serve and represent their library on the District Advisory Board. An annual audit of District finances would be conducted and made available to the public.

(This information furnished by Christopher B. Storey, Assistant County Counsel.)

Measure 3-310 Formation of Library District of Clackamas County



Clackamas County

Measure 3-310

Clackamas County

Measure 3-310

Argument in Favor

VOTE YES FOR LIBRARIES

Oregon has a long record of support for public libraries. The first public library west of the Rockies was established in Oregon City in 1842. That was a subscription library, available only to those who could pay the fee of \$5 a year for access to the collection of about 300 books.

It was very early in the life of the State Legislature that Oregon provided for the creation of **free** public libraries. In 1901, under H.B. 2, the Oregon Legislature created funding for libraries by way of taxes against the assessed value of properties. These libraries were to be "**forever free for the use of the inhabitants**" of the cities of Oregon. This forward-looking gesture of providing for freely accessible lending materials was backed by severe penalties for defacing books: a fine of not more than \$50.00 (nor less than \$5), or imprisonment for up to 6 months. In a demonstration of the importance of the Act, Oregon declared an emergency under which it took effect immediately upon approval by the Governor. It was approved February 13, 1901.

Even in those times, the value of a publicly-funded library was understood. How much more important those libraries are today, when they provide universal access to information, is comparable only to the increased number of Oregonians using them.

Please **vote yes** for the **Library District** in Clackamas County. Our libraries need dependable, long-term funding. Formation of this District will provide it.

(This information furnished by Susan Layne Nielsen.)

Argument in Favor

Join the League of Women Voters of Clackamas County in supporting the Library District

Libraries serve everyone.

The library may be one of our most democratic institutions. People of all walks of life use their local library for a variety of needs, whether educational, entertainment, or job-related. The library provides us with resources on any topic from caring for your new baby, to children's reading programs, to retirement living alternatives. However, our library facilities, services, and hours of operation countywide are not reflective of the communities where they reside. With the significant and ongoing loss of federal revenues to the county general fund, a library district will provide dedicated, stable funding that will allow us to upgrade sub-standard facilities, book collections and service hours.

Cities will operate their own libraries.

The ten city libraries will continue to be owned and operated by their respective cities with the help of Library District funding. The three county libraries will be reorganized and managed by the Cities of Sandy, Gladstone and Happy Valley. 100% of the revenues generated by the new library district will be distributed back to cities to fund their libraries. The County will continue to fund inter-library services to maintain the efficiencies of shared collections.

A more populous county must be able to grow its libraries.

Stable and adequate funding provides critical educational and occupational resources at a time when schools are cutting their library services, and residents need resources to seek employment and upgrade job skills. Self education enhances our quality of life. Libraries serve us both personally and as a thriving county.

Vote Yes to support our libraries!

*(This information furnished by Heather Drake,
The League of Women Voters of Clackamas County.)*

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Clackamas County

Measure 3-310

Argument in Favor

What does the Library District mean for: Happy Valley/Clackamas Corner Library

With a YES vote:

- The city of Happy Valley will build a library and Clackamas Corner Library will move to this facility.
- Clackamas Corner Library will remain open at the present location until the new library is built.

With a NO Vote:

- Clackamas Corner Library will close by June of 2009.
- The collection and furnishing will be liquidated.

VOTE YES TO:

- **Save** equal access to education and information no matter who you are and how much money you have!
- **Save** reading programs for children.
- **Save** story times and early literacy programs.
- **Save** homework help and information for our students.
- **Save** free self-education through books and other materials.
- **Save** job searching and application opportunities.
- **Save** free cultural and recreational materials, programs and experiences.
- **Save** this cornerstone of democracy.

SAVE OUR LIBRARIES – VOTE YES!

Oak Lodge Library

With a YES vote:

- The City of Gladstone will work with the Oak Lodge Library community to build a new joint Gladstone/Oak Lodge Library.
- Oak Lodge will remain open until the facility is built.
- The Oak Lodge community will be represented on the new library board
- The library will provide safe access and parking.
- The library will provide educational, cultural and recreational materials and resources to enhance our lives.
- Public libraries will fill the gap left by reductions and closures of school libraries.
- Seniors can access large print, audio books and homebound programs to meet special needs.

A 'No' vote closes Oak Lodge Library by June of 2009.

SAVE OUR LIBRARIES – VOTE YES

(This information furnished by Jan Coulton, Clackamas Co. Friends of the Library.)

Argument in Favor

Lake Oswego Library Services Vital to the Community

Lake Oswego residents enjoy the services of an outstanding library, where more than **21,000 people hold library cards**. The Lake Oswego Public Library, a beloved local resource, is supported by city and county funds, as well as through donations made by individuals in the community.

The percentage of County Library funds allocated to the Lake Oswego Public Library has been diminishing for years, and by the year 2014 will be gone altogether. Clackamas County currently funds approximately 30% of the Lake Oswego Public Library budget, and for some Libraries County funding is the entire budget.

The Lake Oswego Library is a net borrower from other County Libraries because of the size of the collection, the facility and the number items circulated per capita. **Lake Oswego residents are the highest per capita users of Libraries in the state of Oregon.** As Lake Oswego Library users have checked out over 20,000 thousand more items annually than they have loaned to other Libraries, it is important for Lake Oswego patrons that all County libraries function at the threshold level countywide.

If libraries elsewhere in the county are closed, Lake Oswego residents will have diminished access to materials and would likely see an increased use of our facility as more people will come here and use our already popular and crowded library.

All the money generated by the measure in Lake Oswego will stay in Lake Oswego for library services and operations. The Library Measure will provide the Lake Oswego Library with additional funding dedicated to capital improvements, and assure maintenance of Library hours as well as programs and services for adults and children.

Please vote yes for our libraries. It's the right thing to do for our community.

(This information furnished by Colleen Bennett, President, Friends of the Lake Oswego Library Board of Directors.)

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Clackamas County Measure 3-310

Argument in Favor

Estacada Library Will Continue to Provide Services if Measure Passes

The Estacada Public Library is our community's heart. It is a gathering place for children, teens, parents and seniors. Here, children learn to read, seniors learn to use computers and everyone benefits from the books, magazines, CDs and other educational materials we provide. **If this measure does not pass, the Estacada Library will have to reduce hours, programs and the purchase of new materials.**

More than 3,000 people in the Estacada/Eagle Creek area have library cards. This summer alone, more than 660 children participated in our Summer Reading program. Our 26 public Internet computers log over 6,000 sessions monthly.

But there are tough times ahead. County funding for libraries will be zeroed out by 2014. Can you imagine our rural community without a local library that's free and open to all? We can't.

Measure 3-310 will set up a library district that will provide funding for the county's libraries and enable library services to remain intact. All the funds raised stay in the community where they were raised and all the funds are dedicated to library operations. **No money will go for county administration.**

Please save our libraries!

Stable Funding for Sandy and Hoodland Libraries

The measure creating a County library district is crucial to the future of our public libraries. **If the measure does not pass, hours of operation and programs at the Sandy Library will be cut and the Hoodland Library will close.**

The measure will:

- Provide funds to enable the library to better serve residents.
- Ensure that all citizens, regardless of age or ability to pay, would have access to books, educational materials and other library services without paying a fee.
- Help our children learn to read through the library's summer reading program.
- Keep library hours of operation for all citizens

Invest in the future for our kids and our communities.

Vote YES for the Library District!

(This information furnished by Jan Coulton.)

Argument in Favor

Say YES to the Library District.

The library district is critical to the future of the Wilsonville Public Library. The measure will provide stable core funding for the library.

Wilsonville citizens have made a significant investment in the Library building. The District insures a rich payoff for that investment for many years to come.

The District will cost the average homeowner only 23 cents per day, and each day:

- 300 local residents check out 1,500 items from the library
- Up to 100 children attend Storytime
- 100 people use the Library's computers
- 30 to 50 people use the meeting rooms or attend educational programs

The Library is vital to a strong community. It serves everyone without regard to income.

Without the District, 50% of the Library's funding will disappear starting in 2009.

Vote Yes. Keep our Wilsonville Library open.

Oregon City: First Public Library West of the Rockies

Oregon City was home to the first public library west of the Rockies in 1842. Our pioneer founders believed that a community could be made stronger by having a place where its citizens could share freely in educational and cultural materials. The library became the core of the new community and remains so today. With your help and support for the new library district, it will continue to serve future generations.

What does the library offer?

- A door to learning for pre-schoolers and other children
- An independent learning center for teens and young adults
- A reference, research and information center for people of all ages
- Books, magazines, compact discs, cassettes and videos for everyone

A vote for the library district will keep our library open and free.

More hours of operation, more materials, better service.

Please vote yes!

(This information furnished by Jan Coulton, Friends of Oregon City Library.)

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Clackamas County

Measure 3-310

Argument in Favor

Protect and Preserve the West Linn Library as the City's Cultural Center

Since 1939, the West Linn Library has been a vibrant and vital part of life in West Linn. As the City's cultural center, the library provides free and open access to a wide variety of materials and programs meeting the educational, informational, and recreational interests of the public.

This measure would create dedicated revenue for libraries to replace County funds no longer being allocated. The creation of the district would direct all revenues raised from West Linn taxpayers to the West Linn Library. Revenues generated from West Linn taxpayers will stay in West Linn to be used for the library's collection and research materials, and continued operations of the library.

Our community enjoys a 28,000 square foot facility with two public meeting rooms, a public art gallery, two computer labs, and wireless access throughout the building. More than 384,000 customers visit us each year, borrowing 670,000 books and audiovisual items. Last year 2,100 children and teens registered for the Summer Reading Program and nearly 14,000 people attended library programs for all ages. West Linn librarians answered approximately 22,000 reference and research questions and assisted over 30,000 people using the library's computers and Internet.

Your Yes vote is important! The Library needs your support to maintain the high level of service our community expects and deserves.

Vote Yes on the Library District – Protect and Preserve the West Linn Library as the City's Cultural Center:

- Open seven days a week, 52 weeks a year
- Year-round story times four times a week for kids
- Summer reading programs for kids and adults
- Teen advisory board
- Active volunteer program
- Art exhibits and artist receptions
- Concerts
- Book clubs
- Computer education classes
- Educational, recreational, and cultural programs

(This information furnished by Jan Coulton, Keep Our Libraries Open.)

Argument in Favor

Canby Public Library – Enriching our Community

Have you checked out the diverse offerings at the library lately? There is truly something for everyone! In addition to printed books and audiobooks, the Library has videos and DVDs, music CDs and downloadable books and movies.

The library provides:

- educational materials for students of all ages
- materials and programs that improve early literacy and school readiness
- storytime programs, family and movie nights, & special lectures
- local art exhibits
- access to the internet, computer stations and free wi-fi

The Canby Public Library has worked hard to meet the needs of our ever-growing community, but with diminishing resources from the County, the future of its services is in jeopardy. Already, funding cuts have resulted in drastic budget reductions, including cutting the open hours of the library by nearly 50%.

Without the stable and adequate funding of a library district, library hours will continue to shrink and programs and services will disappear.

**Support your community, support your library –
vote YES on measure 3-310**

Let's Keep the Heartbeat of Molalla Going!

Our public library is the heartbeat of Molalla. Over 500 kids participated in summer reading. The Library is a research center, a newsstand. It's a music store and movie house. It's an Internet connection. Sadly, because of cuts in federal funds, our library will have to close unless other funding is found. Measure 3-310 is the answer. Please join us in voting yes on Measure 3-310 and keep Molalla's heartbeat going permanently!

Glen Boreth, Molalla City Councilor
Tom Foster, Mayor, City of Molalla
Danna Jacober, Molalla City Councilor
Deborah Leighton, Molalla City Councilor, Candidate for Mayor of Molalla

Mary Musolf, Friends of the Molalla Library
James G. Needham, Molalla City Councilor
Friends of the Molalla Public Library
Sandy Nelson, President, of Molalla Library Advisory Board
Joe Wilson, Editor & General Manager, Molalla Pioneer

VOTE YES ON MEASURE 3-310!

(This information furnished by Jan Coulton, Friends of the Canby Public Library.)

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Clackamas County

Measure 3-310

Argument in Favor

Help Keep the Gladstone Library Vibrant and Vital

The Library District will

Provide permanent, stable funding at a reasonable cost

Allow Gladstone to move closer to its goal of building and operating a new library that could allow for the proposed merger with the Oak Grove Library.

Allow us to continue expanding our collection in format and content to meet the needs and requests of our patrons, young and old.

Gladstone urges a yes Vote for Library District

Now more than ever, it is important for families and others struggling to make ends meet to have a place where kids and adults alike can go for free access to educational recreational and cultural activities. The library doesn't care about your age or status in life. It's here for everyone.

Keep libraries open and free for all!

Ledding Library of Milwaukie: A Community of Readers

The Milwaukie library, like others in the county, serves many people in the community, helping them reach educational and cultural goals.

Last year alone:

- More than **550,000 materials and books** were checked out of the library.
- More than **6,000 children** attended summer reading programs and other special activities for kids.
- Almost **200,000 people** visited the library
- **2,500 new library cards** were issued.

The Ledding Library is a popular place!

- The proposed library district will mean that the Ledding Library will be able to continue to meet the needs of the community.
- We will be able to stay open more hours to make it easier for people to use our services.
- We will be able to continue to provide that vital educational link so children learn to read throughout the year, and we can continue to add to our book collection.

Please join us in supporting the Library District. We're counting on your yes vote!

(This information furnished by Mayor Jim Bernard and Milwaukie City Councilor Greg Chaimov.)

Argument in Favor

Friends of the West Linn Library Support the Clackamas County Library District.

Our libraries are in crisis! Clackamas County money for libraries is going away! Only library dedicated funds will keep our West Linn Library doors open.

Currently, a substantial portion of the funding for our city library comes from the Clackamas County General Fund. However, beginning next year, the county will discontinue monetary support for libraries resulting in major reductions of staff, services, and hours. In some instances, this will mean the closure of several county and city libraries. Five years from now, public libraries in Clackamas County may cease to exist. We can't let this happen!

The future of the West Linn Library depends on a Clackamas County Library District which will provide stable, dedicated funding for all libraries in the future. The West Linn Public Library is the cultural center of the community and needs the passage of this measure to maintain the level of services we have come to love and enjoy.

The Friends of the West Linn Library is an all volunteer, non-profit organization that helps the library in many ways. The Friends provide support for special library programs, including Music In The Stacks and summer reading clubs for all ages, plus additional funding for books, movies and music CDs. Its fund-raising activities include annual used book sales and operation of The Book Cellar, a used book store located on the library's lower level. The Book Cellar is open Tuesday, noon until 7:00 pm, and Wednesday through Saturday, noon until 4:00 pm.

Join the Friends of the West Linn Library in supporting the Clackamas County Library District.

Vote **YES** on 3-310

(This information furnished by Janet Dalgaard, Friends of the West Linn Library.)

The printing of this argument does not constitute an endorsement by the County of Clackamas, nor does the county warrant the accuracy or truth of any statement made in the argument.

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Clackamas County Measure 3-310

Argument in Favor

Yes for the Library District

Join your friends, neighbors and community leaders
who support Measure 3-310.
Keep libraries open and free!

Lynn Peterson, County Commissioner
Bill Kenemer, County Commissioner
Martha Schrader, County Commissioner

Ron Adams	Joe Bronec
Dorisann Aldan-Atalig	John Bromley
Hilly Alexander	Peggy Bromley
Paul Alloway	Judy A. Brown
Patricia Almond	Marcia P. Brown
Stevan Allred	Terry Brown
Keith Amundson	Representative Scott Bruun
Julie K. Anderson	Katinka Bryk
Mandy Anderson	David Bugni
Linda R. Arnett	Mary Ann Bugni
Roy E. Arnett	Shirley Burke
Abigail Arnold	Timothy Burke
Becky Arnold	Nathan Butkovich
James Arnold	Noah Butkovich
Pamela Ashland	Wade Byers
Jerry Atlansky	Minnie L. Cabe
Lesley Atlansky	James Carlton
Susan Atlansky	Patricia Carlton
Robert J. Austin, Mayor, City of Estacada	Randy Carson, Canby City Councilor
Karelyn Backstrom	Dennis C. Carter Trucking
Robert A. Backstrom	Larry Castle
Ralph Baird	Brian Chesebro
Deborah Barnes, City Councilor	Marsha K. Chez
Barbara J. Bartel	Diane Chown
Kraig R. Bartel	Susan Clark
Gary Barth	David Coffin
Kelly Bateman	Samuel L. Cole
Wendy Bateman	Deni Cooperrider
William A. Bates	Robert Cooperrider
Karen Batridge	Ray Cotton
Kevin Batridge	Jan Coulton
Bert Baty	Maridel Cromer
Linda Baty	Dorie Crooks
Susan Baty	Lynn Cumberland
Mary Kathleen Batz	Teri Cummings
Judy A. Beaudoin	Janet Dalgaard, President, West Linn Library Friends
Kim A. Beaudoin	Erica Dally
Eileen Belanger	Walt Daniels
George Belanger	Julie Davenport
Barbara Bengel	Tina Decker
Norman R. Bengel	Kenneth Davis
Colleen Bennett	Lurena B. Davis
Sean Bennett	Patricia J. Davis
Elizabeth M. Bentley	Matilda J. Deas
Clem Bergevin	Lisa DeMoy
Patsy Bergevin	Conni Diack
Siri Bernard, Activist	Sam Diack
Carla Beutler	Christine Duncan Didway
Juliana Birch	Alice Anne Diehl
Neil Birch	Greg DiLoreto
Margaret Birkemeier	Diane DiLoreto
Robert Biswas-Diener	Suzanne Dinsdale
Teresa Blackwell, Canby City Council	Mark Docken
Debrah Bokowski	Debbie Dodd
Gary Bokowski	David Dodds
Catlin Bradford	Paul Dopson
William Brandt	Idamae Doyle
Curtis Brighthouse	Jamie Dowdy
Joanne Broadhurst	Kathleen Draine
Catherine Bronec	Patrick Duke
Frances (Fritzi) Bronec	Suzan Duffy

(This information furnished by Jan Coulton, Keep Our Libraries Open.)

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Argument in Favor

WE SUPPORT THE LIBRARY MEASURE TOO!

Verne A. and Donna Duncan	Ronda Gonzalez
Sandra Dvorak	Sarah Goodfellow
Nancy L. Eaton	Kathy Graef
David E. Ebersole	John E. Grant
Michael P. Eby	Tracey Grant
Ellen Elder	Green Key Locksmith, LLC
John A. Elliot	A.M. Griswold
Kathryne Elliot	Doris Grobert
Phyllis W. Elston	Lynne M. Gross
Marian Englander	Lois Grote
Gerald E. Erickson	Felix Gurley-Vimberg
Kathleen F. Erickson	Carrie Gyure
Judith Ervin	Julia Gyure
Sandra K. Eurich	David Hagland
Judy Evans	Mariann Hagland
Executive Committee, Democratic Party of Clackamas County, Jill Thorn, Chair	Kendall E. Hale, Jr.
Catherine Fantz	Ayron Haley
Roger H. Fantz	Linda Halkinrude
Teresa Farquhar	Aaron J. Hall
Elaine Fawcett, Canby Farmers Market	Lelf M. Halvorson
John C. Ferrel	Barbara F. Hamilton
Gary Field, Friends of the Canby Library Board	Judie Hammerstad, Mayor, Lake Oswego
Joseph C. Fisher	Arlene Hampton
Lori Fitzgerald	Casey Hampton
Tom Fitzgerald	Erin L. Hancock
Oscar Flores	Nicholas Hancock
Lynn Flores	John E. Hanan II, Board President, Lake Oswego Chamber of Commerce
The Flower Farmer	Shantel Harney
Jon Forest	Cheryl L. Hatswell
Jay D. Formick	Charlotte M. Hattan
Maureen Formick	Carl M. Hay
Dan Fowler	Lavonne Heacock
Patty Fowler	James C. Headrick
Mary Ann Frieder	Joanne Headrick
Friends of the Lake Oswego Library Board of Directors, Colleen Bennett, President	Karen Hedden
Maret Frye	Nan Heim
Amanda Funkhouser	Susan K. Helberg
Ann Funkhouser	Tony Helbling, Canby City Councilor
Betty Funkhouser	Anita K. Helsius
Julia Funkhouser	Roger Hennagin, Lake Oswego City Councilor
Larry Funkhouser	Marc Herring
Margaret Funkhouser	Goldie A. Heyerly
Terry Funkhouser	Sarah Hibbert
Jerrine Fussell	Thomas Hogan
Donna Gaiser	Jim Hofer
Robert L. Gaiser	Roy Hofer
Patti Galle	Dorothy A. Hoffman
Kristine D. Gandee	Jeanne M. Holden
Susan Gates	Cynthia Holloway
LeNae Gerig	Diane L. Horecki
William Gifford, McLoughlin Neighborhood Association	Diane Housen
Robert Gilbo	Ted Housen
Peter Glazer	Donna Howard
Marlene R. Gleason	George W. Hoyt
Marlin L. Goebel	Ruth Irons
Elizabeth A.K. Goebel	Joe Irvin
	Mary Lou Irving

(This information furnished by Jan Coulton, Keep Our Libraries Open.)

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Clackamas County

Measure 3-310

Argument in Favor

PLEASE VOTE YES FOR LIBRARIES!

Jessica Iselin & Iselin Architects, P.C.
 Elyse James
 Glenmore James
 Jill James
 Sterling James
 Susana Jenkins
 Kathy Jensen
 Kay Jewett, Vice President
 Friends of the Library
 Bennett Johnson
 Brian Johnson
 Linda G. Johnson
 Doug Jones
 Aura Kaine
 Michael P. Kapigian
 Carol M. Kay
 Hailie Kennedy
 Darren Killingbeck
 Jacob King
 Lanelle King
 Carol Kleps
 Glenn Koehrsen
 Nancy Kopelk
 Norman Kraus
 Gail Kraxberger
 Joe Krumm, Chair, North
 Clackamas Chamber of
 Commerce
 Catherine Kumlin
 Thea Kuziemski
 Mrs. Jennie Kyle
 Ms. Krystal Kyle
 Mr. Troy Kyle
 Karen I. Lampron
 Sean Lavadour
 Jay Lehr
 Suzanne Lehr
 Chi-Hung Leung
 Holden Leung
 Dale Liberty
 Eleanor D. Liberty
 Beth Lillie
 Ida Mae Lillie
 Jay C. Lillie
 Mike Litt
 Erin Lockwood
 Mary S. Loehr
 Ron Loehr
 Jane Loftus
 Adel P. Longmore
 John Lowell
 Frances Lundy
 Jan Lundy
 Suzan Lundy
 Damon Mabee, Oregon City
 Commission President
 Jennifer MacWilliams
 Janice Maier
 Rick Maier
 Linda F. Main
 Linda K. Malone, Mayor, City
 of Sandy
 Lloyd K. Marbet
 Don Marcus
 Donna A. Marcus

Ariel V. Mars
 Jim Martin
 Kari Martinez
 Catherine Matern
 Michael Matern
 John McCabe
 Lee McConnel
 Gordon McCullum
 Doug McDonald
 William D. McDonald
 Denyse McGriff
 Beth McKinnon
 Cherie McGinnis
 Dick McQueen
 Dennis W. Merz
 Signe Merz
 Laura Miller
 Thomas J. Miller
 James Milne
 Kylie B. Milne
 Matt Moffat
 Carol A. Montclair,
 Commissioner, City
 of Wilsonville
 Loryn Moore, Friend of
 Canby Public Library
 Trish Moore
 Marty Moretty
 Karin Morey
 Judith Morgan
 Betty Anne Morris
 Ann R. Morton
 Jim Morton
 Edythe R. Moss
 Thomas H. Mott
 Alice E Mott
 Carol Moyle
 Julie Mullen
 Nancy Muller
 Kathleen L. (Simpson) Myron
 Doug Neeley, Oregon City
 Commissioner
 Neil Kelly Company
 David Nelson
 Gale A. Nelson
 Garrett P. Nelson
 Rachel Nelson
 Howard Newman
 Will Newman II
 Lari Nickens
 Susan Layne Nielsen
 Caiya Nielson
 Eric Nielson
 Shannon Nielson
 Mary F. Nixon
 Betty A. Nolz
 Alice Norris, Mayor,
 Oregon City
 Priya Obeysekera
 Kimberly S. Olson
 Oregon City Dairy Queen
 Oregon Trail Democrats
 Wayne Oliver, Canby City
 Councilor
 Barbara-Lee Orloff

(This information furnished by Jan Coulton.)

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Argument in Favor

Love your Library? Vote Yes on 3-310

Linda Kay Palmer
 Wendy Pappadis
 Helen M. Parent
 Siefert Parenti
 Wilda Parks, President, North
 Clackamas County Chamber
 John R. Patterson
 Judith Patterson
 Jeanette Patton
 Marilyn Patton
 Richard Patton
 Aubra Penner
 Joan Perinchief
 Kenneth Perinchief
 Beverly Persons
 Mike Persons
 Michele Pesznecker
 Joyce Peters
 Lynn Peterson,
 County Commissioner, Chair
 Peggy J. Piersall
 David E. Piper
 Norma Piper
 Jerry and Gloria Feider Polzin
 Sunya Porter
 Olin G. Radford
 Elaine Rapp
 Ronald Rasch
 Laura Rask-Allrutz
 Evelyn Reed
 Jane Reid
 Laura Rentfrow
 Ronald Rentfrow
 Johnni Reynolds
 Alice Kelledjian Richmond
 Dr. Earl W. Riddle
 Etta Kathryn Riddle
 Caroline Ritter-Swartz
 Roxane K. Riva
 Renee Rodden
 Colleen M. Roden
 Greg Rogers
 Patricia Rogers
 Joanna K. Rood
 Bert Romans
 Lindy Rutherford
 Renate Ryan-Jeppeson
 Janis Salisbury
 Joe Sandfort
 Teresa Sasse
 Roberta Sawyer
 Beth Saul
 Beth Scarth
 Colleen Schacht
 Marsha Schmidt
 Holly Scholles
 Glenn Seymour
 Shambles Workshops

Lisa Shaw-Ryan, President
 Downtown Business District
 Assn.
 Barbara E. Shibley
 Gilbert A. Shibley
 Harryette Shuell
 Christine Siegel
 Eileen H. Simmons
 Kristine A. Simpson
 Suzanne (Suzy) Sivyer,
 President, Wilsonville
 Friends of the Library
 Larry Skidmore
 Jill Sled
 David A. Sliwka
 Aaron Smith
 Deborah H. Smith
 Diane M. Smith
 Dick Smith
 Doug Smith
 Eugene Smith
 Frank Smith
 Israel Smith
 Larry G. Smith
 Marilyn R. Smith
 Mary Deane Smith
 L. David Smith
 Rachel D. Smith
 Rocky Smith Jr.
 Theresa Smith
 Christopher Snook
 Patrice Snook
 Richard T. Spence
 Dennis Spitze
 Jane Sprando
 Phillip J. Sprando
 Timothy Stagich
 Dorothy Stafford
 Judy Stanley, Life Coach
 Alan L. Steiger
 Kathleen M. Stewart
 Sally Streeter
 Luke Stromberg
 Robin Terry Strong
 Roberta L. Stutz
 Stephanie Sullivan
 Sunstar Design Studios
 The Swanson Family
 Douglas W. Swartz
 Sherri Tallmon, Owner, Hidden
 Oaks Llama Ranch
 Andrea Kay TenEyck
 Melody Thompson, Mayor,
 City of Canby
 Jill Thorn
 Lucretia Thornton
 Trent Tidwell, Oregon City
 Commissioner

(This information furnished by Jan Coulton, Keep Our Libraries Open.)

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Clackamas County

Measure 3-310

Argument in Favor

LOVE YOUR LOCAL LIBRARY? VOTE YES ON MEASURE 3-310

Love is not enough to keep our local libraries open. It will take all of us who use and love our libraries to vote yes on the measure creating a library service district.

Don't think there's a problem yet? Just wait. Without this measure, three libraries will close next year and others will cut more hours and services. By 2014, there will be no county funds available for library support and more will be forced to close. Can't imagine a community without a library? Please join us in saying YES for libraries.

Janet Tomman
Toby Tommaso
Marilyn Trahms
Glenda Triebwasser
Jane Troeh
Audrey M. Trubshaw
Deborah Turner
Dell Turner
Kristin Turnquist
Berenice B. Tynan
Linda VanHaverbeke
Stephen VanHaverbeke
Cheryl Vannier
Penny Verdick
Loraine A. Vick
Helen M. Virnig
Jerome J. Virnig
Penelope Vogel
Ron Vosper
Susan Wagner
Randy Walczak, Eagle Foundry Co., President
Mary Walsh, Canby Democrats
Liz Warren
Robert B. Warren
Dennis J. Weber
Donna K. Weber
Ken A. Wells
Hazel B. Wells
Rob Wheeler, Mayor of Happy Valley
Bruce E. Whiting
Cathleen Whiting
Gary R. Wickwire
Margaret L. Wickwire
Karl E. Wieggers, Ph.D
Gregory J. Williams
Julia M. Williams

James Willson
Ellen E. Wilson
G. W. Wilson Construction, Inc.
James M. Wilson
Charleene Wood
Nancy Wolske
Gary Workentin
Daphne Wuest, Oregon City City Commissioner
Richard Yarnell
Philip Yates
Vicki Yates
George Yobst
Virginia Yoder
Anna Zell
Cindy Zinn
Dan W. Zinzer
E. W. Zumwalt

(This information furnished by Jan Coulton, Keep Our Libraries Open.)

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Argument in Favor

WEST LINN CITY COUNCIL SUPPORTS COUNTY LIBRARY DISTRICT

Our libraries need the support of all Clackamas County Citizens. There will no longer be County funds to support libraries and only dedicated funds specifically for libraries will keep the doors open. We support a countywide library district that will provide:

- Stable or increased hours of operation
- Maintenance and expansion of our book and DVD collections
- Stable Library staff to meet our needs
- Continued annual Summer Reading Programs and weekly Story Time
- Continued cultural and educational programs
- Capital funding for needed and future building improvements

Our libraries are more than a repository of books and other materials. They are community centers and, in many cases, an essential community hub. They are used by all of our citizens as a reference resource, learning center, recreational outlet, and a vital communications port. Our County libraries have combined access to over 1.1 million items and without a unified library district we would not have the same level of access to interlibrary loans. The West Linn Public Library circulates more than 650,000 items per year and sends and receives at least 10,000 items per month to or from other libraries.

It is critically important that Clackamas County libraries meet and exceed Oregon State Standards and that we allow these cultural centers to survive and grow. The future of our County depends upon a well-educated citizenry and libraries are a corner-stone of education. Please do not short-change our seniors', adults' and children's future. Vote "Yes" for a unified library district.

Mayor: Norm King

City Councilors: Scott Burgess
Jody Carson
Michele Eberle
Michael Jones

(This information furnished by Norm King.)

NO ARGUMENTS IN OPPOSITION TO THIS MEASURE WERE FILED.

The printing of this argument does not constitute an endorsement by the County of Clackamas, nor does the county warrant the accuracy or truth of any statement made in the argument.

3-446

7/23/14 PM 4:20:38

Notice of City Measure Election

SEL 802

City of Gladstone, Oregon
250 274-2500 250 251 100

City and Notice Information

Notice is hereby given on July 8, 2014, that a measure election will be held in

Gladstone

Oregon on November 4

2014

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

Authorization to construct and incur debt to finance new library

Question 20 words

Shall Gladstone authorize the construction and incurrence of debt to finance a new library projected to cost over \$1,000,000?

Summary 175 words

This measure authorizes the Gladstone City Council to incur debt by issuing municipal bonds to finance and construct a new Gladstone library.

Funding sources:

- Clackamas County Capital Contribution – One time contribution \$1 million
- Library District Funds – One time contribution \$1.375 million
- Library District Funds - Continuing library support of approximately \$1.2 million annually, increased from \$631,000 the City currently receives. Annual Library District Funds will be used for library operating costs and to pay down library project debt estimated to total \$3.99 million (\$2.7 million principal and \$1.29 million interest)

Estimated budget for the project would be \$6.365 million. This includes \$5.075 million to design, construct, finance, and acquire property for the new library plus \$1.29 million in interest. The \$6.365 million budget may increase if additional non-city/urban renewal funds are acquired. The approximately 13,000 to 16,000 square foot library would be constructed in the Portland Avenue area between Gladstone High School and Clackamas River.

There are no new taxes associated with this proposal. No City/urban renewal funds may be used to construct/operate new library.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

Signature Redacted

Signature of Authorized City Official not required to be notarized

07/23/14

Date Signed mm/dd/yy

Jolene Morishita

Printed Name of Authorized City Official

Asst City Admin.

Title

CCE-24

ORS 261.355

CLACKAMAS COUNTY EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

[THIS INTERACTIVE FORM CAN BE FILLED IN ON-LINE]

ELECTION DATE November 4, 2014	MEASURE NUMBER 3-446
-----------------------------------	-------------------------

BALLOT TITLE CAPTION
Authorization to construct and incur debt to finance new library

NAME OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT
Heather Martin

NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY
City of Gladstone

TELEPHONE (HOME)	TELEPHONE (WORK) 503-557-2766
------------------	----------------------------------

FAX NUMBER 503-557-2768	E-MAIL ADDRESS morishita@ci.gladstone.or.us
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See attached page for complete statement

The total word / number count may not exceed 500 words / numbers. Word / number count total: 500

Signature Redacted

SIGNATURE OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT

7/23/2014
DATE

3-446

Explanatory Statement

If approved by the City of Gladstone voters, this referral would authorize the Gladstone City Council to construct and incur debt to finance a new library. The new library will be located in the Portland Avenue area between Gladstone High School and the Clackamas River and will be approximately 13-16,000 square feet depending on final project costs.

The Gladstone City Charter requires voter approval for public projects costing more than \$1,000,000 and/or which require the City to incur debt to finance.

A City Council appointed Library Advisory Committee, comprised of 37 people held six meetings February-May, 2014

The estimated budget for the project is \$6.365 million. This includes \$5.075 to design, construct, finance and acquire property for the new library plus \$1.29 million in interest. The \$6.365 million budget may increase only if additional non-city/urban renewal agency funds are acquired for the project. No City or urban renewal funds can be used for this project or operation of the library in the future.

Funding sources:

- Clackamas County Capital Contribution – one time contribution of \$1,000,000
- Clackamas County Library District Funds - one time contribution of \$1.375, 000
- Clackamas County Library District Funds - continuing library support of \$1.2 million per year increased from \$631,000 the City currently receives. These annual Library District Funds will be used for library operating costs and to pay down library project debt estimated to total \$3.99 million (\$2.7 million principal and \$1.29 million interest)

No City or Gladstone Urban Renewal Agency funds will be used for the new library project. The City's general fund contribution to library operations would be discontinued and instead a special revenue fund will be created. The special revenue fund will be comprised of Clackamas County Library District Funds in the amount of \$1.2 million per year that are received by City twice yearly. The amount in excess of the operating expenses will be used to pay down the debt (principal and interest) acquired to build the new library. Given the timing of when the City receives the County Library Funds, a cash reserve on behalf of the City may need to be considered and City funds may be needed upfront to cover real property acquisition costs which will be reimbursed to the City after County funds are received. There will be no tax increase for the Gladstone residents.

The above-mentioned Clackamas County Capital Contribution and part of the Library District funds are conditioned on the City's agreement to build a new library and provide library services to Gladstone and Oak Lodge library patrons. The City will work with the County to amend the current Intergovernmental Agreement between the City and the County governing County Library Funds and Capital Contributions to (1) reflect new library parameters if this referral passes and (2) ensure that the City receives the estimated Library District operating funds until any debt incurred for the new library is paid off.

3-446

More detailed plans on financing and constructing the library will be finalized if referral is approved by voters.

City of Gladstone

Measure 3-471

AUTHORIZATION TO CONSTRUCT AND INCUR DEBT TO FINANCE CIVIC BUILDINGS

QUESTION: Shall Gladstone authorize the construction and incurrence of debt to finance new civic buildings each projected to cost of \$1,000,000?

SUMMARY: This measure authorizes the Gladstone City Council to incur debt by issuing municipal bonds to finance and construct a new Gladstone City Hall and a new Police Station. The buildings may be constructed on separate parcels.

Funding sources:

- Urban Renewal Agency funds - \$4.8 million (current account balance)
- Sale of certain City properties - \$3.0 million (estimate)
- State Revenue Sharing funds - \$890,000 (current account balance)
- Long-term debt - City will incur \$3,000,000 in debt to be repaid using future Urban Renewal Agency funds.

Estimated budget for the project would be \$4.0 million for the City Hall and \$7.2 million for the Police Station. This includes money to design, construct, finance, and acquire property for both buildings. There are no new taxes associated with this proposal.

EXPLANATORY STATEMENT

If approved by the City of Gladstone voters, this referral would authorize the Gladstone City Council to construct and incur debt to finance a Civic Buildings Project. The project will involve the construction of a New City Hall and Police Station. The buildings may reside on different parcels.

Two citizen-initiated Gladstone Charter amendments, Measure 3-394 and Measure 3-395, were approved by City voters during the May 15, 2012 primary election; Measure 3-394 states the City shall incur no debt in financing any public project except through the issuance of municipal bonds by bond measure duly approved by a majority of voters in a regularly scheduled election set forth in ORS 221.230 or special election; and Measure 3-395 states unless approved by a majority of the voters in a regularly scheduled election set forth in ORS 221.230, or special election, no public building shall be constructed by or for the City if such construction will require the actual or reasonably projected expenditure of \$1,000,000, or more, from existing City funds or current or future City revenues, including those of any of its departments, service

Measures, explanatory statements, and arguments are printed as filed. No spelling or grammar corrections are made.

districts or agencies. In calculating whether the project will involve the actual or reasonably projected expenditure of \$1,000,000 or more, the calculation shall include the fair market value of any real estate to be utilized or committed to the project, based on current market appraisal performed by a certified real estate appraiser.

The City Council has reviewed options for a new City Hall and a new Police Station; and the City Council desires voter approval for the City Council to authorize the incurrence of debt for new City Hall and Police Station projects, through the issuance of municipal bonds and expenditure of certain City Funds that will cost more than \$1,000,000.

There will be no new taxes associated with this Ballot Measure

SUMMARY: This measure authorizes the Gladstone City Council to incur debt by issuing municipal bonds to finance and construct a new Gladstone City Hall and a new Police Station. The buildings may be constructed on separate parcels.

Funding sources:

- Urban Renewal Agency funds - \$4.8 million (current account balance)
- Sale of certain City properties - \$3.0 million (estimate)
- State Revenue Sharing funds - \$890,000 (current account balance)
- Long-term debt - City will incur \$3,000,000 in debt to be repaid using future Urban Renewal Agency funds.

Estimated budget for the project would be \$4.0 million for the City Hall and \$7.2 million for the Police Station. This includes money to design, construct, finance, and acquire property for both buildings.

There are no new taxes associated with this proposal.

More detailed plans on financing and constructing of the Civic Buildings project will be finalized if referral is approved by voters.

Submitted by: Heather Martin
City of Gladstone

NO ARGUMENTS WERE FILED IN OPPOSITION TO THIS MEASURE

The above information has not been verified for accuracy by the county.

City of Gladstone

Measure 3-471

ARGUMENT IN FAVOR

Hello Neighbors,

Our City Hall and Police Station are important facilities in our city. Both have reached the end of their useful life and need to be replaced. A functioning city requires civic buildings that have roofs that don't leak and can survive a major earthquake. Ours don't meet even these basic requirements.

It's not financially or practically feasible to repair the current City Hall and Police Station. Engineers have determined that the roof and many of the walls would need to be completely rebuilt. Water has worked its way into the walls but the extent of the damage is difficult to determine without opening them up. Building Plans do not exist and would need to first be generated at great cost before the substantial repairs could begin. The City Hall and Police Station are actually 2 separate buildings and there is some concern that they are leaning into each other, in essence holding each other up.

The State of Oregon is requiring that Police Stations meet seismic stability standards by 2022. Without a Police Station that meets these standards, Gladstone may lose local control of its Police Department and need to outsource this important service.

Per our City Charter, the City of Gladstone is asking for your approval to construct a new City Hall and Police Station. The revenue sources for this include: Existing urban renewal funds, the sale of certain surplus properties, State revenue sharing funds and long term debt. With interest rates as low as they are ever likely to be, now is the time to use debt as required.

There will be no tax increases and no new taxes. No park lands will be sold.

I hope you'll look at this as carefully as your City Council has. This is a required, fiscally responsible project that does not increase our taxes.

Please join me in voting YES on Measure 3-471.

Thank you.

Steve Johnson
Gladstone City Councilor

(This information furnished by Steve Johnson, Gladstone City Councilor)

The printing of this argument does not constitute an endorsement by Clackamas County, nor does the county warrant the accuracy or truth of any statements made in the argument.

3-471

SEL 802

rev. 1/14: ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

Notice of Measure Election

City

Notice		
Date of Notice August 14, 2015	Name of City or Cities City of Gladstone	Date of Election November 3, 2015

The following is the final ballot title of the measure to be submitted to the city's voters.

Final Ballot Title Notice of receipt of ballot title has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure

Authorization to construct and incur debt to finance Civic Buildings

Question 20 words which plainly phrases the chief purpose of the measure

Shall Gladstone authorize the construction and incurrence of debt to finance new civic buildings each projected to cost of \$1,000,000?

Summary 175 words which concisely and impartially summarizes the measure and its major effect

SUMMARY: This measure authorizes the Gladstone City Council to incur debt by issuing municipal bonds to finance and construct a new Gladstone City Hall and a new Police Station. The buildings may be constructed on separate parcels.

Funding sources:

- Urban Renewal Agency funds - \$4.8 million (current account balance)
 - Sale of certain City properties - \$3.0 million (estimate)
 - State Revenue Sharing funds - \$890,000 (current account balance)
 - Long-term debt - City will incur \$3,000,000 in debt to be repaid using future Urban Renewal Agency funds.
- Estimated budget for the project would be \$4.0 million for the City Hall and \$7.2 million for the Police Station. This includes money to design, construct, finance, and acquire property for both buildings.
There are no new taxes associated with this proposal.

Explanatory Statement 500 words that impartially explains the measure and its effect, if required attach to this form

If the county is producing a voters' pamphlet an explanatory statement must be submitted for any measure referred by the city governing body and if required by local ordinance, for any initiative or referendum.

Measure Type	County producing voters' pamphlet		Local ordinance requiring submission		Explanatory statement required	
<input checked="" type="checkbox"/> Referral	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not applicable		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Initiative	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Referendum	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Authorized City Official Not required to be notarized

→ By signing this document, I hereby state that I am authorized by the city to submit this Notice of Measure Election and I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Name Jolene Morishita	Title Assistant City Administrator	Work Phone 503-557-2766
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Signature Redacted

8/14/15

Signature

Date Signed

Measure Explanatory Statement for County Voters' Pamphlet

Important! Please read all instructions before completing this form. This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

Filing Information

Election: Primary 20____ General 20~~15~~ Special 2015 Measure # 3-471

Ballot Title Caption

Authorization to construct and incur debt to finance Civic Buildings

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

Heather Martin

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

City of Gladstone

CONTACT INFORMATION

Phone: Cell: _____ Work: (503) 557-2766 Home: _____

E-Mail: morishita@ci.gladstone.or.us

SIGNATURE

Signature Redacted

8/14/15

Signature of person responsible for content of 'Explanatory Statement'

Date

MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

For Office Use only:

County: Clack

Signed? Yes No

'Measure Explanatory Statement' attached?

Yes No

Intake Staff Initials: JW

Word Count (500 max):

Digital copy? Yes No

Review Staff Initials:

3-471

Explanatory Statement

If approved by the City of Gladstone voters, this referral would authorize the Gladstone City Council to construct and incur debt to finance a Civic Buildings Project. The project will involve the construction of a New City Hall and Police Station. The buildings may reside on different parcels.

Two citizen-initiated Gladstone Charter amendments, Measure 3-394 and Measure 3-395, were approved by City voters during the May 15, 2012 primary election; Measure 3-394 states the City shall incur no debt in financing any public project except through the issuance of municipal bonds by bond measure duly approved by a majority of voters in a regularly scheduled election set forth in ORS 221.230 or special election; and Measure 3-395 states unless approved by a majority of the voters in a regularly scheduled election set forth in ORS 221.230, or special election, no public building shall be constructed by or for the City if such construction will require the actual or reasonably projected expenditure of \$1,000,000, or more, from existing City funds or current or future City revenues, including those of any of its departments, service districts or agencies. In calculating whether the project will involve the actual or reasonably projected expenditure of \$1,000,000 or more, the calculation shall include the fair market value of any real estate to be utilized or committed to the project, based on current market appraisal performed by a certified real estate appraiser.

The City Council has reviewed options for a new City Hall and a new Police Station; and the City Council desires voter approval for the City Council to authorize the incurrence of debt for new City Hall and Police Station projects, through the issuance of municipal bonds and expenditure of certain City Funds that will cost more than \$1,000,000.

There will be no new taxes associated with this Ballot Measure

SUM MARY: This measure authorizes the Gladstone City Council to incur debt by issuing municipal bonds to finance and construct a new Gladstone City Hall and a new Police Station. The buildings may be constructed on separate parcels.

Funding sources:

- Urban Renewal Agency funds - \$4.8 million (current account balance)
- Sale of certain City properties - \$3.0 million (estimate)
- State Revenue Sharing funds - \$890,000 (current account balance)

3-471

- Long-term debt – City will incur \$3,000,000 in debt to be repaid using future Urban Renewal Agency funds.

Estimated budget for the project would be \$4.0 million for the City Hall and \$7.2 million for the Police Station. This includes money to design, construct, finance, and acquire property for both buildings.

There are no new taxes associated with this proposal.

More detailed plans on financing and constructing of the Civic Buildings project will be finalized if referral is approved by voters.



STEVE WHEELER
COUNTY ADMINISTRATOR

OFFICE OF THE COUNTY ADMINISTRATOR

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

March 7, 2013

City of Gladstone
Attn: City Manager P. Boyce
525 Portland Ave.
Gladstone, OR 97027


Mr. Boyce,

I am writing in response to your letter of January 18, 2013. In your letter, you request that the City of Gladstone be allowed to retain, in the short term, the \$1.5 million that Clackamas County and the Library District have provided in support of the prior library expansion plan. Those funds were provided to support a specific project that would have enhanced library services for the unincorporated areas in Oak Lodge. Given that said project has been rejected by the voters of Gladstone, those conditions no longer apply. I have discussed your request with my staff, and have arrived at the conclusion that ultimately all parties would be best served by the immediate return of the \$1.5 million.

Until such time as new services are brought online, Clackamas County has an obligation to provide improved library services to the Oak Lodge area. During the same 18 month period that you mention in your letter, we will be exploring how that improved service might be delivered. This service enhancement could include expansion at our current space, lease or construction of new space, partnering with Milwaukie to provide expanded services, or working on a revised plan with Gladstone. Long term, we do not foresee the County continuing as a retail provider of library services as we move forward to improve library service in the Oak Lodge area. We have hopes that this process will move faster than 18 months and such funds will be needed during that time. Also, until such time as a firm plan is in place for the provision of those enhanced services, it would be inappropriate for those funds to be under Gladstone's control. I will have my staff contact your staff to deal with the details of the transfer.

As I mentioned in my prior letter, we view this process as a restart of the conversation. I am making no determination that Gladstone will not be part of the solution for providing improved library service. Rather, we must explore all available options and provide opportunities for community feedback. We look forward to working with Gladstone and other partners in considering the best way to provide the improved library services for our citizens.

Sincerely,


Steve Wheeler
Acting County Administrator

cc: Board of County Commissioners
Laurel Butman, Deputy County Administrator
Gary Barth, Director, Business & Community Services
Doris Grolbert, Library Director
Stephen Madkour, County Counsel

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: July 8, 2014 **Approx Start Time:** 8:30 a.m. **Approx Length:** 60 Min

Presentation Title: Gladstone Library Proposal – Additional Discussion

Department: BCS, County Counsel

Presenters: Gary Barth, Chris Storey, Doris Grolbert

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Direction from the Board regarding the transition of the Oak Lodge Library to the City of Gladstone.

EXECUTIVE SUMMARY:

This discussion is a continuation of the discussion held July 1, 2014 at 10:30am. Please see prior staff report for background details.

FINANCIAL IMPLICATIONS (current year and ongoing):

Gladstone is requesting \$1,000,000 from the general fund and \$1,375,000 from the Oak Lodge Library reserve account.

LEGAL/POLICY REQUIREMENTS:

Please see attached memorandum regarding legal issues.

PUBLIC/GOVERNMENTAL PARTICIPATION:

Please see prior staff report.

OPTIONS:

Please see prior staff report.

RECOMMENDATION:

Please see prior staff report.

ATTACHMENTS:

Legal Memorandum

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval _____ Director
County Administrator Approval _____ Administrator





OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

MEMORANDUM

Stephen L. Madkour
County Counsel

DATE: July 2, 2014
TO: Board of County Commissioners
Donald Krupp, County Administrator
FROM: Chris Storey, Assistant County Counsel
RE: Legal Implications of Gladstone Library Funding Plan

Kimberley Ybarra
Kathleen Rastetter
Chris Storey
Scott C. Clecko
Alexander Gordon
Amanda Keller
Nathan K. Boderman
Christina Thacker
Assistants

The Board of County Commissioners requested a legal review of Gladstone's proposed financing plan to construct a new library. Staff materials have already provided background on the efforts to date, so I will focus on the current proposal.

As stated in the Gladstone staff report to the Gladstone City Council, the key elements of the proposed project are a \$6.4 million estimated project cost resulting in a 13-16,000 square foot facility on Portland Avenue, with no City cash contribution to the project.

Per that staff report, emphasis is placed on the fact that no city funds will be used for the project, and in fact the City of Gladstone would cease contributing any money towards its library support. Rather, distributions from the Library District of Clackamas County (the "Library District") would be the exclusive funding mechanism for the operation of the Gladstone Library. The sources of funding for the project are:

- \$1,000,000 from the County general fund (currently subject to an IGA);
- \$1,375,000 in one-time Library District funds (of which \$500,000 is subject to an IGA); and
- \$4,000,000 in debt to be paid from Library District distributions (plus interest).

This plan raises several legal issues that the Board must consider. They include (i) the Board's legal right to object to the plan with respect to the \$1,000,000 in general fund and \$500,000 in Library District contributions, (ii) reliance on a contribution of \$1,375,000 in Library District funds when only \$500,000 has been pledged towards the

project, (iii) restrictions on capital uses of Library District funds, and (iv) cessation of city support for library services.

I. \$1,500,000 contribution per Capital Contribution IGA

The Intergovernmental Agreement between Gladstone and Clackamas County allows for a \$2,500,000 contribution towards the construction of a new Gladstone Library (specified to be located at 18235 Webster Road in Section 5.1). Clackamas County provided all such funds and ~\$1,000,000 was spent on planning before the project ended due to citizen demands. Subsequently Gladstone returned the remaining \$1.5 million which is being held in reserve. Clackamas County has a reasonable claim that the nature of the agreement has changed given the changed elements (new, smaller location) of the proposed project given the language in Section 5.1. However, Gladstone also has a reasonable claim that the County must provide the remaining \$1.5 million to support construction of a library under the narrow language of the distribution paragraph. It would require an amendment of the intergovernmental agreement with Gladstone to clarify the expectations of the parties.

Therefore it is in the Board's discretion on whether to provide the \$1.5 million in funding for the project.

II. Request for \$875,000 in additional contributions from Oak Lodge Library Fund

Gladstone's financial projections include receiving an estimated \$1,375,000 from accrued but unexpended Library District funds distributed to the Oak Lodge library. Of those funds, \$500,000 has been committed to support work towards completing the new library. Per Section III below, those funds should be used on non-capitol items such as purchase of furniture, expanding the library's collection to fit the available space, upgrade of computers, etc. Gladstone has no legal claim on the remaining \$875,000 requested, although I understand it has been reserved by county library management.

Therefore it is in the Board's discretion on whether to provide the requested additional \$875,000 in funding for the project.

III. Use of Library District Funds for Capital Purposes

In forming the Library District, the County faced a boundary issue because a county service district providing library services already existed, covering the area of the Estacada school district. The Estacada District issued bonds to support construction of library improvements for the City of Estacada's Library. Applicable state statute requires that two districts not exist over the same territory providing the same service. To avoid the necessity of removing the Estacada area from the county-wide Library District, during the formation process the Board determined that the Estacada District was used

for capital-only purposes and the Library District of Clackamas County would be used for operating-only purposes.

This was reflected in the election materials provided to voters. The explanatory statement noted that "The Library District would implement a permanent rate of \$0.3974 per \$1,000 assessed value to exclusively fund library services.... This dedicated funding would allow the libraries in Clackamas County to stay open and continue their programs." The formation board order adopted November 18, 2008, established similar reasons for formation of the District, which state:

1. To provide a dedicated, stable funding source for the support of library services.
2. To raise revenue to be distributed to the existing city and county-operated libraries in the system. Formation of the District should provide sufficient funding to raise the service levels at all facilities to the most basic ("Threshold") level recommended by the Oregon Library Association.

The reasons excluded capital expenditures consistent with formation proceedings and the election materials. The funding is intended to expand the level of library services available to residents to meet those standards.

Further, the Intergovernmental Agreement ("District IGA") between the Library District and the cities that provide library services ("Library Cities"), including Gladstone, places restrictions on the use of funds in Section 2.1 be only to "...provide public library service, and shall expend the entire library revenue paid under this Agreement in accordance with the purpose for which it was provided by implementing a plan to achieve the Service Standards." The service standards are generally defined around the provision of Threshold standards which are attached to the District IGA.

Overall there is clear intent by the District formation process, the Library Cities and the voters that the monies generated by the Library District be used to raise the level of library services provided operationally, not via capital expenditures. The County followed that approach in constructing Sunnyside Library.¹

However, the Library District is a pass-through financing entity that does not make direct expenditures. It is not a direct violation by the Library District for Gladstone to expend funds inconsistent with the District's charter. Rather, it is a breach of the District IGA's restrictions on the use of funds. The District IGA addresses the enforcement mechanism for such a breach in Section 4.14, which states in relevant part:

¹ I note that Oregon City appears to be violating both the letter and spirit of the District IGA through their current library reconstruction funding plans. Oregon City staff did not consult with County staff regarding their plans.

The Parties hereto recognize that the District is relying on the good faith and commitments of the Library Cities to utilize the funding provided by the District in the promised manner. The Parties expect that to the extent there is any noncompliance or breach of this Agreement, the Parties will discuss such noncompliance or breach in the District Advisory Committee and encourage an effort towards compliance. If discussions and encouragement do not remedy the continued failure of a party to meet the Service Standards or other term of this Agreement, then the District Advisory Committee shall meet to consider an amendment to this Agreement to create incentives for compliance, including but not limited to withholding of District funds, reallocation of unincorporated residents to neighboring service areas, or other such actions as may be deemed appropriate. The Parties hereto agree that in an event of a material breach of this Agreement by one of the Parties, an amendment proposed to specifically address such breach shall require a two-thirds vote of the Library Cities, including but not limited to any amendment which would reduce the breaching City's 100% return on assessments within such City's boundaries, either via a Formula amendment or otherwise.

Any effort to address non-compliance, by either Gladstone or Oregon City, must go through a peer effort and have the consent of two-thirds of the Library Cities. There is little question, however, that at the time of formation and agreement the various Library Cities were not to expend Library District funds on capital purposes. This was by design at the formation of the District, as the Library Cities were not willing to sign on to an agreement that allowed for a degree of County control over city libraries and the then-Board had expressed a desire to exit the retail library service management area.

For legal compliance reasons, I do not recommend the Board endorse by vote Gladstone's approach. However, the Board cannot stop Gladstone from putting whatever item it wishes on the November ballot and the only enforcement mechanism available requires the consent of the other cities to have any impact.

IV. Cessation of City Support for Library Services

A related issue is that the current financing plan for Gladstone has a complete cessation of city support for library services from their general fund. As noted above, the Library District is intended to be additive, not replacing, of city support for library services in their city and for unincorporated residents. Specifically, Section 2.1 of the District IGA states that "District funds may not be used to support general overhead or administrative costs of Cities except to the extent such overhead or administrative costs are directly related to the provision of library services and/or the operation of a public library." This was intended to prevent overloading of charges on District funds. Since money is fungible, the wholesale withdrawal of general fund support for library services can be seen as using Library District funds for the support of overhead and/or administrative costs that were previously born by the City.

The structure of the Library District is such that the County is not the enforcer of the terms of the District IGA. Rather, it is structured that each Library City will be incentivized to challenge each other to "pull their weight" in the provision of an integrated library service system for the residents of Clackamas County. The same enforcement provision discussed above would apply to this situation as well.

Conclusion.

Each of the four legal issues identified above represent open issues that are more policy questions than pure legal issues. The Board has the flexibility to:

- continue on the current path and provide the agreed \$1.5 million in funds but no others;
- provide the agreed \$1.5 million in funds and the requested additional \$875,000;
- Agree to provide all requested funds but not allocate the additional Library District funds relating to the unincorporated area but continue to direct them to the Oak Lodge Library; or
- Refuse to provide the funds and look for alternative solutions.

I would like to address one final issue that is not purely legal but is raised by the above discussion. The combination of reliance on County and Library District funds for the capital construction and cessation of city contributions to the operations of the library means that there is no compelling reason for the proposed project to be controlled by the City of Gladstone. It becomes a solution funded exclusively through county and Library District resources and could be implemented without Gladstone participation at all in any location. This challenges the philosophy behind the Library Cities model where each city is intended to be an active partner in supporting a high level of library services to all residents throughout the County. This issue may have an impact on weighing the policy questions and choices outlined above.

CS

cc: Stephen Madkour
Gary Barth
Doris Grolbert



DORIS GROBERT
DIRECTOR

CLACKAMAS COUNTY LIBRARY

13793 SE SIEBEN PARK WAY | CLACKAMAS, OR 97015

TO: Board of Clackamas County Commissioners

FROM: Gary Bokowski, Chair 
Library Board of Trustees

DATE: May 12, 2015

SUBJECT: Recommendation regarding the construction of a new Gladstone Library

On April 14, 2015 the Library Board met and discussed the lack of progress in regard to the construction of a new library in the City of Gladstone. The Library Board has heard that a further delay is planned while Gladstone places a new measure on the November ballot. There is a lack of confidence among the Library Board members and the community that this project will ever happen. The Library Board voted unanimously for the following recommendation:

The Library Board of Trustees recommends that the City of Gladstone be given a deadline for breaking ground on the new library building. If Gladstone does not meet the deadline, alternatives should be considered for library services in the area benefiting and serving both communities.

Thank you for your consideration in this matter.



MITZI OLSON
MANAGER

CLACKAMAS COUNTY LIBRARY

16201 SE McLoughlin Blvd. | Oak Grove, OR 97267

To: Don Krupp, Clackamas County Administrator
Eric Swanson, Gladstone City Administrator

From: Debrah Bokowski, Chair
Clackamas County Library Board of Trustees

Date: December 23, 2015

Subject: Recommendations regarding the construction of a new Gladstone Library combined City Hall Building

The Clackamas County Library Board of Trustees (Library Board) feels very strongly that the Oak Grove and Jennings Lodge communities should have fair representation and a voice regarding the new Gladstone Library construction project, as stipulated by the Intergovernmental Agreement (IGA) between Clackamas County and the City of Gladstone (2.4). The Library Board also feels that the City of Gladstone (Gladstone) should not be the sole decision maker when determining what part of the building, parking and shared space should be charged to the library funds of the Library District of Clackamas County. According to the IGA, library monies are to solely fund the library program and not to supplement construction costs of Gladstone City Hall.

With this in mind, and in order to foster trust and help unite our communities, the Library Board makes the following recommendations and requests:

1. Gladstone creates an open line of communication with Clackamas County (County) staff and the Library Board concerning the project, land acquisition/preparation, location, scope, design, timeline and assumptions;
2. If it is determined that Gladstone's construction financing plans do not include using Library District funds to pay down the new building construction debt, Gladstone creates an open line of communication with County staff and the Library Board;
3. County staff and the Library Board are to be a part of the design and planning process, in order to fairly represent the population that resides outside Gladstone city limits and the majority of the future Gladstone/Oak Lodge library service population;

4. County staff and the Library Board assist in the determination of the formula used to calculate separate Library and City Hall construction costs, land acquisition/preparation costs, and costs related to spaces shared by both Library and City Hall;
5. As a display of good faith and assurance that the combination Library/City Hall building will be completed, Gladstone will spend its urban renewal money and City library money first, then invoice the County for its agreed-upon portion. If land acquisition is necessary, the County and Library Board will work with Gladstone to determine the percentage of land that is attributed to the Library project and those monies will be placed in an escrow account; and
6. According to Library District Measure 3-310 that passed in 2008, Library District funds can only be used for operational expenses, maintenance and repairs, not for new construction.

Thank you for your consideration in this matter.

February 2, 2016

Board of County Commissioners
Clackamas County acting as the
Governing Body of the Estacada Area
County Service District for Library Services

Title – Estacada Library Service District Plan for Dissolution

Statutory Reverences

A plan for dissolution and liquidation of a county service district, is covered under ORS 198.930. The County in which the District is located and has authority to and agrees to assume the outstanding indebtedness of the dissolving district which also continues to furnish similar services to the inhabitants of the district, may receive transfer and conveyance from the District the dissolving District.

Background

The Estacada Area County Service District for Library Services (“District”) was formed to support the desire of the City of Estacada to construct an improved library facility. The library was designed and sized to serve the population of not just the City but the surrounding area. The District was formed with boundaries that are coterminous with those of the Estacada School District, and a general obligation bond was passed by vote of the residents in that area to fund the construction of the new library (the “GO Bond”). The District does not collect any permanent rate or fees and sole purpose was to act as a financing vehicle to aid in the construction of the library, which it accomplished through the GO Bond.

In 2009, as part of the formation of the county-wide Library District of Clackamas County, the County general fund deposited sufficient funds in a sinking fund account to pay off the GO Bond. At that time the District ceased collecting taxes from its residents. However, under the terms of the GO Bonds the earliest the full debt could be repaid was June 2015. The sinking fund made the final payments on the debt from 2009 until 2015, and the GO Bonds are now fully paid off. The District now has no debt and a few assets. Further, it has no continuing revenue streams and no specific purpose now that it completed the payment of the GO Bonds.

On January 14, 2016, The Board of County Commissioners adopted a petition for dissolution of the Estacada Area County Service District for Library Services. Following the adoption of the petition, the Plan for Dissolution is presented to the Board of County Commissioners within the 30 days as required by ORS.

Plan of Dissolution

Below are the assets that must be liquidated or transferred and conveyed.

- Cash Assets owned by the District will be transferred to the Library Network of Clackamas County for use in operating public libraries within the County Limits which includes the City of Estacada. All accounts will be closed once cash has been transferred.
- Property Taxes Receivable from prior assessments of the District will be transferred to the Library District of Clackamas County for the rights to collect the remaining receivables. The

purpose of the Library District of Clackamas County is to provide financial support to the library service providers of Clackamas County of which the City of Estacada is a member.

- Capital Assets consisting of the Library Building located at 825 NW Wade St, Estacada, Oregon, will be conveyed and transferred to the City of Estacada as per the Intergovernmental Agreement approved on April 28, 2005 between the District and the City of Estacada. The Conveyance will legally occur through quick claim deed to the City which owns the underlying land of the building.
- Per ORS 198.945, after the affairs of the district have been fully settled, the books and records will be deposited by the Board of County Commissioners with the County Clerk. The Board of County Commissioners shall also execute under oath, and file with the County Board, a statement that the District has been dissolved and its affairs liquidated.
- County Finance on behalf of the County Commissioners, will file with the Secretary of State Audits Division the final Report in lieu of audit along with a letter reporting the District has been dissolved.
- The Timeline will start once the Board of County Commissioners have approved the plan of dissolution. The plan will occur within 60 days of the approval of the plan.

Recommendation

Staff recommends that the Board, acting as the governing body of the District, adopt the plan of dissolution to begin the process of winding down and dissolving the District, and direct staff to follow the Plan of Dissolution.

Reviewed by: CBW 2/1/2016