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DATE: March 11, 2010
TO: Files
FROM: Richard Robbins
SUBJECT: Chapter 21.36 of City Code

Item 221 on the Council's February 10 agenda was the second reading of an ordinance authorizing creation of a new chapter of the City Code (21.36) that deals with watershed protection policies for the Bull Run watershed. The Water Bureau had provided an opportunity for the Auditors Office to conduct an early review of the Code language several weeks before the ordinance filing deadline and no further changes were anticipated. However, during the period immediately preceding the January 28 filing deadline, the executive director of the a local environmental group (Oregon Wild) requested several last-minute changes to the proposed Code. Email was exchanged between Water Bureau Administrator David Shaff, Edward Campbell and Richard Robbins of the Water Bureau, Ty Kovatch of Commissioner Leonard's Office, and Terry Thatcher of the City Attorneys Office to discuss how to address the requested changes.

In the process to quickly transcribe changes proposed in internal emails to the Code document and submit a revised version by the January 28 filing deadline, two minor errors were made in Subsection 21.36.050.D:

- A typographical error in the word "delivery" was made in line no. 5, and
- The phrase "*approved* by Council" was used instead of "*passed* by Council." Terry Thatcher had recommended the latter in his email correspondence.

In addition, a minor punctuation error was included in Section 21.36.010 of the original version of the City Code document. This error was carried through to the revised version of the document that was filed on January 28 and approved by Council on February 10. The comma in line no. 9 of this section should not have been included. The last sentence in Subsection 21.36.010 should read as follows:

"The map has been created, shall be maintained, and shall be made available for public review by the Water Bureau."

I discussed the need to correct these three minor typographical errors to the Code with Terry Thatcher of the City Attorney's Office and he concurred with these recommendations. The corrected electronic version of Chapter 21.36 of the City Code was transmitted to Toni Anderson of the Auditors Office in an email on March 11, 2010. The Auditors Office will need to add one further edit in order to insert the Ordinance number in line no. 7 of Subsection 21.36.010.