



Regular Session

RS

Milwaukie City Council



MILWAUKIE CITY COUNCIL REGULAR SESSION

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

AGENDA FEBRUARY 18, 2014

2,168th Meeting

1. **CALL TO ORDER** Page #
Pledge of Allegiance

2. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

- A. **Outstanding Student Achievement Award for February 2014 to Ruth Lopez
Milwaukie High School Principal Mark Pinder**
- B. **Portland Milwaukie Light Rail Update
Staff: Light Rail Construction Manager Stacy Bluhm**
- C. **North Clackamas Parks and Recreation District Master Plan Update** 2

3. **CONSENT AGENDA**

These items are considered to be routine, and therefore, will not be allotted discussion time on the agenda; the items may be passed by the Council in one blanket motion; any Councilor may remove an item from the "Consent" agenda for discussion or questions by requesting such action prior to consideration of that part of the agenda.

- A. **City Council Meeting Minutes** 33
1. **November 5, 2013, Work Session;**
2. **November 21, 2013, Study Session;**
3. **January 21, 2014, Work Session;**
4. **January 21, 2014, Regular Session;**
5. **January 23, 2014, Special Session;**
6. **February 4, 2014, Work Session; and**
7. **February 4, 2014, Regular Session**
- B. **Public Safety Advisory Committee Appointments – Resolutions** 54
1. **Angel Falconer, At-Large Member**
2. **Constance "Connie" Kilby, At-Large Member**
3. **Chris Ortolano, At-Large Member**

4. **AUDIENCE PARTICIPATION**

The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140 of the Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360 of the Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.

5. PUBLIC HEARING

Public Comment will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.

A. None scheduled

6. OTHER BUSINESS

These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.

A. Ballot Referral for Bond Measure – Resolution 58

Staff: Public Affairs Coordinator Grady Wheeler

B. Ballot Referral for Charter Revision – Resolution 64

Staff: Assistant to the City Manager Teri Bankhead

C. Adoption of the 2014 City Council Goals – Resolution

Staff: Assistant to the City Manager Teri Bankhead

D. Council Reports

7. INFORMATION

8. ADJOURNMENT

Meeting Information

- Executive Sessions: The Milwaukie City Council may meet in executive session immediately following adjournment pursuant to ORS 192.660(2).
 - All Executive Session discussions are confidential and those present may disclose nothing.
 - Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed.
 - Executive Sessions may not be held for the purpose of taking final actions or making final decisions.
 - Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503-786-7555
- During meetings the Council asks that all pagers and cell phones be set on silent mode or turned off.



**Regular Session
Agenda Item No.**

2

**Proclamations,
Commendations,
Special Reports,
& Awards**



MILWAUKIE CITY COUNCIL
STAFF REPORT

RS 2. C.

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Status Report on North Clackamas County Parks and Recreation District's (NCPRD) Master Plan Update**

From: Steve Butler, Community Development Director

Date: February 10 2014 for the February 18, 2014 Regular Session

ACTION REQUESTED

Informational only; presentation by NCPRD staff

BACKGROUND

The North Clackamas County Parks and Recreation District was formed in 1990. The District's budget is approximately \$24 million, with a tax rate of 54 cents per \$1,000 of assessed valuation. The District provides recreational and park maintenance services to the north part of Clackamas County, which includes maintenance of the City of Milwaukie's parks.

Since the summer of 2012, the North Clackamas County Parks and Recreation District has been undertaking a planning process to update its Parks and Recreation Master Plan; this effort has been done in conjunction with the District Advisory Board. NCPRD staff will be providing background information about the District's past accomplishments and a proposed plan to meet future needs. District staff will be back at a later date to talk with the City Council more specifically about the City of Milwaukie's parks and recreation needs.

FISCAL IMPACTS

None for the City at this point in time

ATTACHMENTS

1. PowerPoint Presentation (prepared by NCPRD staff)



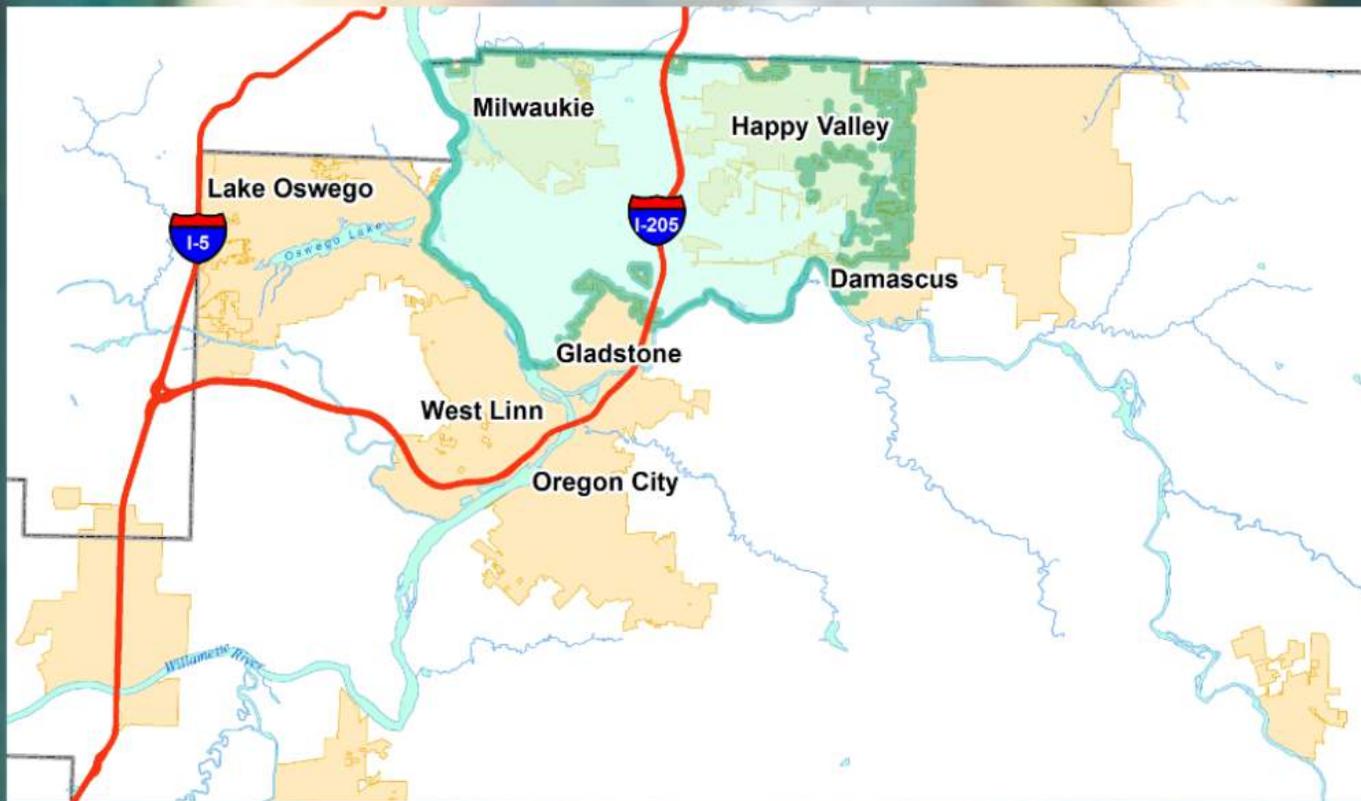
NORTH CLACKAMAS
PARKS & RECREATION DISTRICT

The NCPRD Story

Past, Present, Future



N CPRD



- 36-mile Clackamas County service district
- Parks, natural areas, recreation programming and facilities
- Guided by volunteer District Advisory Board
- Governed by the Board of County Commissioners

NCPRD's Mission and Vision

Mission:

To enrich community vitality and promote healthy living through parks and recreation.



Vision:

Enhancing and connecting your community by providing exceptional parks and recreation opportunities for all.

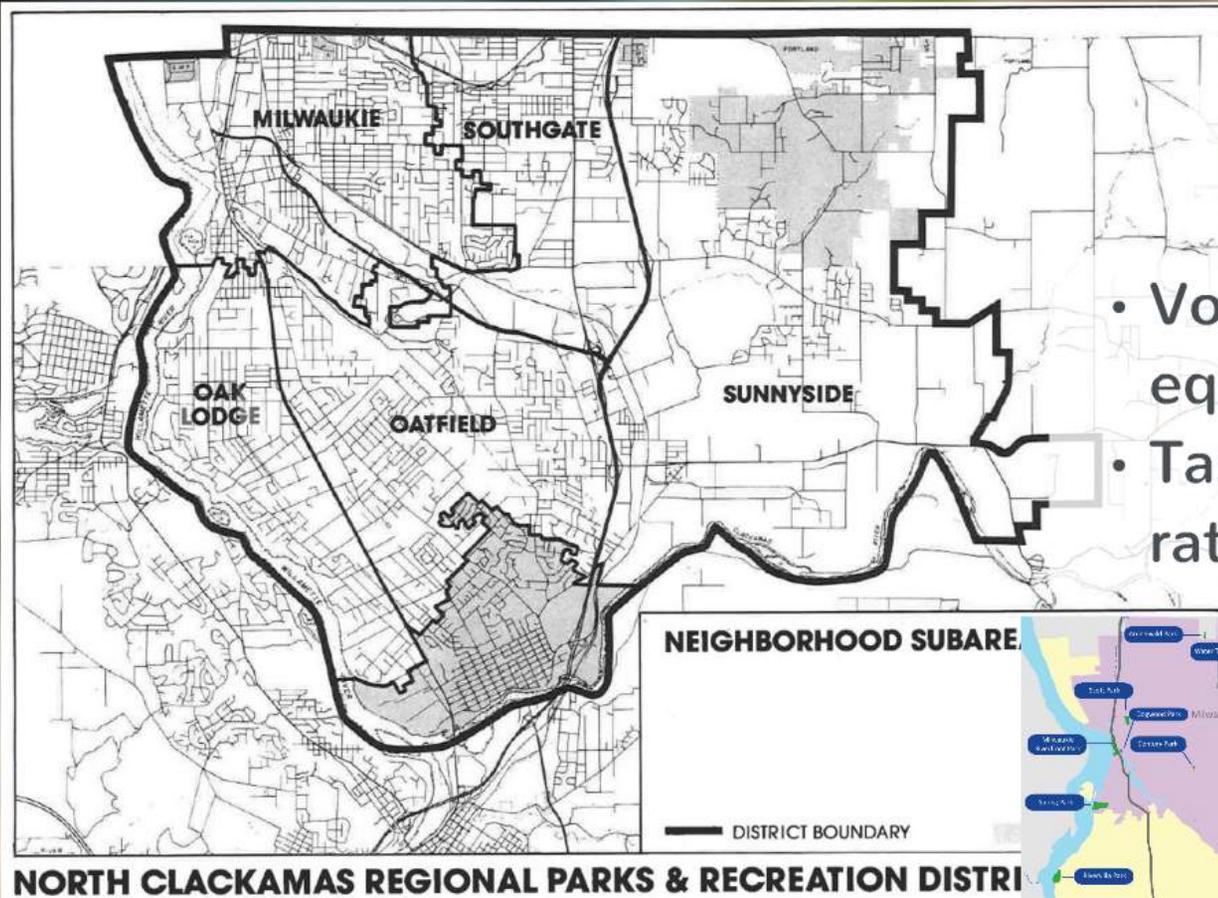
Master Planning



MASTER PLAN: GUIDE YOUR FUTURE

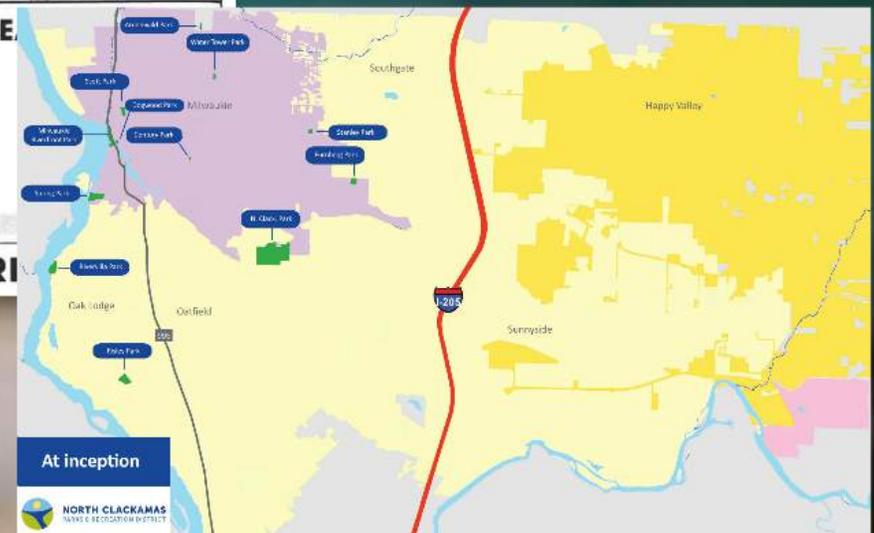
- Where we've been
- Where we're going

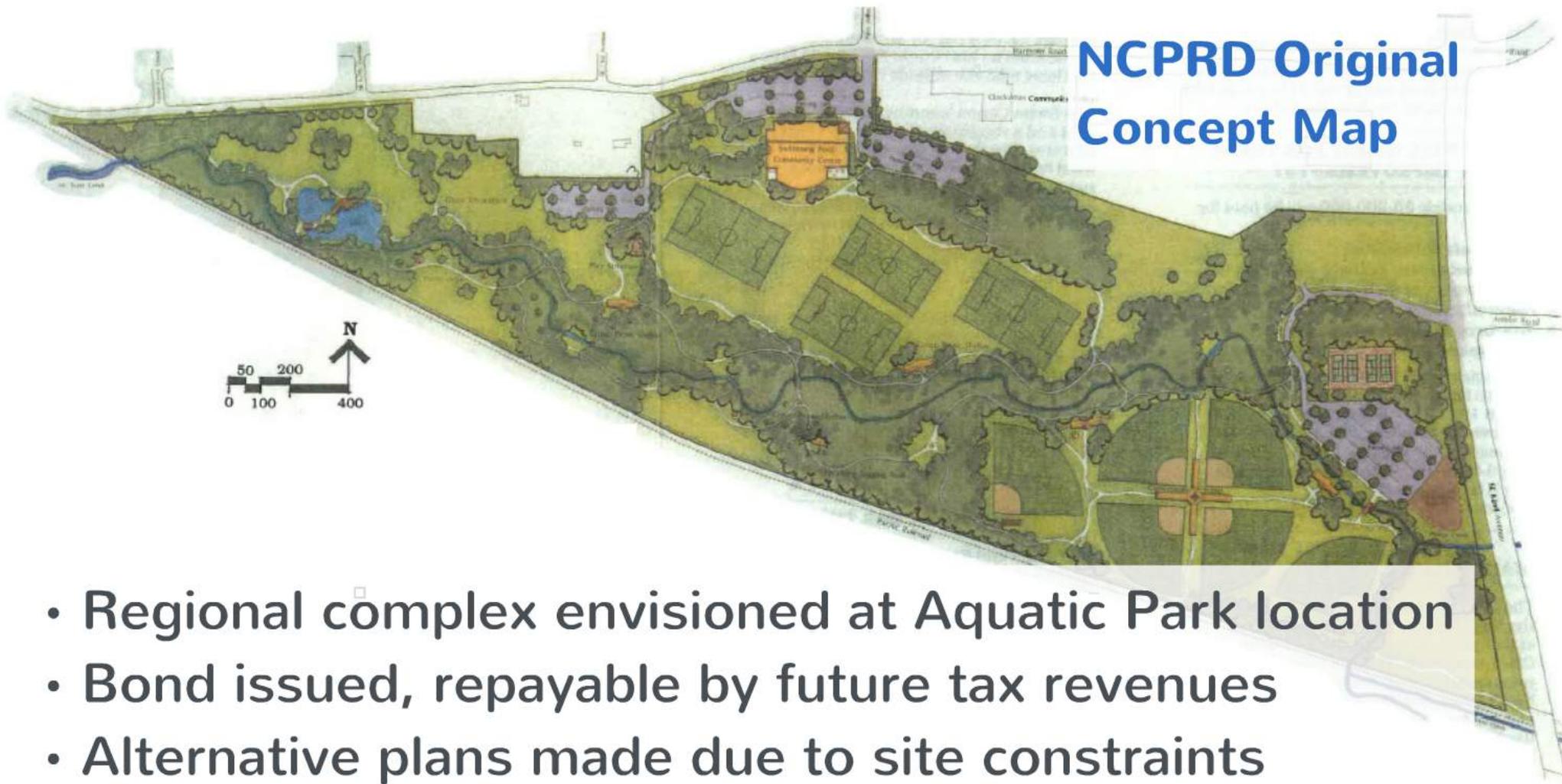
A little history to put NCPRD in context:



At Formation

- Voters approve rate equivalent to $.68/\$1,000$
- Tax limitations lower rate to $.54/\$1,000$





- Regional complex envisioned at Aquatic Park location
- Bond issued, repayable by future tax revenues
- Alternative plans made due to site constraints

Promise Made and Kept

North Clackamas Aquatic Park

State-of-the-art facility

- Swimming pools
- Water slides
- Wave pool
- Climbing wall
- Largest single-facility swim program in Oregon



Natural Areas

- 75 acres promised
- 240+ acres delivered

- Walking/jogging trails
- Wetlands viewing
- Picnic areas
- Play structure



10 Neighborhood Parks Promised: 15 Delivered



Pioneer Park



Stringfield Park

Trails:

9 miles promised
16 miles delivered



Trolley Trail



Mount Talbert

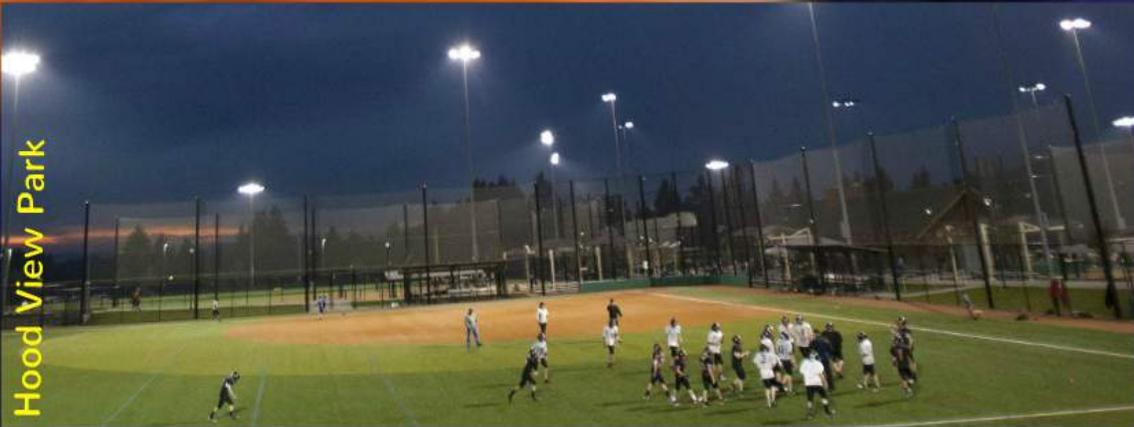
RS12

MILES

- 0.33 Aquatic Park
- 5.60 Mt. Talbert
- 0.75 Hood View Park
- 0.96 North Clackamas Park
- 6.00 Trolley Trail
- 0.30 Stringfield
- 0.21 Village Green
- 0.28 Risley
- 0.13 Territory
- 0.04 Costco
- 0.16 Ardenwald
- 0.14 Southern Lights
- 0.10 Heddie Notz
- 0.21 Alma Myra
- 0.06 Mill Park
- 0.28 Pfeifer
- 0.11 Riverville
- 0.07 Summerfield
- 0.12 Sieben
- 0.12 Furnberg

15.97 TOTAL MILES

Sports Fields Promised and Delivered:



Hood View Park



North Clackamas Park



- Lighted baseball and softball fields
- Concession stands
- Spectator bleachers
- Group picnic shelters
- Restrooms
- Tennis courts

Improvements to School Fields



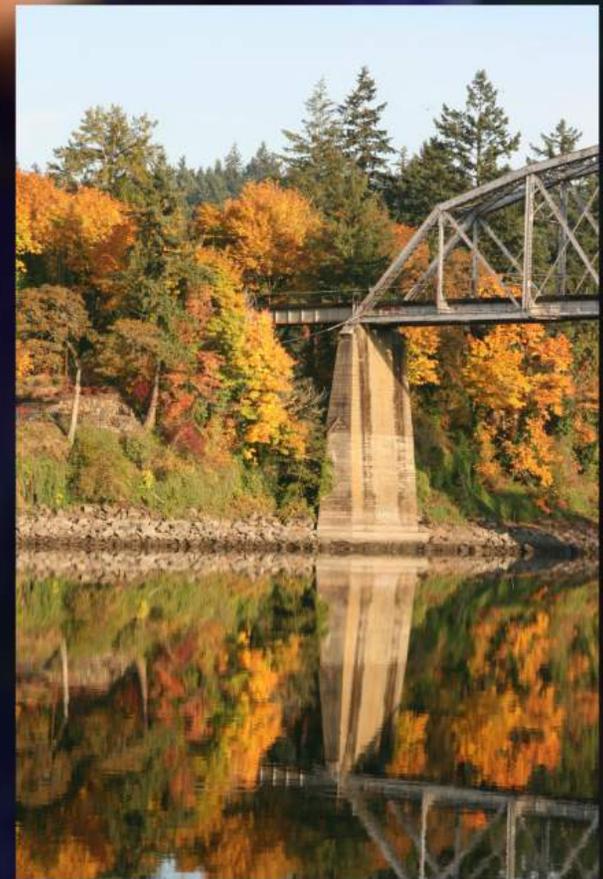
Aldercreek Middle School

Installed artificial turf with North Clack. School Dist. at:

- Rex Putnam High School
- Milwaukie High School
- Alder Creek Middle School

Riverfront Parks

- Riverville Park
- Riverfront Park
in progress



Riverville

Milwaukie Center

Milwaukie Center services strengthened:

- 73,000 Meals on Wheels
- 14,000+ bus rides
- More than 300 recreation and educational offerings annually



Recreation & Programming Delivered



Youth & Adult Sports

- Basketball
- Cheerleading
- Flag Football
- Volleyball



Riverfront Parks

- Rivervilla Park
- Riverfront Park in progress



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- Tennis courts

Recreation & Programming Delivered



Promises Made and Kept

Trails: 9 miles promised 16 miles delivered



MILES	TRAIL NAME
0.22	Alameda Park
5.80	St. Robert
0.75	Head View Park
0.89	North Clackamas Park
8.88	Trasky Trail
0.28	Springdale
0.27	Widgey Cove
0.28	Widgey
0.13	Teetling
0.04	Carlson
0.18	Andersonville
0.14	Southern Lights
0.18	Headline
0.21	Alma Vista
0.09	Mill Park
0.28	Plyker
0.15	Woodsdale
0.07	Southfork
0.12	Sadler
0.12	Lawdery
11.97	TOTAL MILES

10 Neighborhood Parks Promised: 15 Delivered



Youth & Adult Sports

- Basketball
- Cheerleading
- Flag Football
- Volleyball



Promise Made and Kept North Clackamas Aquatic Park

- State-of-the-art facility
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Natural Areas • 75 acres promised • 240+ acres delivered

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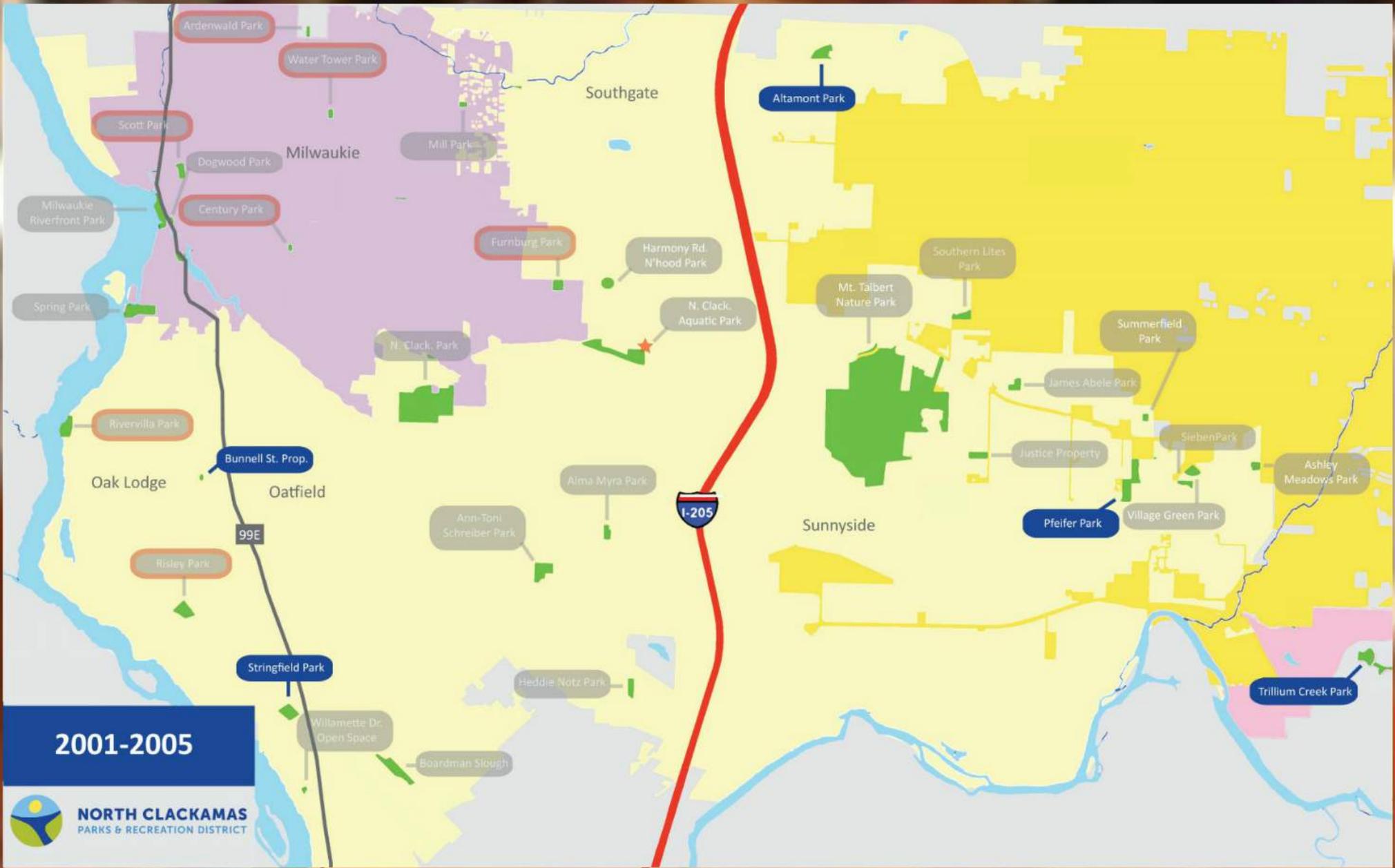
NCPRD Funding Sources

Tax Revenues

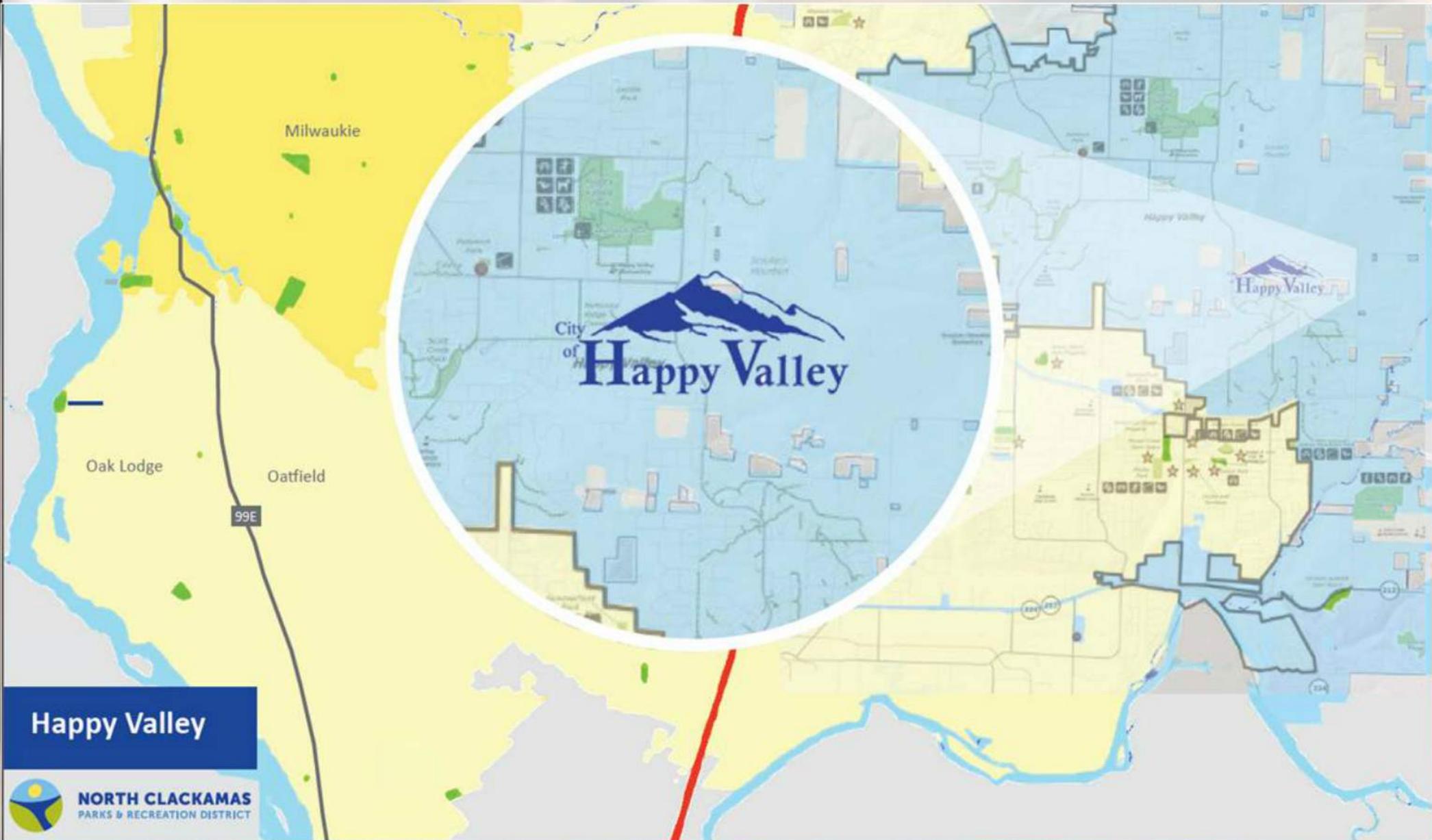
- Helped fund facilities when District first started
- Currently fully committed to operations and maintenance

System Development Charges

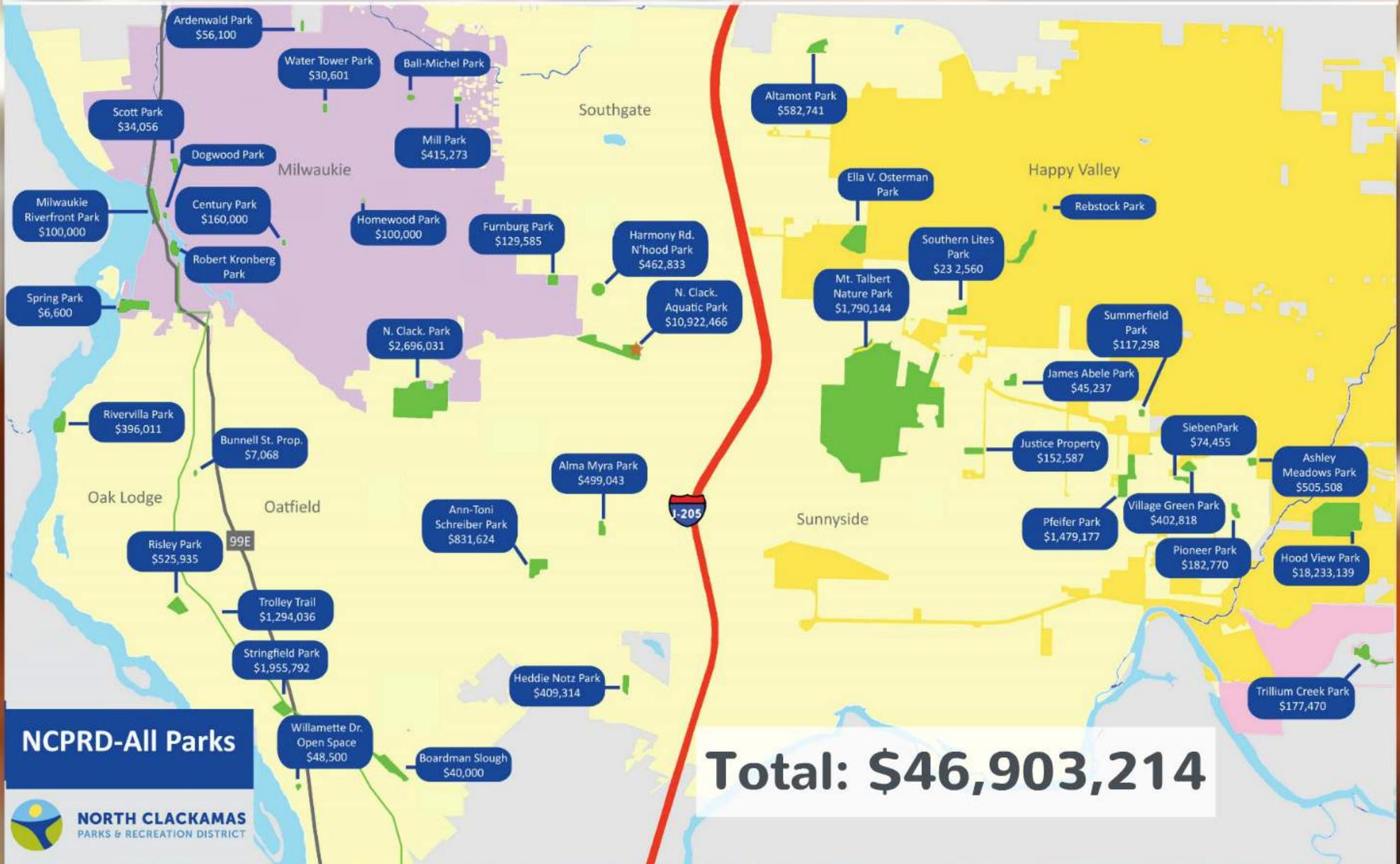
- Collected on new developments for growth-related improvements
- Used for purchase or development of parks and facilities
- A portion for District-wide facilities
- A portion for neighborhood parks in the zone



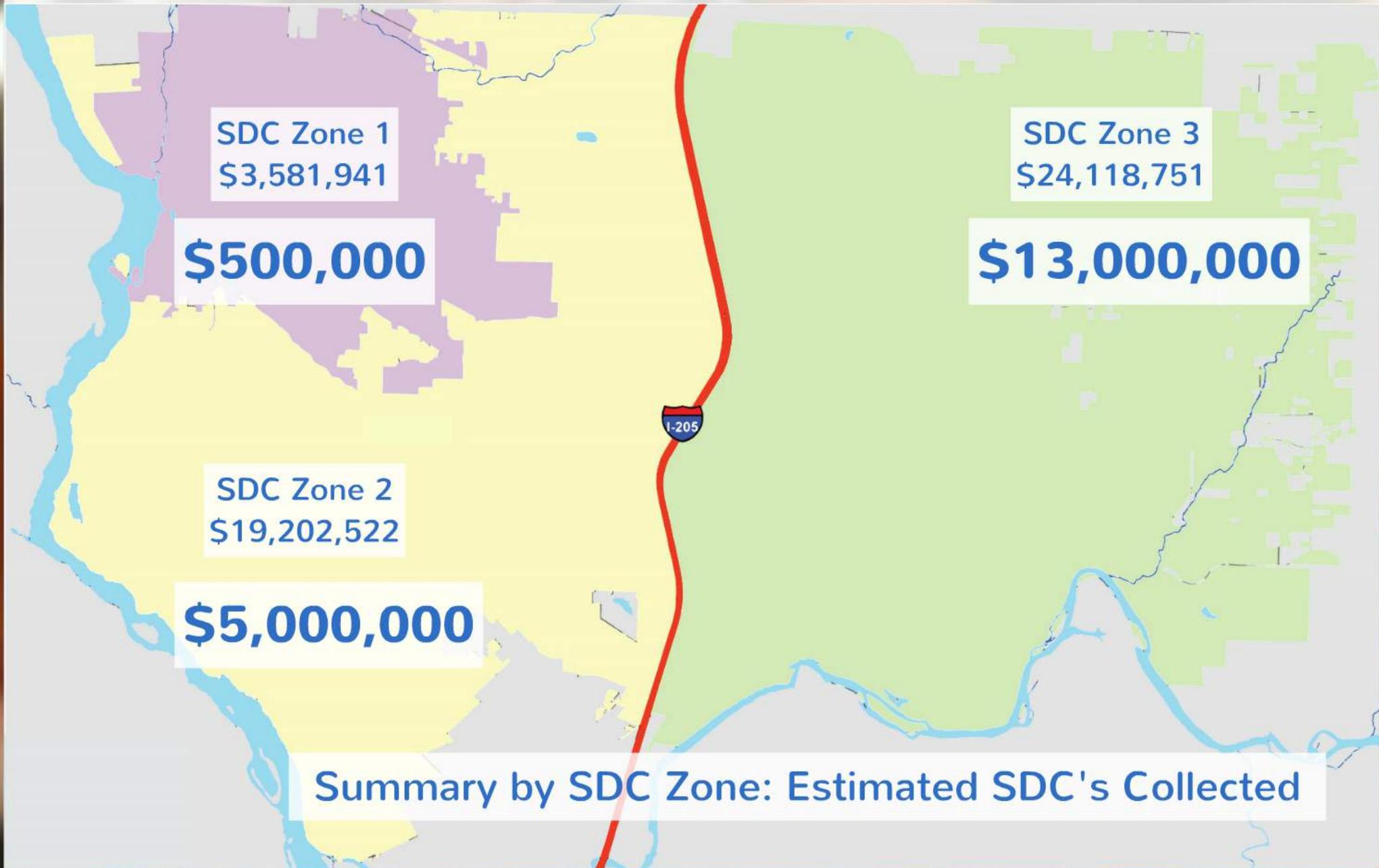
Happy Valley Joins the District in 2006



N CPRD Capital Investments



Summary by SDC Zone: Capital Investments: 21 Years



Non-Capital Investments

- Maintenance
- Operations



Tax Dollar Breakdown



Tax Dollar Breakdown



NCPRD's Future Path

What is NCPRD's current trajectory?



- SDCs will continue to fund park growth east of I-205
- Limited opportunity for SDC-funding of park growth west of I-205
- Cost of maintaining what we have, and any new developments, will soon exceed tax revenues

Tax Rate Comparison



Next Steps:



- New Master Plan paves way for future
- Original plan charted course and funding
- Subsequent plan highlighted needs without funding
- Community input critical for finalizing new plan



Questions?

Contact us:
ncprd.com
parks@clackamas.us

- Engage with our Master Planning Process- Outreach Calendar
- Check out our Discovery Guide for Parks and Recreation Opportunities



**Regular Session
Agenda Item No.**

3

Consent Agenda

MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
NOVEMBER 5, 2013

Mayor Ferguson called the work session to order at 5:02 p.m. in the City Hall Conference Room.

Council Present: Council President Hedges and Councilors Scott Churchill (arrived 5:21 p.m.), Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, City Attorney Tim Ramis, Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal, Community Development Director Steve Butler, Public Affairs Coordinator Grady Wheeler, Finance Director Casey Camors, Associate Planner Ryan Marquardt, Engineering Director Jason Rice

Media: Michael Bamesberger, *The Oregonian*

City Manager's Report

Mr. Monahan briefly reviewed the evening's agenda and announced that Light Rail Construction Manager Stacy Bluhm had a conflict for this meeting and would attend both City Council meetings in December. He discussed the recent meeting with Clackamas Fire District #1 (CFD#1) and City of Milwaukie Facilities Maintenance Coordinator Willie Miller. He reported that he met recently with Portland General Electric (PGE) to discuss the franchise agreement, which will be brought to City Council in November for a Work Session discussion. Mr. Monahan has been contacted by North Clackamas School District #12 (NC#12) who favored a full meeting of the Board and Council instead of a smaller subcommittee, so there will probably not be a meeting until after the first of the year. Mr. Monahan noted that Mr. Ramis will be present for the executive session as there are some issues raised during the audience participation to which the City Council would respond.

Ed Zumwalt Volunteer of the Year Award Nominations

Ms. Bankhead distributed envelopes that had each of the nominations received as of October 31. The Mayor and Council were asked to review the forms and vote.

Community Development Department Projects

Mr. Butler updated to the City Council on the status of the neighborhood parks development and coordination with the applicable Neighborhood District Associations (NDA). There was an onsite meeting at Riverfront Park that included the State Historic Preservation Office (SHPO) that evaluated the historic nature of the wood pilings on the shore of the Park.

He discussed the application for the veterinary clinic at 10400 SE Main Street which had been reviewed by the Design and Landmarks Committee (DLC) and was scheduled for a Planning Commission hearing on November 12, 2013. Mr. Butler added that the Planning Commission upheld the Director Determination for the Pendleton Woolen Mills property on SE Mailwell.

Mr. Butler commented on correspondence from the public related to neighborhood traffic management. Incorporating that element would likely delay adoption of the Ordinance to the November 19, 2013, City Council meeting. The group discussed the ramifications of reopening the hearing.

City Council Work Session – November 5, 2013

Draft Minutes

Page 1

Councilor Miller felt the Street Surface Maintenance Program (SSMP) and similar documents should be linked somehow to the Transportation System Plan (TSP) so people did not have to look elsewhere for them. For example, what did the City plan to do about issues like cut through traffic?

Mr. Rice had some concerns about incorporating a document that changed more frequently than the TSP. He noted there were sections that talked about possible traffic calming techniques.

Mr. Butler briefly discussed Moving Forward Milwaukie: Enhancing Our Commercial District and said it would be reviewed in more detail during the Work Session.

Mr. Rice reviewed the status of the quiet zone implementation that was scheduled for completion on November 27 and the Main and Harrison Streets paving that resulted in an additional seven parking spots.

Councilor Churchill commented that the recently painted centerline looked a little erratic.

Mr. Rice would look into that. He reported on the progress to the County TSP and concerns with the Harmony Road overpass language. He reviewed the amended language and noted several Linwood residents had reviewed it and felt it better expressed their interests.

Mr. Rice updated the City Council on the street tree planting standards and provided a list of trees.

Councilor Miller felt people planting trees should have more flexibility as long as they understood there could be a higher level of risk. He was concerned that some property owners had already purchased trees and should be allowed a variance rather than expending more funds.

Councilor Gamba felt a process needed to be created to ensure the tree made sense in the proposed spot. He expressed his concern about planting Sunset Maples.

Mr. Monahan said that staff would move forward and work with those who wanted some accommodation.

Mayor Ferguson said questions before the City Council had to do with JoAnne Bird's request for a management study and Mr. Parecki's asking for information on the City Manager residency requirements.

Ballot Measure Discussion

Mr. Wheeler provided an update on what had been done to this point and outlined next steps. The subcommittee, Councilors Gamba and Miller, met with DHM Research and Barney & Worth, Inc., and reviewed the data from the 19 stakeholder interviews and the 300 people contacted through the scientific phone survey. Based on that information and the consultants' input, the subcommittee recommended just one measure on the ballot that focused on TriMet obligation.

Councilor Miller said in looking at all the information collected and listening to the consultants' opinions, he saw no advantage to bundling projects. Support declined as the amount of the bond measure increased. Although the Library was the most costly, it was favored the most among the options. He concluded it was best to put the measure out as a standalone.

City Council Work Session – November 5, 2013

Draft Minutes

Page 2

Councilor Gamba added that once the light rail bond measure was explained, it came out as a clear win; however, as projects were added and costs increased, support declined. The demographic lines of support were clear, and he felt the measure could be approved.

Mr. Wheeler said the subcommittee would meet next week to review the communications plan and the tools that would be used. A focus group will convene to flesh out more of what should be put into the effort.

Mayor Ferguson and the group discussed adopting a Resolution reaffirming the Council's support and commitment to a May 2014 ballot measure.

Mr. Ramis reminded the City Council of election laws and activities employees could and could not undertake. He recommended any informational material prepared by staff be reviewed by the Secretary of State's office.

Councilor Miller discussed reductions that staff would have to consider if the measure did not pass.

Mr. Monahan said two budgets would be prepared for the Budget Committee and City Council to consider depending on whether or not the measure passed.

The group discussed the City's debt which **Ms. Camors** said was currently very low.

Councilor Churchill stated that he preferred that the TriMet obligation stand on its own. Any attempt to refinance obligations would appear to be a form of bundling. He urged keeping it straight forward.

Mayor Ferguson wanted to be sure all Council members were in agreement about moving toward the May bond measure.

Councilor Churchill said his opinion was "yes", and he wanted to make it clear that the bond was specifically for light rail. He did not wish to cloud the issue and run the risk of losing the measure and noted it was an obligation from a previous Council.

Councilor Hedges said people would not buy debt consolidation. He felt voters would trust the City if it was clear that the bonds would pay the outstanding balance of the TriMet obligation and in doing so save money.

Mayor Ferguson understood that the City Council reached consensus on moving forward and continuing with next steps.

Bond Support Team Discussion

Ms. Camors discussed the complexities of the issuance of tax exempt bonds and the need for a high level of expertise in the areas of bond counsel, financial advisor, and underwriter. She discussed the role of each team member and provided a list of consultants with whom she recommended negotiating a contract including their estimated fees.

Councilor Churchill was familiar with Orrick Herrington & Sutcliffe from the Bay area, and the firm was at the top of the market. He asked for some vetting of the process and requested staff be cautious with the citizens' money.

Ms. Camors believed Orrick provided the best quality bond counsel and had longstanding experience with municipalities of Milwaukie's size. She added the fee was not to exceed \$25,000.

City Council Work Session – November 5, 2013

Draft Minutes

Page 3

Councilor Churchill knew Orrick was a high-priced firm and was more concerned about the process. He was less comfortable with the hourly rate and scope.

Ms. Camors would review the bond counsel proposals. She explained that the City had issued a Request for Proposals (RFP) for a financial advisor and received three bids. The City was in the process of analyzing those bids. Staff recommended continuing with Wedbush Securities, Inc. and Katie Schwab for underwriter services. The consultant costs would come out of the bond proceeds and would be included in the \$4 million bond. She summarized that she understood the City Council was comfortable with the financial advisor and underwriter but wanted more information on the bond counsel.

Comcast Franchise Agreement Extension

Ms. Camors sought Council direction on moving forward with the Comcast Franchise Agreement extension. The current extension would expire January 31, 2014, and the proposed extension would allow adequate time to complete the ascertainment process. The proposed extension agreement would expire January 31, 2016.

Councilor Churchill thought Comcast could do a better job of coordinating with the Engineering Department and hoped there could be some kind of rider that gave Engineering the power to tell Comcast to come back at some other time.

Mr. Monahan would look into the existing agreement and come to an interim agreement to assure coordination. He would work with Mr. Rice to frame up some language.

Moving Forward Milwaukie – Market Study

Ms. Alligood was joined by **Nick Popenuk** and **Abe Farkas** of ECONorthwest who explained that the goal of the Moving Forward Milwaukie (MFM) project was to find ways to achieve appropriate development and to build on previous planning efforts with a focus on implementation. Mr. Farkas reviewed the project schedule and public events and discussed the role of the Project Advisory Committee (PAC). A market study was being carried out on a number of opportunity sites: Texaco at McLoughlin Boulevard and Harrison St, Cash Spot at McLoughlin Blvd and Washington St, the Triangle at 21st Av and Lake Rd, Dark Horse properties on 21st Av between Jefferson St and Monroe St, Graham's on Main St between Jefferson St and Washington St, the 7.5 acre Murphy site, and the 7.3 acre McFarland site. The purpose of the market study was to evaluate development potential of a number of sites with a range of opportunities and partnership potentials.

Mr. Farkas reviewed the demographic data. Milwaukie was part of the larger Portland regional economy, and he noted only 716 people lived and worked in the City of Milwaukie or about 8.4% of the population. The City's population was not increasing probably due to the lack of green field sites for development and older children moving out of the City.

Mr. Popenuk provided data on building permits and household incomes. Milwaukie was a moderate to middle income community with a median income of \$47,500. CoStar information indicated humble office and retail rents although the vacancy rates were low. He provided a rent and vacancy comparison of market areas.

Councilor Gamba was interested in Mississippi Ave pre-light rail.

Mr. Popenuk noted an urban renewal area had been created in that area just prior to light rail, so the numbers reflected a lot of new development. Milwaukie's industrial rents were similar to the rest of the region which he thought could indicate the City could

City Council Work Session – November 5, 2013

Draft Minutes

Page 4

attract certain sources of industrial business. On September 17, 2013, there was a Developer Roundtable walking tour attended by six experienced developers. The main challenges identified were low rental rates and housing prices in Milwaukie, the need for financial tools to fill the gap between high construction costs and low rental rates, the tendency for private property owners to hold out, and the scattered nature of properties. On the positive side, the City had good bones downtown, accessibility, views of the Willamette River, affordable housing, and amenities like Milwaukie High School and the Portland Waldorf School. He briefly discussed the stakeholder interviews with City Councilors, private and public property owners, City staff, and others. Adaptive reuse may be the most feasible option in the near term. Initial new development will likely require some type of partnership with public agencies, and a downtown parking strategy was needed.

Councilor Churchill observed people holding dirt often have overstated expectations.

Mr. Popenuk said the cost and value of land was a contributing factor. From a developer's perspective this community will need to identify public resources including a parking strategy. In central Milwaukie, the sites were large and would likely require phased development and a new street network. Initial development may require public incentives. New development both downtown and in the central area will result in positive fiscal impacts over time.

Councilor Churchill recommended being cautious about subsidies, and it might be advisable to wait for the market to rise. He discussed mom and pop development versus something like North Main. Be simple and more nimble instead of doing artificial subsidies. He thought the market would be strong enough to support Murphy and McFarland. The group discussed the impacts of heavy rail on those sites

Councilor Gamba was interested in the impacts of light rail.

Mayor Ferguson said due to the time, the City Council would reconvene the Work Session to discuss the management study topic after the Regular Session adjourned. He recessed the Work S at 7:00 p.m. and reconvened it at 8:14 p.m.

Management Study

Mr. Ramis identified Darrell Beck and Associates and briefly discussed the scope of work. The fee was \$3,500 per day, and he offered to get a more specific proposal if Council directed.

Mayor Ferguson wanted to focus on the organization and not the City Manager's performance. He hoped to get an evaluation of relationships between departments, the directors, and Council.

Councilor Churchill appreciated Mr. Ramis' background efforts but noted he was struggling without an understanding of the sweet spot of Beck's practice. He was also reeling from the proposed hourly rate.

Councilor Miller shared Mayor Ferguson's thoughts and hoped the consultant could suggest what might make the City better.

Councilor Gamba was interested in an overall picture and would like to find out why and where the organization was dysfunctional. Could we operate more efficiently and cohesively while retaining valued staff?

Councilor Hedges wanted to know if there was any common denominator in why staff had left and if there was any credibility in what Chief Jordan had been saying.

City Council Work Session – November 5, 2013

Draft Minutes

Page 5

Mr. Monahan welcomed a study but wanted to have a lot of input. He felt the Police Department should be analyzed by someone with a law enforcement background as well to determine how well it was functioning. He saw these as parallel studies to determine if the department was going in the direction the community wanted in the future.

Councilor Miller said for him it came down to what the community wanted in a police force. He did not want to move away from a very citizen oriented police force that cared about citizens. He stated that he did not want a disconnect between families, the community, and the Police Department.

Councilor Churchill said it was important to have confidence in the Police Chief, and one that was approachable was a great value to the community. He suggested a broader discussion of management style starting with the City Council. Are the Council members in line with expectations and doing what the citizens elected them to do? Was the administration consistent with best practices and the tone of citizens? He suggested moving forward more slowly to ensure the right consultant was hired.

Councilor Gamba observed Milwaukie was a small town, and the Police Department should not be feared.

Councilor Churchill recommended a consultant with a more holistic background. Management was communication in its best form, and delivery and style mattered versus pure expertise in a particular department. Was there something interfering with communication?

Mr. Ramis suggested writing up the key points for City Council to review and take out to a broader range of consultants. He felt 30 days was a reasonable amount of time to complete the project.

Mr. Monahan would review and comment on the scope of the document and bring forward a recommendation for a Police Department review.

Mayor Ferguson wanted to prepare a letter for staff and the community to let people know what was being done.

Mr. Monahan agreed that something should go out that explained the purpose and intended outcome of the study results.

Councilor Churchill reiterated his belief that there seemed to be a communication challenge and hoped that perception would be explored with current and former employees, the City Council, and advisory boards. He hoped the study would ask if communication has been effective and transparent to the citizens. He wanted as thorough a review as the City could afford.

The group discussed the balance between confidentiality and transparency. **Mr. Ramis** heard the City Council say it wanted to understand the effects of communication and management styles and would entertain suggestions for changes in style and even structure.

Mayor Ferguson adjourned the work session at 8:52 p.m.

Respectfully submitted,

Pat DuVal, Recorder

City Council Work Session – November 5, 2013

Draft Minutes

Page 6

RS38

MINUTES
MILWAUKIE CITY COUNCIL STUDY SESSION
NOVEMBER 21, 2013

Mayor Ferguson called the study session to order at 5:07 p.m. in the City Hall Conference Room.

Council Present: Council President Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal, Human Resources Director Gary Rebello, Finance Director Casey Camors

Milwaukie Historical Society Request for Museum Curator Funds

Ms. Bankhead provided background on the Milwaukie Historical Society's request for budgeted City funds in the amount of \$30,000 to hire a part-time curator. Museum Board members present were President of the Historical Society Jeff Odegaard, Vice President Greg Hemer, Secretary Michelle Hemer, and Directors at Large Clair Kuppenbender and Scott Barbur.

Mr. Odegaard discussed some of the recent activities since the new board was appointed.

Mr. Hemer said it was a pleasure to have worked with the City Recorder's Office on the Diamond Jubilee and the Historical Resources page of the City website.

Mr. Odegaard asked what the City Council wanted from the Board to further the effort of hiring a curator.

Councilor Miller asked if the Museum would be open more hours than it currently was.

Mr. Odegaard replied efforts would go into updating the collection and getting volunteers which should result in the Museum's being open more hours.

Mr. Hemer added a curator could facilitate Museum tours for school and scout groups rather than depending on volunteers.

The group discussed the Museum's location at an obscure corner and the limited parking.

Councilor Gamba observed the list of goals was extensive.

Mr. Hemer said the curator would guide the ship and work with the volunteers. He discussed funding resources and noted expenses were generally covered. The Board would begin working on a request for proposals (RFP) for a curator in December.

Mr. Odegaard felt the curator could organize the Museum to the level that attracted more visitor donations and increase membership.

Council President Hedges thought one of the tasks should be to look for means to support the Museum curator position long term.

Mr. Hemer responded the Board would be seeking grants and endowments. He hoped the position would be ongoing with the curator's having some technological savvy.

Councilor Churchill suggested splitting the funds between grant writing and curator activities.

It was the consensus of Council that this would be a one-time \$30,000 donation with no expectation that the funds would be spent in this fiscal year. The group discussed how the Board might report on the Museum's activities.

Council President Hedges and **Councilors Churchill** and **Miller** agreed they would like the money spent on a curator.

Mr. Monahan said the City would issue \$30,000 for a one time grant with Board reports scheduled for March and September. Funds would go to a curator unless the Board returned to the City Council and made a case for an alternate use.

Councilor Churchill felt being open more hours was an appropriate use of public funds.

Mr. Monahan said a letter will be sent with the check to the Board that outlined the purpose of the grant and stated that the funds did not have to be spent this fiscal year. He further understood that City Council generally agreed with the points of the work plan.

Council Discussion of Management Study

Mr. Ramis discussed the management study and the draft scope that was reviewed by the City Council. It was sent to five firms, three of which expressed interest. Once quotes were submitted, he would report back to the City Council.

Mr. Monahan discussed confidentiality.

Ed Zumwalt Volunteer of the Year Recognition

Mayor Ferguson discussed the ballots cast for the upcoming recognition.

Donation Request

Mayor Ferguson reiterated the City policy and said Council could donate as individuals.

Mayor Ferguson announced the City Council would meet in executive session pursuant to ORS 192.660(2)(b) to hear complaints or charges brought against a public officer, employee, staff member or individual agent who did not request an open hearing. He adjourned the study session at 6:25 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES

MILWAUKIE CITY COUNCIL
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WORK SESSION

JANUARY 21, 2014
City Hall Conference Room

Mayor Ferguson called the work session to order at 5:04 p.m.

Council Present: Council President Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal, Community Development Director Steve Butler, Associate Planner Li Alligood, Planning Director Denny Egner, Engineering Director Jason Rice, Civil Engineer Brad Albert, Finance Director Casey Camors, Engineering Technician Alex Roller, Engineering Technician Philip Kolb, and Senior Planner Ryan Marquardt

Media: Michael Bamesberger, The Oregonian

City Manager's Report

Mr. Monahan discussed changes to the work session agenda that included removing the Adams Connector Design discussion and adding an update on the Riverfront Park Project. There was no audience participation follow up from the previous meeting.

A joint meeting with the North Clackamas School District Board was scheduled for February 20, 2014, and Mr. Monahan asked if there were any topics the Mayor and Council wished to address. He discussed the annual financial benefit to the District that resulted from the City's participation in the County fiber project. He updated the City Council on the Municipal Court Judge interview process, the Wildlands/Kellogg for Coho Project, and the Clackamas Fire District #1 lease agreement with the City.

Community Development Update

Mr. Butler provided an update on community development projects including the Northwest Housing Alternatives zone change application, Moving Forward Milwaukie, and the Monroe Street Neighborhood Greenway. He announced the hiring of Associate Planner Vera Koliass, AICP, who brought with her economic development experience.

Mr. Butler provided a brief update on the Adams Street Connector Design and the request by Metro to have time to review the most recent information.

Engineering Department Update

Mr. Rice updated the Mayor and City Council on the County Transportation System Plan (TSP) adoption, the Capital Improvement Plan (CIP) Open House, and the Stanley Avenue Stormwater Project which would be designed by AKS Engineering. That project was expected to be under construction in July 2014. There were no questions on the updated Public Works Standards. He provided a status report on the quiet zones. The Federal Railroad Administration (FRA) opined that the City had correctly notified the necessary parties. The forms were completed, but Union Pacific Railroad (UPRR) had requested additional information. After February 5, FRA will send out an inspector to monitor the horns. The group discussed the circumstances under which the horns could be blown.

Greater Portland Inc. -- Presentation

Derrick Olsen, Vice President of Regional Strategy and Coordination for Greater Portland, Inc. (GPI), provided background on the recently formed organization. It was a partnership of businesses, organizations, and government agencies that targeted retention, expansion, and recruitment of businesses and focused on athletic and outdoor gear and apparel, high-tech and software, advanced manufacturing, and clean technology. Mr. Olsen discussed trade oriented jobs and the benefits they brought to the region.

Most small cities were challenged by having limited economic development staff, and GPI worked to develop tasks to create opportunities. GPI members saw benefits through cost sharing that individual entities would have difficulty realizing. Mr. Olsen discussed recent business retention and expansion and marketing strategies as well as goals related to export. When businesses looked at the region, decisions were made based on a series of criteria that would make one location more appropriate than another. GPI exposed the full region for consideration and helped prospective businesses compare sites. Membership was tiered and based on population; Milwaukie's annual membership would be about \$3,500.

Councilor Miller asked how GPI might work toward equal distribution of businesses on the east and west sides of the Willamette River.

Mr. Olsen replied it depended on what fit the company's needs. The goal was economic development across the region and ensuring responsiveness in smaller cities to grow jobs and communities. GPI facilitated certain key elements, but once a company decided on a location, the community took over.

Mr. Butler added membership this year could be a trial run to gauge the value to Milwaukie.

Council President Hedges said this was not a large sum of money and felt the City should be able to recover its membership fees. He was happy to get on board.

Councilor Churchill supported the membership to find out what the return on investment (ROI) looked like.

Moving Forward Milwaukie: Refined Draft Development Concepts

Ms. Alligood introduced briefing 3. She was joined by ECONorthwest consultants Nick Popenuk, Abe Farkas, and Scott Fregonese.

Mr. Popenuk provided an overview of the presentation that would address absorption, development concepts, next steps, and deliverables. He discussed absorption forecasting that took into account historical local and regional trends and Metro's most recent population and employment forecasts. Milwaukie had little or no movement in retail and office absorption, and industrial absorption showed the greatest amount of change. There was a similar pattern throughout the region although retail and office were more prominent in other areas. He discussed the potential impacts of light rail on future development.

Mr. Popenuk commented on the upcoming developers roundtable where participants could potentially look at 24 concepts that covered uses, heights, site plans, and preliminary pro formas. At this stage the financial analysis was done with a land value of zero. It would be important to look at the vertical environment. He reviewed the potential risks with five downtown opportunity sites and the two sites in central Milwaukie.

On the Murphy and McFarland sites the focus would likely be on a mix of uses. Each was a little over 7 acres with the potential for multiple buildings. One issue will be

internal circulation. He discussed the concepts for the Murphy site and mixed use opportunities that included flex space for light industrial which might be a buffer between the railroad tracks and the rest of the development. One residential concept was three story buildings with all surface parking. Another was denser senior housing that took advantage of the proximity to Providence Milwaukie Hospital and had a lower parking ratio. A cottage development or townhomes had also been discussed. There were a number of residential options available.

Councilor Churchill said without a price tag he would simply be responding to scale. He would not support 5 stories and felt 3 stories were more appropriate in the neighborhoods. He might support flex space with more information.

Councilor Gamba respectfully disagreed and did not believe the neighborhood to the north would necessarily be impacted if the development were planned with greenspace and step backs. The Hospital separated the site from the neighborhood to the east. He hoped to consider the possibility of reducing surface parking. He felt it would be a matter of design options.

Council President Hedges liked the idea of supporting the Hospital with senior housing. He did not like the heights and was concerned residents might feel a the loss of privacy.

Councilor Miller liked concept 3 with mixed use and maximum height of 3 stories and senior housing at market rate. He did not wish to exclude people based on income and was not interested in very small housing spaces.

Council President Hedges would encourage bringing in residents who had more disposable income to help support the businesses in the Market Place.

Mayor Ferguson did not mind looking at 5 stories depending on how it was designed. Clackamas County may wish to redevelop their property north of the Murphy site. He supported a mix of affordable and market rate housing.

Mr. Popenuk reviewed options for the McFarland site.

Councilor Gamba would like to consider a mix of housing on the McFarland site. Low income housing could work if done properly with strict design standards for better quality construction. A mix of market rate and low income, he felt, could make for a great development.

Councilor Churchill proposed office use to help buffer market rate residential from the railroad track.

Mr. Popenuk had gotten a clear breakdown on the contamination issues that would restrict residential construction on the southeast parcel. Light industrial, parking, and a park were options. There would be mitigation that if carefully planned would not be too costly. That parcel would have to be capped no matter what and would not be a health risk for occasional use. He discussed the downtown opportunity sites that included the current City Hall parking lot and the Metro-owned portion of the site.

Councilor Miller was concerned about a 5 story building on the Texaco site that would block the sun and views of the River.

Councilor Churchill commented it was difficult without a pro forma and a zero land value. He did not support anything more than 3 stories.

Councilor Gamba liked the four story u-shaped design with riverfront access for everyone.

Council President Hedges did not want a barrier that would discourage people from visiting Milwaukie. He would be willing to give the Cash Spot to a developer; it was currently an empty lot that gave us nothing.

Mr. Farkas observed an iconic building can entice people into the community.

Mr. Popenuk understood the City Council was concerned about design standards and particularly scale. He reviewed the three key questions: Did the Council concur with the refined draft development concepts or were there modifications it would like to see prior to doing the pro formas? How did the City Council feel about significant public investment? Was the City Council open to the project team's modifying the concepts to decrease the amount of public investment required?

Council President Hedges was having difficulty imagining what these concepts might look like in real life and asked to see some sketches of height. He was happy for the consultant to carry on dependent upon Project Advisory Committee (PAC) input.

Councilor Gamba agreed with questions 1 and 3 but would probably not be in favor of number 2.

Councilor Miller concurred with moving forward on what the City Council heard at this meeting but was not interested in significant public investment.

Councilor Churchill suggested investigating a 99 year land lease. He did not support a public investment as the City was looking for tax revenue. He concurred with proceeding based on the input received to this point.

Mayor Ferguson concurred with the refined draft development concepts and agreed with the third question. He recommended trading lightly on the public investment piece and was interested making some kind of land arrangement and investment without needing to come up with cash.

Mayor Ferguson recessed the work session at 7:03 p.m. and reconvened it at 8:15 p.m.

Riverfront Park

Mr. Butler reported there was forward movement on the permit and briefed the City Council on the status of the easement and appraisals. Staff was continuing to meet with the appraisers, and he was cautiously optimistic.

Mr. Monahan was pleased with the level of cooperation of Water Environment Services (WES) and the appraisers.

Mr. Rice discussed where the City was in terms of in-water work and having a contractor on site by mid-May for grading. To hit that timeline, David Evans and Associates (DEA) would have to have 100% plans by the beginning of March in order to issue a request for proposals (RFP) by mid-March. He hoped to move forward quickly to gain extra time. He reviewed the DEA survey grade and noted the trees that would need to be removed. He spoke briefly to the Oregon Department of Fish and Wildlife (ODFW) migratory bird concerns.

Councilor Gamba said he would personally like to retain mature trees where possible.

Councilor Miller noted the DEA survey seemed to indicate 80 to 100 trees would be removed.

Councilor Churchill suggested tagging the trees so the City Council and the public could get a better idea of the scope.

Mr. Rice would convey these concerns and communicate with DEA that trees should be retained whenever possible. He noted the overall look of the Park might change from its current design.

Council President Hedges observed the next phases were years away from being built and felt unless negatively impacted by the grading, trees would be retained.

Councilor Gamba suggested walking the site with a tree expert. He did not feel it was necessary to tag trees in the middle of the parking lot as those would obviously have to be removed.

Mr. Butler understood that trees should be saved if at all possible.

Mr. Rice added they were still working on the number of trees to be planted.

Mayor Ferguson commented that the trees being planted around the Kellogg Treatment Plan would add to the positive overall net gain.

Mayor Ferguson adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES
MILWAUKIE CITY COUNCIL
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REGULAR SESSION
JANUARY 21, 2014

Mayor Ferguson called the 2,166th meeting of the Milwaukie City Council to order at 7:11 p.m. in the City Hall Council Chambers.

Council Present: Council President Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal, City Attorney Shelby Rihala, Engineering Director Jason Rice, Finance Director Casey Camors, Engineering Technician Philip Kolb, and Civil Engineer Brad Albert.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

A. Milwaukie High Outstanding Student Achievement Award for January 2014 to Ian Diebert

Principal Mark Pinder introduced Ian Diebert and highlighted his achievements at Milwaukie High School. Mayor Ferguson and the Councilors congratulated Mr. Diebert on being selected as the January 2014 Outstanding Student Achievement Award recipient.

B. Seventh Annual Report on the Street Surface Maintenance Program

Mr. Albert discussed current and upcoming projects, overall street conditions, presented a revenue summary, and laid out program goals for the Street Surface Maintenance Program (SSMP). The most recently completed projects were Harrison Street Phase II, Main Street that included Americans with Disability Act (ADA) ramp updates, and slurry sealing in the Cedarcrest and Brookside Neighborhoods. Upcoming projects were Monroe Street Phase II which was base and surface reconstruction from Campbell Street to McLoughlin Boulevard at an estimated cost of \$550,000 as well as slurry and crack sealing in various neighborhoods. Mr. Albert reviewed the revenues which were generally as projected from the three funding sources, the street maintenance fee, local gas tax, and the PGE privilege tax. Work on arterials and collectors was improving the overall condition of the network with improvements on residential streets to follow. Additional benefits included improved bike connectivity, safer routes to schools, improved stormwater drainage, enhanced appearance, and organized infrastructure priorities to create efficiencies. He provided a chart of comparable fees and lane miles in Lake Oswego, Oregon City, and West Linn.

Councilor Gamba asked if the program allowed the use of funds for other projects such as sidewalks or widening Railroad Avenue.

Mr. Albert replied the SSMP did not have a sidewalk element.

Mr. Rice added no widening had been done to date.

Council President Hedges commented Railroad Avenue was two years out and asked if it would last that long.

Mr. Albert replied that the Street Department will do some patching and commented on the Stanley Avenue storm line and funding for the full project.

Mr. Rice said another element was the completion of Monroe Street before light rail opened.

CONSENT AGENDA

It was moved by **Council President Hedges** and seconded by **Councilor Gamba** to approve the consent agenda as presented.

A. City Council Meeting Minutes

1. **December 3, 2013, Work Session;**
2. **December 17, 2013, Work Session; and**
3. **December 17, 2013, Regular Session**

Motion passed with the following vote: **Councilors Gamba, Miller, Churchill, and Hedges** and **Mayor Ferguson** voting “aye.” [5:0]

AUDIENCE PARTICIPATION

There was no audience participation or follow up from the previous meeting.

PUBLIC HEARING

None scheduled

OTHER BUSINESS

A. Northwest Natural Gas Company Franchise Agreement

Ms. Camors was joined by **Stephanie Baxter**, Northwest Natural Gas Company. **Ms. Camors** discussed the process for updating the agreement and noted the City and Northwest Natural had a good working relationship and partnered well when work was done in the right of way. Changes to the previous agreement included alignment of payments with the City’s year end, late payment fees favorable to the City, and language to allow the City to change the fee as allowed by statute.

The group discussed the term of the agreement. Staff would return on February 4, 2014, for adoption of the ordinance granting the franchise.

B. Personal Services Agreement for City Prosecutor Legal Services – Resolution

Ms. Camors provided the staff report in which the City Council was requested to consider a Resolution directing staff to execute a personal services agreement with **Rhett Bernstein**, Attorney at Law, for City Prosecutor Services. The new agreement reduced insurance limits and decreased the number of reports.

Councilor Churchill was concerned about reducing monthly reports to annual reports.

Ms. Camors said the reports were not substantive and did not really indicate performance. The agreement allowed for other reports that might refine the process.

Councilor Churchill stated he would be in favor of some kind of quarterly reports.

Councilor Gamba asked if adding a misdemeanor court at some point would be within the parameters of this agreement.

Ms. Camors replied it would be outside the scope of work of this agreement and would increase the amount of compensation.

It was moved by Council President Hedges and seconded by Councilor Miller to adopt the Resolution directing staff to execute a personal services agreement with Rhett Bernstein, Attorney at Law, for City Prosecutor Services. Motion passed with the following vote: Councilors Gamba, Miller, Churchill, and Hedges and Mayor Ferguson voting “aye.” [5:0]

RESOLUTION NO. 6-2014:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DIRECTING STAFF TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH RHETT BERNSTEIN, ATTORNEY AT LAW, FOR CITY PROSECUTOR SERVICES.

C. Regional Committee Assignments

Mayor Ferguson had nothing further to report. Earlier concerns with meeting conflicts had been resolved.

D. Council Reports

Council President Hedges attended three Neighborhood District Association (NDA) meetings and the American Legion fundraiser dinner for emergency shelter supplies.

Councilor Churchill reported there was a high degree of interest in the Historic Milwaukie NDA regarding implementation of the railroad quiet zones.

Councilor Miller attended the North Clackamas Urban Watersheds Council meeting and the Legion fundraiser. Lake Road NDA attendees were curious about the bond measure and other events in the City.

Councilor Gamba attended the Good Neighbor Committee (GNC) where lighting was discussed. He attended the Metro Active Transportation Plan meeting and the Portland Milwaukie Light Rail meeting where bus service issues were discussed. He talked with the First Lady of Oregon Cylvia Hayes about coal trains and hosted the Watershed Film Festival.

Mayor Ferguson attended the North Clackamas Social Needs Forum and would speak at the Chamber of Commerce Annual State of the Cities luncheon. He encouraged people to attend the upcoming City Council goal setting session.

ADJOURNMENT

Mayor Ferguson adjourned the regular session at 8:08 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES

MILWAUKIE CITY COUNCIL
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SPECIAL SESSION

JANUARY 23, 2014
City Hall Conference Room

Mayor Ferguson called the special session to order at 7:49 p.m.

Council Present: Council President Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, and Finance Director Casey Camors

Personal Services Agreement for City Municipal Court Judge Services

Mayor Ferguson and **Council President Hedges** discussed the strengths of the finalists for the Municipal Court Judge position. Both felt Kimberly Graves was the most qualified and fit the model the City Council hoped to have in the Municipal Court.

Ms. Camors would follow up with the candidates and schedule a swearing in with Ms. Graves for the February 4, 2014, regular session.

It was moved by Council President Hedges and seconded by Councilor Churchill to adjourn the special session. Motion passed with the following vote: Councilors Hedges, Churchill, Gamba, and Miller and Mayor Ferguson voting "aye." [5:0]

Mayor Ferguson adjourned the meeting at 8:03 p. m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES
MILWAUKIE CITY COUNCIL
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WORK SESSION
FEBRUARY 4, 2014
City Hall Conference Room

Mayor Ferguson called the work session to order at 5:04 p.m.

Council Present: Council President Hedges and Councilors Mark Gamba and Mike Miller

Excused: Councilor Scott Churchill and City Manager Bill Monahan

Staff Present: Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal, Community Development Director Steve Butler, Finance Director Casey Camors, Engineering Director Jason Rice, and Planning Director Denny Egner

City Manager's Report

Ms. Bankhead announced several upcoming meetings of regional interest and critical dates for adoption of the May 2014 ballot titles. Both the bond measure and charter amendment would be on the February 18, 2014, Regular Session Council agenda for discussion and adoption. Informational material had been prepared for boards and commissions and the Neighborhood District Associations (NDA).

She said Clackamas County was seeking applicants for the Housing Advisory Council for a three year appointment, and it would be advisable for a Milwaukie representative to have a seat at the table.

Community Development Update

Mr. Egner discussed upcoming Planning Commission hearings for the Road Home pilot project at Milwaukie Christian Church, 5197 SE King Road, and the Northwest Housing Alternatives zone change application at 2316 SE Willard. The Design and Landmarks Committee (DLC) was working on amending its bylaws which would come before the City Council for final approval later this year. The Committee would review final design details for lighting on the Kellogg Creek bike/pedestrian bridge in March.

The City Council would have two sessions later in the month to address the opportunity site analysis for Moving Forward Milwaukie (MFM). The Planning Commission and DLC will have a joint session on February 11 to review MFM's progress, and presentations were being scheduled with six NDAs. There would be a public workshop on March 6.

Councilor Miller expressed concerns about the ongoing pedestrian bridge maintenance and particularly with the cost of graffiti removal. **Mr. Butler** would ask Ms. Bluhm to follow up on that concern in her upcoming light rail project update to Council.

Mr. Butler reported Milwaukie staff was still working with the Oregon Department of Transportation (ODOT) on the Monroe Street Neighborhood Greenway Project to develop the scope of work and to draft the public outreach plan.

Mr. Rice said staff was currently working with Metro to clarify certain Adams Street Connector design elements and that Metro had agreed to extend the deadline for completion. He introduced Adriana Slavens who was recently hired to fill the vacant Civil Engineer position.

Mr. Rice distributed revised drawings indicating the trees that did or did not need to be removed for Riverfront Park improvements. The revisions showed far fewer trees being removed than previously shown to the City Council. He discussed the effects of the Migratory Bird Act on the project.

The group discussed signage explaining the tree removal and boat ramp closures related to tree removal and construction.

Councilor Miller recommended letting people know the number of trees that would be planted during the project.

Mayor Ferguson updated the City Council on the status of the Water Environment Services (WES) easement which was in progress.

Mr. Butler introduced the new Building Official John Stelzenmueller who was hired to replace Tom Larsen upon his retirement.

Fiscal Year 2013 Audit Presentation

Ms. Camors introduced Rob Moody from the auditing firm Talbot, Korvola & Warwick, LLP (TKW). She discussed the formation of the Audit Committee whose members reviewed the auditing services proposals and interviewed the top selections. The Committee recommended that TKW be awarded the contract with the City of Milwaukie.

Mr. Moody reported that Finance Department staff was prepared when the audit team arrived on site and was very responsive to their questions. This had been a very good process which was not always the case in a first year audit. He and Ms. Camors met with the Audit Committee prior to this work session and went through the deliverables in detail and answered members' questions. He pointed out that while TKW worked with the staff, the firm worked for the City Council and Audit Committee to provide an unmodified opinion. Some items which TKW noted were reviewed with the Audit Committee, and staff plans to address those. He encouraged the Mayor and Council to contact the firm if questions came up, and he looked forward to working with Milwaukie in the future.

City Council 2014 Goals Discussion

Ms. Bankhead reviewed the list of goals she had prepared based on earlier City Council discussions. Department directors would prioritize them for City Council consideration and possible adoption at the February 18, 2014, meeting.

Mayor Ferguson discussed a potential site for a future skateboard park. The old fire station at 40th and Harvey Street that was now vacant needed a roof replacement that would cost about \$70,000. The building could be demolished for about \$35,000. Those interested in developing a skate park could do the fundraising for its construction, and Milwaukie would provide the land.

Councilor Miller discussed the process for a zone change to accomplish the park.

Council President Hedges observed the City would save money by demolishing the building rather than replacing the roof.

Mayor Ferguson adjourned the work session at 5:45 p.m.

Respectfully submitted,

Pat DuVal, Recorder



MINUTES
MILWAUKIE CITY COUNCIL
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REGULAR SESSION
FEBRUARY 4, 2014
City Hall Council Chambers

Mayor Ferguson called the 2,167th meeting of the Milwaukie City Council to order at 7:02 p.m.

Council Present: Council President Hedges and Councilors Mark Gamba, and Mike Miller

Excused: Councilor Scott Churchill and City Manager Bill Monahan

Staff Present: Assistant to the City Manager Teri Bankhead, City Attorney Tim Ramis, City Recorder Pat DuVal, and Finance Director Casey Camors

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Mayor Ferguson administered the Oath of Office for Municipal Court Judge to Kimberly Graves.

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

None scheduled.

CONSENT AGENDA

It was moved by Council President Hedges and seconded by Councilor Gamba to approve the consent agenda as presented.

A. City Council Meeting Minutes

1. January 7, 2014, Work Session
2. January 7, 2014, Regular Session;

B. OLCC Application for Woodpecker Pizza, Inc., 10610 SE Main Street, change of ownership; and

C. Resolution 8-2014: A Resolution of the City Council of the City of Milwaukie, Oregon, Appointing Lisa Lashbrook to the Park and Recreation Board.

Motion passed with the following vote: Councilors Miller, Hedges, and Gamba and Mayor Ferguson voting "aye." [4:0]

AUDIENCE PARTICIPATION

There was no audience participation and no follow up from the previous meeting.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

A. Northwest Natural Gas Company Franchise Agreement - Ordinance

Ms. Camors provided the staff report in which the City Council was requested to adopt the Ordinance granting a 10-year non-exclusive franchise agreement with the Northwest Natural Gas Company. The City and Northwest Natural have enjoyed a good working relationship, and the company was responsive and worked appropriately in the right of

way. Changes from the previous agreement included aligning the franchise fee payments with the City's fiscal year end, providing for late payment fees at a rate more favorable to the City, and offering flexibility in the franchise fee if statutes allowed for increases.

Councilor Gamba asked for confirmation from Mr. Rice that if Northwest Natural installed in a new service or made repairs that restoration of the right of way would comply with City standards.

Ms. Camors would speak with Mr. Rice to ensure conformance.

Councilor Miller agreed with Councilor Gamba's comments.

It was moved by Councilor Gamba and seconded by Council President Hedges for the first and second readings by title only and adoption of the Ordinance granting a non-exclusive gas utility franchise to Northwest Natural Gas Company, and fixing terms, conditions, and compensation of such franchise and providing an effective date. Motion passed with the following vote: Councilors Miller, Hedges, and Gamba and Mayor Ferguson voting "aye." [4:0]

Ms. Bankhead read the Ordinance two times by title only.

Ms. DuVal polled the Council: Councilors Miller, Hedges, and Gamba and Mayor Ferguson voting "aye."

ORDINANCE NO. 2075:

AN ORDINANCE GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE AND PROVIDING AN EFFECTIVE DATE.

B. Consideration of May 2014 Bond Measure

Mayor Ferguson gave a brief report on the work done to date with the bond measure subcommittee and the timelines leading up to the May ballot. The City Council would have a full discussion at the February 18, 2014, regular session and the public was invited to comment on the proposed measure.

C. Council Reports

Councilor Miller attended the Milwaukie Park and Recreation Board (PARB) meeting where the group discussed its role in the development of Riverfront Park and the four undeveloped parks in the City.

Councilor Gamba attended the Metro Policy Advisory Committee (MPAC) that focused on Climate Smart Communities.

Council President Hedges attended the Neighborhood District Association (NDA) monthly leadership meeting and the Ardenwald NDA meeting. He will provide information on the bond measure and other City activities at the upcoming Lions Club meeting. The annual Milwaukie Officer of the Year banquet was scheduled for February 27.

Mayor Ferguson spoke at the Chamber of Commerce State of the Cities luncheon and participated in municipal court judge and board and commission interviews. He and Councilor Gamba attended a Walkable Communities presentation. He looked forward to speaking with the community about the bond measure.

ADJOURNMENT

Mayor Ferguson adjourned the regular session at 7:26 p.m.

Respectfully submitted,

Pat DuVal, Recorder



CITY OF MILWAUKIE
"Dogwood City of the West"

RS 3. B. 1.

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPOINTING ANGEL FALCONER AS AN AT-LARGE MEMBER TO THE PUBLIC SAFETY ADVISORY COMMITTEE.

WHEREAS, a vacancy exists on the Public Safety Advisory Committee for an at-large position; and

WHEREAS, Milwaukie Municipal Code Section 2.24.020(B) provides for appointment of members of the Milwaukie Public Safety Advisory Committee "by the council;" and

WHEREAS, Angel Falconer possesses the necessary qualifications to serve on the Committee and has indicated her desire to serve.

Now, therefore, the City of Milwaukie, Oregon resolves as follows:

SECTION 1: That Angel Falconer is appointed to the Milwaukie Public Safety Advisory Committee as an at-large representative serving in position #11.

SECTION 2: That her term of appointment shall commence immediately and shall expire June 30, 2016.

SECTION 3: This resolution takes effect immediately upon passage.

Introduced and adopted by the City Council on February 18, 2014.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPOINTING CONSTANCE "CONNIE" KILBY AS AN AT-LARGE MEMBER TO THE PUBLIC SAFETY ADVISORY COMMITTEE.

WHEREAS, a vacancy exists on the Public Safety Advisory Committee for an at-large position; and

WHEREAS, Milwaukie Municipal Code Section 2.24.020(B) provides for appointment of members of the Milwaukie Public Safety Advisory Committee "by the council;" and

WHEREAS, Connie Kilby possesses the necessary qualifications to serve on the Committee and has indicated her desire to serve.

Now, therefore, the City of Milwaukie, Oregon resolves as follows:

SECTION 1: That Connie Kilby is appointed to the Milwaukie Public Safety Advisory Committee as an at-large representative serving in position #9.

SECTION 2: That her term of appointment shall commence immediately and shall expire June 30, 2016.

SECTION 3: This resolution takes effect immediately upon passage.

Introduced and adopted by the City Council on February 18, 2014.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:

Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPOINTING CHRIS ORTOLANO AS AN AT-LARGE MEMBER TO THE PUBLIC SAFETY ADVISORY COMMITTEE.

WHEREAS, a vacancy exists on the Public Safety Advisory Committee for an at-large position; and

WHEREAS, Milwaukie Municipal Code Section 2.24.020(B) provides for appointment of members of the Milwaukie Public Safety Advisory Committee "by the council;" and

WHEREAS, Chris Ortolano possesses the necessary qualifications to serve on the Committee and has indicated her desire to serve.

Now, therefore, the City of Milwaukie, Oregon resolves as follows:

SECTION 1: That Chris Ortolano is appointed to the Milwaukie Public Safety Advisory Committee as an at-large representative serving in position #10.

SECTION 2: That his term of appointment shall commence immediately and shall expire June 30, 2016.

SECTION 3: This resolution takes effect immediately upon passage.

Introduced and adopted by the City Council on February 18, 2014.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney



**Regular Session
Agenda Item No.**

6

Other Business



MILWAUKIE CITY COUNCIL
AGENDA ITEM SUMMARY

Agenda Item: **RS 6. A.**

Meeting Date: **2/18/14**

Title: **Bond Resolution for May 2014 Ballot**

Prepared By: Grady Wheeler, Public Affairs Coordinator

Department Approval: Teri Bankhead, Assistant to the City Manager

City Manager Approval: Bill Monahan, City Manager

Approval Date: February 10, 2014

ISSUES BEFORE COUNCIL

Consider a resolution calling an election regarding the question of authorizing a general obligation bond to refinance light rail construction debt.

STAFF RECOMMENDATION

Adopt the proposed resolution to refer to the electors a general obligation bond that would be placed on the May 20, 2014 ballot.

KEY FACTS & INFORMATION SUMMARY

In pursuance of City Council's primary goal of 2013 to explore funding alternatives to prevent loss of services, staff has been conducting thorough research on placing a bond on a future election that would refinance the City's light rail construction debt, thereby preserving the general fund and the provision of core services. After extensive public opinion research and outreach, staff has developed, with the assistance of bond counsel, legal counsel and a communications consultant, a bond measure for Council's referral. If approved through this resolution, the measure would be placed on the May 20, 2014 ballot for voter approval.

OTHER ALTERNATIVES CONSIDERED

1. Do not refer a measure to the voters.
2. Refer a bond measure to the November 2014 ballot or later.

CITY COUNCIL GOALS

Goal 1.a - Funding to prevent loss of services. Options could include: a. Bond

FISCAL NOTES

Because the May 2014 election is a regular election, the City would not incur any costs by placing a general obligation bond on the ballot.

ATTACHMENTS

1. Resolution
2. Exhibit A



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON CALLING AN ELECTION REGARDING THE QUESTION OF AUTHORIZING GENERAL OBLIGATION BONDS TO REFINANCE LIGHT RAIL CONSTRUCTION DEBT AND RELATED MATTERS.

WHEREAS, on December 16, 2008, the City of Milwaukie, Oregon (the "City") entered into an Intergovernmental Funding Agreement with the Tri-County Metropolitan Transportation District of Oregon ("Tri-Met") which required the City to contribute \$5,000,000 (the "City's Contribution") towards the Portland-Milwaukie Light Rail Project (the "Project"); and

WHEREAS, the City's Contribution was used to pay for capital construction and capital improvements with respect to the Project; and

WHEREAS, on June 7, 2012, the City entered into a Settlement Agreement with Tri-Met which, among other things, allowed the City to finance a portion of the City's Contribution over a period of time; and

WHEREAS, the City Council (the "City Council") of the City proposes to refinance the City's obligations under the Settlement Agreement through the issuance of general obligation bonds in the aggregate principal amount of \$4,000,000 (the "Bonds"). The proposed Bonds will be payable over a period not exceeding twenty (20) years and the estimated tax increase effect on a City home will be approximately 18 cents per \$1,000 of assessed valuation or an estimated \$36 per year on an average home with an assessed value of \$200,000; and

WHEREAS, Oregon Revised Statutes (ORS) Chapter 287A, subject to voter approval, authorizes the City to contract bonded indebtedness to provide funds to refinance the City's obligations under the Settlement Agreement and to pay bond issuance costs.

NOW, THEREFORE, BE IT RESOLVED by the City of Milwaukie, Oregon:

Section 1. A measure election is hereby called for the purpose of submitting to the electors of the City the question of contracting general obligation bonded indebtedness in the name of the City in an aggregate principal amount not to exceed \$4,000,000. Bond proceeds will be used to refinance the City's obligations under the Settlement Agreement and to pay for all or a portion of Bond issuance costs. The Bonds shall mature over a period of twenty 20 years or less.

Section 2. The measure election hereby called shall be held in the City on Tuesday, May 20, 2014. As authorized by the County Clerk of Clackamas County, Oregon and the Oregon Secretary of State, the election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

Section 3. The City authorizes the Mayor, the City Manager or the Finance Director or their designee as authorized representatives (each an "Authorized Representative") to act on behalf of the

City, to submit the final ballot title and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

Section 4. After receiving the Notice of Measure Election (the “Notice”), in substantially the form attached hereto as Exhibit “A,” from the governing body of the City, the City Recorder shall publish a notice that the ballot title has been received and a notice of measure election in the next available edition of *The Oregonian* or another newspaper of general circulation in Milwaukie, Oregon. An elector may file a petition for review of the ballot title not later than the seventh business day after the ballot title is filed with the City Recorder. The City Recorder shall deliver the Notice to the Elections Office of Clackamas County, Oregon not later than March 20, 2014 (61 days prior to the election date) and certify to the Elections Office that notice was published in accordance with ORS 250.275(5) and the ballot title challenge process has been completed pursuant to ORS 250.296(1).

Section 5. This Resolution shall become effective immediately.

Introduced and adopted by the City Council on February 18, 2014.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

STATE OF OREGON)
COUNTY OF CLACKAMAS) ss.
CITY OF MILWAUKIE)

I, _____, Recorder (Deputy Recorder) for the City of Milwaukie, Oregon, do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Council of the City of Milwaukie, Oregon, at the meeting held on the _____ day of _____, 2014, and thereafter approved and signed by the Mayor and attested by the City Recorder.

City Recorder (Deputy Recorder)

EXHIBIT A

NOTICE OF MEASURE ELECTION

CITY OF MILWAUKIE
CLACKAMAS COUNTY, OREGON

NOTICE IS HEREBY GIVEN that on Tuesday, May 20, 2014, an election will be held within the boundaries of the City of Milwaukie, Oregon. The election shall be conducted by mail pursuant to ORS 254.465 and ORS 254.470. The following question will be submitted to the qualified voters thereof:

CAPTION:

AUTHORIZES GENERAL OBLIGATION BONDS TO
REFINANCE LIGHT RAIL CONSTRUCTION DEBT

QUESTION:

Shall Milwaukie issue \$4,000,000 of general obligation bonds to refinance light rail construction debt to retain core services? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

SUMMARY:

This measure authorizes the City of Milwaukie to issue up to \$4,000,000 of general obligation bonds to refinance Milwaukie's share of light rail construction costs.

The bond proceeds would be used to refinance the debt, potentially at a lower interest rate, reducing Milwaukie's payments and saving the City money. Currently, the debt is being repaid from the City's General Fund, which also pays for core services including police protection and library services. Refinancing the debt would allow the City to retain core services.

The bonds would be payable from property taxes and would be repaid over a period of 20 years or less. If the bonds are approved, the additional tax is estimated to cost \$36 per year for a Milwaukie home with a taxable value of \$200,000.

Notice is hereby given that a ballot title for a measure referred by the City will be filed with the Clackamas County Elections Office on _____, 2014. The ballot title caption is AUTHORIZES GENERAL OBLIGATION BONDS TO REFINANCE LIGHT RAIL CONSTRUCTION DEBT. Pursuant to ORS 250.296(1) an elector may file a petition for review of this ballot title in the Clackamas County Circuit Court no later than 5:00 p.m., _____, 2014 (seven days after filing of this notice with the Elections Officer).

The ballot title was filed in the office of the City Recorder on _____, 2014 and a copy of the ballot title and the City Council Resolution may be obtained by contacting the City Recorder at Milwaukie City Hall.

The following authorized City official hereby certifies the above ballot title is true and complete.

Signature of Authorized Representative

Date Signed

Printed Name of Authorized Representative

Title

This Notice of Measure Election is to be published by the City Recorder in *The Oregonian* or another newspaper of general circulation within the City, in the next available edition of such newspaper after this Notice of Measure Election is filed with the Elections Officer.



MILWAUKIE CITY COUNCIL
STAFF REPORT

To: Mayor and City Council

Through: Bill Monahan, City Manager

Subject: **Ballot Referral for Charter Revision**

From: Teri Bankhead, Asst. to the City Manager

Date: February 10, 2014

ACTION REQUESTED

Adopt the resolution to refer a charter revision to the Milwaukie citizens for the May 20, 2014 ballot.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

The Milwaukie City Charter was last revised in 1990.

Council agreed at the February 4, 2014 work session to bring forth proposed language to the February 18 regular session that would revise the Charter city manager residency requirement. Council will need to take action via resolution at the meeting on the 18th in order to refer it to the electors for the May 20, 2014.

Council discussed referring a revision to the Charter language regarding city manager residency requirements at their goal setting on January 23, 2014.

BACKGROUND

The Charter was last revised in 1990 when the civil service language was removed. During 2013, Council received a public testimony request to change the charter language that requires the city manager to live in the city limits, stating the Council had not conformed to this for the last approximately 25 years.

Currently Section 27 of the Charter states:

Section 27. MANAGER.

(a) **QUALIFICATIONS.** The city manager shall be the administrative head of the government of the city. The city manager shall be chosen by the council without regard to political considerations and solely with reference to executive and administrative qualifications. **The city manager need not be a resident of the city or of the state at the time of appointment, but shall take up legal residency in the city of Milwaukie within six months of the date of hire, or within such time as is agreeable to the council.**

During the January 23, 2014 goal setting Council agreed to proceed with revising the language with the May 20, 2014 election date as the target. In a follow-up work session on February 18, 2014, Council agreed to advance the proposed revision to remove the second part of the sentence so that the referred language would state:

The city manager need not be a resident of the city, ~~or of the state at the time of appointment, but shall take up legal residency in the city of Milwaukie within six months of the date of hire, or within such time as is agreeable to the council.~~

CONCURRENCE

Council has discussed this at two meetings in 2014 and concurs.

FISCAL IMPACTS

Minimal staff time and codification expenses.

WORK LOAD IMPACTS

Minimal for City Recorder and City Manager's Staff

ALTERNATIVES

1. Do not adopt the resolution referring the Charter revisions to the electors on May 20, 2014
2. Consider different language than proposed.

ATTACHMENTS

1. Resolution
2. Exhibit A Ballot Title
3. Exhibit B The "Act"



CITY OF MILWAUKIE
"Dogwood City of the West"

Resolution No.

A RESOLUTION OF THE MILWAUKIE CITY COUNCIL SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT TO BE CONSIDERED AT THE MAY 20, 2014, PRIMARY ELECTION, THAT WOULD AMEND SECTION 27(A) OF THE MILWAUKIE CHARTER RELATING TO RESIDENCY REQUIREMENTS FOR THE CITY MANAGER

WHEREAS, the Milwaukie City Council has undertaken a review of the Milwaukie Charter to consider whether to recommend any Charter amendments to the voters; and

WHEREAS, the Council has determined that Charter Section 27(a) can be amended to clarify the Charter's City Manager residency requirement; and

WHEREAS, after due consideration, the Milwaukie City Council has decided to forward a proposed Charter Amendment to the voters.

NOW, THEREFORE, BE IT RESOLVED by the Milwaukie City Council that:

SECTION 1: An election is hereby called in and for the City of Milwaukie, Clackamas County, Oregon, for the purpose of submitting to the legal voters the question:

Should the Charter be amended to clarify that the City Manager need not reside in Milwaukie?

SECTION 2: The measure election hereby called shall be held in the City of Milwaukie on the 20th day of May 2014. The election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

SECTION 3: The Milwaukie City Council authorizes the mayor, the city manager (each an "authorized representative") or a designee of the authorized representative to act on behalf of the City of Milwaukie and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

SECTION 4: Pursuant to ORS 250.275(5), the Milwaukie City Council directs the city elections officer to file with the Clackamas County Elections Office a Notice of City Measure Election in substantially the form of the attached and incorporated Exhibit A on a date no earlier than the eighth business day after the date on which Exhibit A is filed with the city elections officer but in any event, no later than March 20, 2014. The Clackamas County Elections Office is required to produce and disseminate a facsimile of the ballot in accordance with ORS 254.205.

SECTION 5: Pursuant to ORS 251.345, the Milwaukie City Council directs the city manager to prepare a Measure Explanatory Statement for publication in the county voters' pamphlet; said statement shall be filed with the Clackamas County Elections Office at the same time the Notice of City Measure Election is filed by the city elections officer.

SECTION 6: The Act, containing the full Charter amendment, is attached hereto as Exhibit B and incorporated in this resolution by reference.

SECTION 7: This resolution is effective immediately upon passage.

Introduced and adopted by the City Council on _____, 2014.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

Exhibit A Ballot Title

Notice of Measure Election

SEL 802

City

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

Notice		
Date of Notice	Name of City or Cities City of Milwaukie	Date of Election

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

Charter Amendment to clarify City Manager residency requirement.

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

Should the Charter be amended to clarify that the City Manager need not reside in Milwaukie?

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

If amended, Section 27(a) of the Milwaukie Charter would be amended to clarify that the City Manager does not need to reside in the City of Milwaukie. Under the current charter, the City Manager does not need to be a resident of the city at the time of appointment, but is required to take up legal residency in the City of Milwaukie either within six months of the date of hire or within such time as agreeable to the council.

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 type="checkbox"/> Referral	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Not applicable		<input 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	Title	Work Phone
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Signature	Date Signed
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Exhibit B

The "Act":

A Charter amendment submitted to the voters by the Milwaukie City Council. The Milwaukie Charter is amended to read (new language underlined, deleted language stricken) as shown below and referenced in City of Milwaukie Resolution No. 14-__.

Section 27. MANAGER

(a) QUALIFICATIONS. The city manager shall be the administrative head of the government of the city. The city manager shall be chosen by the council without regard to political considerations and solely with reference to executive and administrative qualifications. The city manager need not be a resident of the city ~~or of the state at the time of appointment, but shall take up legal residency in the city of Milwaukie within six months of the date of hire, or within such time as is agreeable to the council.~~ Before taking office, the city manager shall be bondable in such amount with such surety as may be approved by the council. The premiums on such bond shall be paid by the city.